

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

IN RE: MIDWEST ENERGY EMISSIONS
CORP. PATENT LITIGATION

**This Document Relates To:
Case No. 4-24-CV-00243-SHL-WPK**

MDL Case No. 4:24-md-03132-SHL-WPK

STIPULATION OF DISMISSAL AS TO DEFENDANT MIDAMERICAN

Pursuant to Federal Rule of Civil Procedure 41, it is hereby stipulated per a settlement agreement by and among Plaintiff Birchtech Corp. (d/b/a Midwest Energy Emissions Corp.) (“ME2C”) and Defendant MidAmerican Energy Company (“MidAmerican”), subject to approval by the Court, that all claims, counterclaims, and causes of action asserted in this action between ME2C and MidAmerican are dismissed with prejudice. Each party will bear its own attorneys’ fees and costs. This stipulation does not affect any other claim brought against any other party.

Accordingly, for good cause shown, the parties respectfully request that the Court enter an Order as follows:

- A. Pursuant to Federal Rule of Civil Procedure 41(a)(1), MidAmerican is dismissed with prejudice; and
- B. Pursuant to Federal Rule of Civil Procedure 41(c), all counterclaims filed by MidAmerican are dismissed with prejudice.

DATED: October 23, 2025

Respectfully submitted,

/s/ R. Scott Johnson

R. Scott Johnson (#AT0004007)
Thomas M Patton (#AT0014768)
Cara S. Donels (#AT0014198)
Kelcy Whitaker (#AT0012819)
Erin M. Boggess (AT0015950)
Fredrikson & Byron, P.A.
111 East Grand Avenue, Suite 301
Des Moines, IA 50309-1977
Telephone: (515) 242-8900
Facsimile: (515) 242-8950
rsjohnson@fredlaw.com
tpatton@fredlaw.com
cdonels@fredlaw.com
kwhitaker@fredlaw.com
eboggess@fredlaw.com

*Attorneys for Defendant, MidAmerican
Energy Company*

/s/ Justin T. Nemunaitis

Bradley W. Caldwell (admitted *pro hac vice*)
Texas State Bar No. 24040630
Email: bcaldwell@caldwellcc.com
Justin T. Nemunaitis (admitted *pro hac vice*)
Texas State Bar No. 24065815
Email: jnemunaitis@caldwellcc.com
Richard A. Cochran (admitted *pro hac vice*)
Texas State Bar No. 24116209
Email: rcochrane@caldwellcc.com
CALDWELL CASSADY & CURRY P.C.
2121 N Pearl Street, Suite 1200
Dallas, Texas 75201
Telephone: (214) 888-4848
Facsimile: (214) 888-4849

Jeffrey D. Hartly
Iowa Bar No. IA AT0003357
Email: jhartly@nyemaster.com
NYEMASTER GOODE, P.C.
700 Walnut Street
Suite 1300
Des Moines, Iowa 50309
Telephone: (515) 283-3100
Facsimile: (515) 283-3108

**ATTORNEYS FOR PLAINTIFF
MIDWEST ENERGY EMISSIONS
CORP. (N/K/A/ BIRCHTECH CORP.)**

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2025, a true and correct copy of the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system.

/s/ Justin T. Nemunaitis
Justin T. Nemunaitis