

**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.

**DECLARATION OF EMILY TOOHEY IN SUPPORT OF
DEFENDANTS' JOINT MOTION TO SEVER AND STAY**

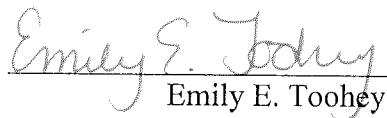
I, Emily E. Toohey, declare that:

1. I am a Paralegal at the law office of Davidson Berquist Jackson & Gowdey, LLP, counsel to Defendants in the above-referenced matter.
2. I have reviewed the infringement allegations made against the BP Defendants in this action and have determined that each of the infringement allegations against those BP Defendants arises from their use of the accused Emerson Smart Wireless products.
3. The infringement claims against the BP Defendants make no mention of any other other manufacturer's product.
4. I have reviewed the infringement claims made in this action and determined that in Count I, the plaintiffs accused Emerson of infringing United States Patent No. 7,697,492. As

Count II, plaintiffs accuse the BP Defendants of infringing that same patent. In Count III, plaintiff accuse the Emerson and BP Defendants with jointly infringing that same patent.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 17, 2016.


Emily E. Toohy