

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SIPCO, LLC, and IP CO, LLC
(d/b/a INTUS IQ),

Plaintiffs,

v.

Civil Action No. 6:15-cv-907

EMERSON ELECTRIC CO., EMERSON
PROCESS MANAGEMENT LLLP, FISHER-
ROSEMOUNT SYSTEMS, INC.,
ROSEMOUNT INC., BP, p.l.c., BP
AMERICA, INC., and BP AMERICA
PRODUCTION COMPANY,

Defendants.

**PLAINTIFFS' RESPONSE TO DEFENDANTS' NOTICE REGARDING RELATED
LITIGATION FILED FEBRUARY 18, 2016**

SIPCO, LLC and IP CO, LLC (d/b/a INTUS IQ) (“Plaintiffs” or “SIPCO”) submit this response to Defendants’ Notice Regarding Related Litigation (“Notice”) filed by Emerson Electric Co., Emerson Process Management LLLP, Fisher-Rosemount Systems, Inc., and Rosemount Inc. (collectively, “Defendants” or “Emerson”) on February 18, 2016. (Dkt. 44.) In their Notice, Emerson informed this Court that it is now asking the court in *Emerson Electric Co., et al. v. SIPCO, LLC, et al.*, Civil Action No. 1:15-cv-00319-AT, pending in the United States District Court for the Northern District of Georgia, (“the Georgia action”), to decide the first-to-file issue and to enjoin the above-captioned action.

For this Court’s information and consideration, SIPCO attaches as Exhibit A its memorandum in opposition to Emerson’s motion to enjoin filed in the Georgia Action. Included in Exhibit A are the supporting exhibits attached to SIPCO’s memorandum in opposition.

Dated: March 8, 2016

Respectfully Submitted,

/s/ Paul J. Cronin by permission Claire A. Henry

Paul J. Cronin, Admitted July 16, 2012

LEAD ATTORNEY

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this the 8th day of March, 2016.

/s/ Claire Abernathy Henry