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CASREF,PATENT/TRADEMARK,STAYED

**U.S. District Court [LIVE]
Western District of Texas (Midland)
CIVIL DOCKET FOR CASE #: 7:19-cv-00026-ADA-DTG**

Frac Shack Inc. v. Alaska Fuel Distributors Inc.
Assigned to: Judge Alan D Albright
Referred to: Judge Derek T. Gilliland
Related Case: [1:18-cv-00660-RP](#)
Cause: 35:271 Patent Infringement

Date Filed: 08/06/2018
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Energera Inc.
also known as
Frac Shack Inc.

represented by **Corby R. Vowell**
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Defendant

Alaska Fuel Distributors Inc.

doing business as

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Defendant

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Defendant

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Defendant

Global Engineering Solutions Limited

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Date Filed	#	Docket Text
08/06/2018	<u>1</u>	COMPLAINT (Filing fee \$ 400 receipt number 0542-11087516), filed by Frac Shack Inc.. (Attachments: # <u>1</u> Exhibit 1 - U.S. Patent No. 10,029,906, # <u>2</u> Exhibit 2 - Exemplary Public Evidence of Use Chart for the OctoFueler, # <u>3</u> Exhibit 3 - Exemplary Public Evidence of Use Chart for AFD Onsite Refuelling [sic (British spelling)] System, # <u>4</u> Civil Cover Sheet)(Wyde, Joshua) (Entered: 08/06/2018)
08/06/2018	<u>2</u>	MOTION to Appear Pro Hac Vice by Joshua S. Wyde <i>on behalf of Gary Fischman</i> (Filing fee \$ 100 receipt number 0542-11087816) by on behalf of Frac Shack Inc.. (Attachments: # <u>1</u> Proposed Order)(Wyde, Joshua) (Entered: 08/06/2018)
08/06/2018	<u>3</u>	RULE 7 DISCLOSURE STATEMENT filed by Frac Shack Inc.. (Wyde, Joshua) (Entered: 08/06/2018)
08/06/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS by Frac Shack Inc.. (Wyde, Joshua) (Entered: 08/06/2018)
08/06/2018		Case assigned to Judge Robert Pitman. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (cj) (Entered: 08/06/2018)
08/06/2018		DEMAND for Trial by Jury by Frac Shack Inc.. (cj) (Entered: 08/06/2018)
08/06/2018	<u>5</u>	Letter sent to Edward W. Goldstein for Frac Shack Inc. re: non-admitted status. (cj) (Entered: 08/06/2018)
08/06/2018	<u>6</u>	Report on Patent sent to U.S. Patent and Trademark Office, along with a copy of the Complaint. (cj) (Entered: 08/06/2018)
08/06/2018	<u>7</u>	Summons Issued as to Alaska Fuel Distributors Inc.. (cj) (Entered: 08/06/2018)
08/07/2018	<u>8</u>	MOTION to Appear Pro Hac Vice by Joshua S. Wyde <i>on behalf of Edward W. Goldstein</i> (Filing fee \$ 100 receipt number 0542-11089914) by on behalf of Frac Shack Inc.. (Attachments: # <u>1</u> Proposed Order)(Wyde, Joshua) (Entered: 08/07/2018)
08/07/2018	<u>9</u>	ORDER GRANTING <u>2</u> Motion for Gary Fischman to Appear Pro Hac Vice on behalf of

		Frac Shack Inc. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Robert Pitman. (lt) (Entered: 08/07/2018)
08/07/2018	10	ORDER GRANTING 8 Motion for Edward W. Goldstein to Appear Pro Hac Vice on behalf of Frac Shack Inc. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Robert Pitman. (lt) (Entered: 08/07/2018)
08/16/2018	11	SUMMONS Returned Executed by Frac Shack Inc.. Alaska Fuel Distributors Inc. served on 8/7/2018, answer due 8/28/2018. (Wyde, Joshua) (Entered: 08/16/2018)
08/23/2018	12	Unopposed MOTION for Extension of Time to File Answer re 1 Complaint, by Alaska Fuel Distributors Inc.. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 08/23/2018)
08/24/2018		Text Order GRANTING as unopposed 12 Defendant's Unopposed Motion for Extension of Time to Answer entered by Judge Robert Pitman. Defendant's answer or other responsive filing is due on or before September 27, 2018. (This is a text-only entry generated by the court. There is no document associated with this entry.) (DY) (Entered: 08/24/2018)
08/24/2018		Reset Deadline: Alaska Fuel Distributors Inc. answer due 9/27/2018. (lt) (Entered: 08/24/2018)
09/25/2018	13	Second MOTION for Extension of Time to File Answer re 1 Complaint, by Alaska Fuel Distributors Inc.. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 09/25/2018)
09/26/2018		Text Order GRANTING 13 Defendant's Unopposed Motion for Extension of Time to Answer entered by Judge Robert Pitman. Having considered the motion, the Court will GRANT the extension. Defendant's Answer or other responsive filing is due on or before October 11, 2018. (This is a text-only entry generated by the court. There is no document associated with this entry.) (DY) (Entered: 09/26/2018)
09/26/2018		Reset Deadline: Alaska Fuel Distributors Inc. answer due 10/11/2018. (lt) (Entered: 09/26/2018)
10/03/2018	14	NOTICE of Attorney Appearance by Thomas W. Sankey on behalf of Alaska Fuel Distributors Inc. (Sankey, Thomas) (Entered: 10/03/2018)
10/03/2018	15	NOTICE of Attorney Appearance by Diana M. Sangalli on behalf of Alaska Fuel Distributors Inc.. Attorney Diana M. Sangalli added to party Alaska Fuel Distributors Inc. (pty:dft) (Sangalli, Diana) (Entered: 10/03/2018)
10/11/2018	16	Motion to Dismiss for Failure to State a Claim by Alaska Fuel Distributors Inc.. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 10/11/2018)
10/16/2018	17	RULE 7 DISCLOSURE STATEMENT filed by Alaska Fuel Distributors Inc.. (Greene, Gilbert) (Entered: 10/16/2018)
10/17/2018		Text Order REFERRING 16 Defendant Alaska Fuel Distributors Inc.'s Motion to Dismiss entered by Judge Robert Pitman. IT IS ORDERED that Defendant's motion to dismiss, (Dkt. 16), is REFERRED to United States Magistrate Judge Mark Lane for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72, and Rule 1(d) of Appendix C of the Local Rules. (This is a text-only entry generated

