

be set by the Court. All current and former ResMed employees and consultants should be contacted only through ResMed's counsel, DLA Piper LLP (US), 1201 North Market Street, Suite 2100, Wilmington, DE 19801-1147, (302) 468-5700.

A. Employees With Relevant Knowledge

Name	Title	Contact Information	Summary of Information Possibly Known
Stephen Van Lyon	Head of Finance, Sleep and Respiratory Care	ResMed c/o DLA Piper	Sales and financial information related to the ResMed accused products.
Gregory Dench	Senior Director, Product Marketing – Connected Solutions	ResMed c/o DLA Piper	Marketing and promotional information related to the ResMed accused products.
David Mulcahy	Senior Program Manager	ResMed c/o DLA Piper	Structure, function, operation, design, development, and features of the ResMed accused CPAP products.
Anoj Joshi	Engineer, Systems Engineering	ResMed c/o DLA Piper	Structure, function, operation, design, development, and features of the ResMed accused Ventilator products.
George Koshy	Associate Manager, Systems Engineering	ResMed c/o DLA Piper	Structure, function, operation, design, development, and features of the ResMed accused Home Sleep Testing Solution products.
Greg Tracy	Vice President, Product Development	ResMed c/o DLA Piper	Structure, function, operation, design, development, and features of the ResMed accused software and data management platforms

Michael Pinczuk	Vice President, Intellectual Property	ResMed c/o DLA Piper	Communications with CleveMed regarding CleveMed's patent portfolio.
Paul Green	Chief Patent Counsel	ResMed c/o DLA Piper	Communications with CleveMed regarding CleveMed's patent portfolio.

B. Other Persons With Relevant Knowledge

Name	Title	Contact Information	Summary of Information Possibly Known
Hani Kayyali	Inventor; Chief Executive Officer of CleveMed	4415 Euclid Ave., Suite 400, Cleveland, OH 44103	Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged inventions of the '269, '399, '535, '937, '698, '118, '603, or '637 patents. Information relating to CleveMed's corporate structure and operations. Information relating to the acquisition and assignment of CleveMed's asserted patents. CleveMed's evaluation of infringement, invalidity, and/or enforceability issues relating to the asserted patents and accused ResMed products. Information relating to valuations of the asserted patents or related technologies. Information related to the 2007 Product Development and Marketing Agreement and related agreements between CleveMed and ResMed Ltd. Information related to

			communications between CleveMed and ResMed entities. May also have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Robert Schmidt	Inventor; Founder and Chairman of CleveMed	Last Known Address: Cleveland, OH	Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged invention of the '269, '399, '535, '937, '698, '118, '603, or '637 patents. May also have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Brian Kolkowski	Inventor; Executive Vice President & General Counsel of CleveMed	4415 Euclid Ave., Suite 400, Cleveland, OH 44103	Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged invention of the '269, '399, '535, '937, '698, '118, '603, or '637 patents.

			<p>Information relating to communications with ResMed regarding the CleveMed patent family. Information related to the 2007 Product Development and Marketing Agreement and related agreements between CleveMed and ResMed Ltd. Information related to communications between CleveMed and ResMed entities. May also have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.</p>
Craig A. Frederick	Inventor	Last Known Address: Solon, OH	<p>Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged invention of the '399, '535, '937, '698, '118, '603, or '637 patents. May also have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.</p>

Christian Martin	Inventor	Last Known Address: Sandusky, OH	Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged invention of the '399, '535, '937, or '637 patents.
Mohammad Modarres-Zadeh	Inventor	Last Known Address: Tampa, FL	Information relating to the conception, development, reduction to practice, patent prosecution, claim construction, scope, invalidity, and/or unenforceability of the alleged invention of the '269 patent.
Matthew Borer	Former ResMed Employee	Last Known Address: San Diego, CA	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Jimmy Tran	Former ResMed Employee	Last Known Address: San Diego, CA	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Harish Parmar	Former ResMed Employee	Last Known Address: Sydney, Australia	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP

			project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Marek Jablonowski	Former ResMed Employee	Last Known Address: San Diego, CA	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
David D'Cruz	Former ResMed Employee	Last Known Address: San Diego, CA	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Ed Rapp	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Sarah Weimer	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's

			technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Ilya Gotfried	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Dan Bishop	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Gene Estok	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.

Dave Halley	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.
Ed Kuhar	CleveMed Employee	Last Known Address: Unknown	May have information relating to ResMed's technology and contributions to CleveMed's IQ-CPAP project during the term of the parties' Product Development and Marketing Agreement, as well as ResMed technology incorporated by CleveMed in CleveMed's products and asserted patents.

