Mark J. DeBoy

From: Justin Nemunaitis <jnemunaitis@caldwellcc.com>
Sent: Friday, December 09, 2016 8:46 AM
To: Jason Shapiro
Cc: Hamad Hamad; Brad Caldwell; rapid@caldwellcc.com; Patrick Finnan; Gregory Gonsalves
Subject: Re: Weatherford Int'l v. Packers Plus Energy Svcs./Case Nos. IPR2016-01509, IPR2016-01514, IPR2016-01517
Attachments: RC's First Set of RFAs to WFD.PDF

Jason,

We are available for a call with the Board on the afternoons of December 14th or 15th. On the phone yesterday you had proposed 12/21 rather than 12/19 so I will check on 12/19 and try to get back to you later today.

In the next day or two, could you please send us any evidence you intend to seek authorization to file with the Board? We will need that to be prepared for a call if the Board grants one.

Also, please let me know if you will agree to respond to the attached requests for admission. We intend to ask the Board for the option to file a surreply, to obtain responses to the attached discovery requests, and we may also serve some additional discovery requests once we know what evidence you intend to submit to the Board.

Regards,
Justin

From: Jason Shapiro <js@usiplaw.com>
Date: Thursday, December 8, 2016 at 9:08 PM
To: Justin Nemunaitis <jnemunaitis@caldwellcc.com>
Cc: Hamad Hamad <hhamad@caldwellcc.com>, Brad Caldwell <bcaldwell@caldwellcc.com>, "rapid@caldwellcc.com" <rapid@caldwellcc.com>, Patrick Finnan <PJF@usiplaw.com>
Subject: Weatherford Int'l v. Packers Plus Energy Svcs./Case Nos. IPR2016-01509, IPR2016-01514, IPR2016-01517

Counsel,

Thanks for returning my call earlier today. I look forward to receiving confirmation of your availability for a call with the Board on the following dates:

Tuesday, December 13th – late morning or early afternoon (Eastern)

Wednesday, December 14th – afternoon (Eastern)

Thursday, December 15th – afternoon (Eastern)

Monday, December 19th – late morning or afternoon (Eastern)

As I told you, we would like confirmation by tomorrow (Friday) morning so that we can give the Board adequate lead time to consider our proposed dates.

Thanks.

Jason Shapiro

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

RAPID COMPLETIONS LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
BAKER HUGHES INCORPORATED, et al.	§	**Civil Action No. 6:15-cv-724-RWS-KNM**
	§	
	§	
Defendants.	§	**JURY TRIAL DEMANDED**

PLAINTIFF'S FIRST SET OF REQUESTS FOR ADMISSION TO WEATHERFORD

Plaintiff Rapid Completions LLC pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure and this Court's Discovery Order, serve the following Requests for Admission on Defendants Weatherford International, LLC, Weatherford/Lamb, Inc., Weatherford US, LP and Weatherford Artificial Lift Systems LLC (collectively, "Weatherford"). By operation of the rules, a written response to each request is due within thirty (30) days of service, but Plaintiff has requested a response by 5 PM on September 19, 2016.

DEFINITIONS & INSTRUCTIONS

The following terms and definitions shall apply to each Interrogatory contained herein:

1. The term "Rapid Completions" is defined as Rapid Completions LLC, the Plaintiff in this litigation, and should be understood to include any and all officers, directors, partners, associates, employees, staff members, agents, representatives, attorneys, subsidiaries, parents, affiliates, divisions, successors, predecessors, or other related entities.

2. The term "Weatherford" should be understood to refer to Weatherford International, LLC, Weatherford/Lamb, Inc., Weatherford US, LP, Weatherford Artificial Lift

Systems LLC, and includes any officers, directors, partners, associates, employees, staff members, agents, representatives, in-house or outside attorneys, consultants, subsidiaries foreign or domestic, parents, affiliates, divisions, successors, predecessors, and any others acting on behalf of Weatherford or under Weatherford's direction and control.

3. The term "Baker Hughes" should be understood to refer to Baker Hughes Incorporated, Baker Hughes Oilfield Operations, Inc.,, and includes any officers, directors, partners, associates, employees, staff members, agents, representatives, in-house or outside attorneys, consultants, subsidiaries foreign or domestic, parents, affiliates, divisions, successors, predecessors, and any others acting on behalf of Weatherford or under Weatherford's direction and control.

4. The term "discussed" includes in-person and over the phone discussions, as well as written correspondence such as through email.

5. The term "patents-in-suit" refers to U.S. Patent Nos. 6,907,936 ("the '936 Patent"), 7,134,505 ("the '505 Patent"), 7,543,634 ("the '634 Patent"), 7,861,774 ("the '774 Patent"), 8,657,009 ("the '009 patent"), 9,074,451 ("the '451 patent"), and 9,303,501 ("the '501 patent").

6. Pursuant to Federal Rule of Civil Procedure 36, your answers must either admit the matter in question, specifically deny it, or state in detail why you cannot truthfully admit or deny it. A denial must fairly respond to the substance of the matter; and when good faith requires that you qualify an answer or deny only a part of a matter, your answers must specify the part admitted and qualify or deny the rest. You may assert lack of knowledge or information as a reason for failing to admit or deny only if you state that you have made a reasonable inquiry and that the information you know or can readily obtain is insufficient to enable you to admit or deny.

REQUESTS FOR ADMISSION

1. Before Weatherford filed its IPRs against the patents-in-suit, Weatherford discussed with Baker Hughes that it might file its own IPRs against one or more of the patents-in-suit.

RESPONSE:

2. Before Weatherford filed its IPRs against the patents-in-suit, Weatherford and Baker Hughes discussed which references would be included in Weatherford's IPRs.

RESPONSE:

3. Before Weatherford filed its IPRs against the patents-in-suit, Baker Hughes suggested to Weatherford that it should include one or more of the invalidity theories contained Weatherford's IPRs.

RESPONSE:

4. With regard to at least one IPR filed by Baker Hughes against a patent-in-suit, Weatherford and Baker Hughes discussed which references would be included in that IPR.

RESPONSE:

5. With regard to at least one IPR filed by Baker Hughes against a patent-in-suit, Weatherford suggested to Baker Hughes that it should include one or more of the invalidity theories contained in that IPR.

RESPONSE:

6. Weatherford did not decide to file its own IPRs against the patents-in-suit until after it discussed that idea with Baker Hughes.

RESPONSE:

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