		by the court. There is no document associated with this entry.) (DY) (Entered: 10/17/2018)
10/17/2018		MOTION REFERRED: referred 16 Motion to Dismiss for Failure to State a Claim . Referral Judge: Mark Lane. (lt) (Entered: 10/17/2018)
10/25/2018	18	RESPONSE to Motion, filed by Frac Shack Inc., re 16 Motion to Dismiss for Failure to State a Claim filed by Defendant Alaska Fuel Distributors Inc. (Attachments: # 1 Exhibit 1 - 10,029,906 Application (No. 15 144,547), # 2 Exhibit 2 - Canadian Patent 2,693,567, # 3 Exhibit 3 - MPEP Excerpts, # 4 Exhibit 4 - Canadian Decisions, # 5 Exhibit 5 - AFD US Publication No. 2018 0057348 A1, # 6 Exhibit 6 - Documentation about AFD, # 7 Exhibit 7 - USPTO Press Release re Publishing Patent Applications, # 8 Appendix Caselaw Not In Federal Reporters, # 9 Proposed Order DENYING Motion)(Wyde, Joshua) (Entered: 10/25/2018)
11/01/2018	19	REPLY to Response to Motion, filed by Alaska Fuel Distributors Inc., re 16 Motion to Dismiss for Failure to State a Claim filed by Defendant Alaska Fuel Distributors Inc. (Greene, Gilbert) (Entered: 11/01/2018)
12/03/2018	20	Proposed Scheduling Order (<i>Joint</i>) by Frac Shack Inc.. (Attachments: # 1 Proposed Order)(Wyde, Joshua) (Entered: 12/03/2018)
12/13/2018	21	Order for Amended Joint Proposed Scheduling Order due by 1/15/2019. Signed by Judge Robert Pitman. (lt) (Entered: 12/13/2018)
01/15/2019	22	Scheduling Recommendations/Proposed Scheduling Order (<i>Joint and per ORDER Setting Date for Amended Scheduling Order [Dkt. #21]</i>) by Frac Shack Inc.. (Attachments: # 1 Exhibit A - Standard Form Proposed Scheduling Order, # 2 Exhibit B - Additional Patent Dates for Proposed Scheduling Order)(Wyde, Joshua) (Entered: 01/15/2019)
01/23/2019	23	ORDER SETTING Initial Pretrial Conference by phone for 1/29/2019 at 10:10 AM before Judge Robert Pitman. Signed by Judge Robert Pitman. (lt) (Entered: 01/23/2019)
01/25/2019	24	MOTION to Amend Complaint by Frac Shack Inc.. (Attachments: # 1 Appendix Case Law, # 2 Exhibit 1 - Defendant Communication to Frac Shack, # 3 Exhibit 2 - S.D. Tex. Standard Patent Scheduling Order, # 4 Exhibit 3 - Proposed First Amended Complaint, # 5 Exhibit 4 - Complaint Exhibits 1-6, # 6 Exhibit 5 - Complaint Exhibits 7-8, # 7 Exhibit 6 - Complaint Exhibit 9, # 8 Exhibit 7 - Complaint Exhibit 10a, # 9 Exhibit 8 - Complaint Exhibit 10b, # 10 Exhibit 9 - Complaint Exhibit 11, # 11 Exhibit 10 - Complaint Exhibit 12, # 12 Proposed Order)(Wyde, Joshua) (Entered: 01/25/2019)
01/28/2019	25	ORDER GRANTING Frac Shack's 24 Motion for Leave to File a First Amended Complaint. Signed by Judge Robert Pitman. (lt) (Entered: 01/28/2019)
01/28/2019	26	FIRST AMENDED COMPLAINT against Alaska Fuel Distributors Inc., AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Global Engineering Solutions Limited, filed by Frac Shack Inc. (Attachments: # 1 Exhibits 1-6, # 2 Exhibits 7-8, # 3 Exhibit 9, # 4 Exhibit 10a, # 5 Exhibit 10b, # 6 Exhibit 11, # 7 Exhibit 12)(lt) (Entered: 01/28/2019)
01/29/2019		Text Order MOOTING 16 Motion to Dismiss for Failure to State a Claim by Alaska Fuel Distributors Inc. entered by Judge Robert Pitman. In light of Plaintiff's First Amended Complaint, (Dkt. 26), this motion is now moot. (This is a text-only entry generated by the court. There is no document associated with this entry.) (DY) (Entered: 01/29/2019)
01/29/2019		Motion No Longer Referred: 16 Motion to Dismiss for Failure to State a Claim . (lt) (Entered: 01/29/2019)
01/29/2019	27	Minute Entry for proceedings held before Judge Robert Pitman: Initial Pretrial Conference held by phone on 1/29/2019. Written order to follow. (Minute entry