ResMed reserves the right to modify or supplement the lists of persons disclosed above during discovery or otherwise during this action

II. DOCUMENTS

In accordance with Fed. R. Civ. P. 26(a)(1)(A)(ii), ResMed identifies the categories of documents, electronically stored information, and tangible things listed below which may be used to support ResMed's claims and defenses, some of which are within the possession, custody, or control of ResMed:

1. Documents and materials relating to the asserted patents, including documents and materials concerning the prosecution of the applications leading to the asserted patents.
2. Documents and materials relating to CleveMed's and any prior assignees of the asserted patents' transfer, assignment, purchase, sale, attempted sale, licensing, and attempted licensing of the asserted patents or related technology.

3. Documents and materials relating to the conception, design, and reduction to practice of the subject matter disclosed and claimed in the asserted patents.
4. Documents and materials regarding the development, structure, function, operation, design, and features of accused products and/or other products alleged to practice the asserted patents.
5. Documents and materials relating to the marketing, licensing, sales and offers for sale of the accused products.
6. Documents and materials relating to end users' use of the accused products.
7. Documents relating to CleveMed's damages claim.
8. Documents and materials evidencing, among other things, state of the art, invalidity and/or unenforceability of the asserted patents.
9. Documents and materials relating to "potential partnership opportunities" between CleveMed and ResMed as referenced in the Complaint.

III. COMPUTATION OF DAMAGES.

In accordance with Fed. R. Civ. P. 26(a)(1)(A)(iii), ResMed denies that CleveMed is entitled to any damages or attorneys' fees for the claims it asserts in this action. ResMed reserves the right to seek its attorneys' fees and costs incurred in this action.

IV. INSURANCE

In accordance with Federal Rule of Civil Procedure 26(a)(1)(A)(iv), ResMed is not aware at this time of any insurance agreements that may be applicable to this action.

V. ADDITIONAL DISCLOSURES

Pursuant to Paragraph 3 of the Court's Default Standards for Discovery, ResMed provides the following disclosures:

A. Custodians.

Pursuant to Paragraph 3(a), ResMed identifies those employees having relevant knowledge in Section I(A) above as the "custodians most likely to have discoverable information in their possession, custody or control." Because CleveMed likely will seek discovery related to

the design, development, marketing, and sales of the accused products, no one custodian is more likely than any other custodian to have discoverable information. By identifying these custodians as “likely to have discoverable information,” ResMed does not identify these custodians as necessarily having relevant email or other forms of electronic correspondence such as text messages, voicemail, or instant messages (collectively, “email”). ResMed agrees to meet and confer at the appropriate time regarding the proper scope of email production, including the number and identity of email custodians.

B. Non-Custodial Data Sources.

Pursuant to Paragraph 3(b), ResMed currently believes that the following non-custodial data sources may contain non-duplicative discoverable information.

- File management systems
- File share systems
- Databases of regulatory documents relating to the accused products.

Should any additional data sources be discovered during the course of this litigation, ResMed will identify them.

C. Notice.

Pursuant to Paragraph 3(c), ResMed gives notice that the following third parties are in possession of or may be in possession of information that may be relevant to this case:

- The named inventors of the asserted patents may be in possession of information that may be relevant to this case;
- The attorneys who prosecuted the asserted patents may be in possession of information that may be relevant to this case;
- Persons and entities who are knowledgeable about prior art to the asserted patents may be in possession of information that may be relevant to this case; and
- Third-party service providers may have information regarding the accused products.

ResMed further states that certain ESI may not be reasonably accessible under Fed. R. Civ. P. 26(b)(2)(C) including, but not limited to: (1) ESI that cannot be directly opened by its native application due to conversion to a different format for backup or archival purposes; (2) backup systems that periodically store electronic information to permit recovery of the information; (3) ESI identified in Schedule A to the Stipulated Order on Electronic Discovery; and (4) other ESI where the burden of obtaining the information is unduly burdensome and outweighs its likely benefit.

ResMed further notes that certain non-party or party witnesses may be residents of foreign countries and discovery from them may implicate foreign laws. Certain information may be subject to privacy protections, export regulations, or other restrictions on dissemination or use.

Dated: June 15, 2023

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Angela C. Whitesell, do hereby certify that on this 15th day of June, 2023, the attached **DEFENDANT RESMED INC.'S FIRST SUPPLEMENTAL DISCLOSURE STATEMENT** was served upon the following counsel of record via electronic mail:

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