		documents are not available electronically.) (Court Reporter Pamela Andasola.) (lt) (Entered: 01/29/2019)
01/29/2019	28	ORDER TRANSFERRING this action to the Midland Division of the Western District of Texas. Signed by Judge Robert Pitman. (lt) (Entered: 01/29/2019)
01/29/2019	29	Report on Patent/Trademark sent to U.S. Patent and Trademark Office. (lt) (Entered: 01/30/2019)
01/29/2019		Case transferred in from Austin Division on 01/29/2019 Case Number 1:18-cv-660. Case assigned to Judge David Counts..(lw) (Entered: 01/30/2019)
01/29/2019	30	Report on Patent/Trademark sent to U.S. Patent and Trademark Office. (lw) (Entered: 02/04/2019)
02/05/2019	31	Order for Scheduling Recommendations/Proposed Scheduling Order. Scheduling recommendations/proposed scheduling order due to the Court within within thirty (30) days from the date of this order. Signed by Judge David Counts. (mg2) (Entered: 02/05/2019)
02/06/2019	32	REQUEST FOR ISSUANCE OF SUMMONS by Frac Shack Inc.. <i>to AFD Petroleum (Texas) Inc.; AFD Petroleum Ltd.; and Global Engineering Solutions Limited</i> (Wyde, Joshua) (Entered: 02/06/2019)
02/07/2019	33	Summons Issued as to AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Global Engineering Solutions Limited. (se) (Entered: 02/07/2019)
02/08/2019	34	WAIVER OF SERVICE Returned Executed by Frac Shack Inc. as to AFD Petroleum (Texas) Inc.. Waiver sent on 2/7/2019, answer due 4/8/2019. (Wyde, Joshua) (Entered: 02/08/2019)
02/08/2019	35	AMENDED COMPLAINT <i>FIRST, CORRECTED</i> , against Frac Shack Inc. amending 1 Complaint,, filed by Frac Shack Inc..(Wyde, Joshua) (Entered: 02/08/2019)
02/08/2019	36	Unopposed MOTION for Extension of Time to File Answer re 35 Amended Complaint by Alaska Fuel Distributors Inc.. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 02/08/2019)
02/11/2019	37	DEFICIENCY NOTICE: re 35 Amended Complaint. (se) (Entered: 02/11/2019)
02/11/2019	38	AMENDED COMPLAINT <i>FIRST, CORRECTED, REFILED</i> against Frac Shack Inc. amending 26 Amended Complaint,, filed by Frac Shack Inc..(Wyde, Joshua) (Entered: 02/11/2019)
02/11/2019		It is ORDERED Alaska Fuel Distributors Inc.'s Unopposed Motion for Extension of Time to Answer First Amended Complaint, Doc. 36 filed February 8, 2019, is GRANTED. The deadline for the Defendant to file its response is extended to April 8, 2019. Entered by Judge David Counts. (This is a text-only entry generated by the court. There is no document associated with this entry.) (db) (Entered: 02/11/2019)
02/28/2019	39	REQUEST FOR ISSUANCE OF SUMMONS by Frac Shack Inc.. <i>to GES Ltd., Amended to Show "China" in Address</i> (Wyde, Joshua) (Entered: 02/28/2019)
03/04/2019	40	Summons Issued as to Global Engineering Solutions Limited. (se) (Entered: 03/04/2019)
03/07/2019	41	Proposed Scheduling Order by Frac Shack Inc.. (Attachments: # 1 A - Standard Form Proposed Scheduling Order, # 2 B - Additional Patent Dates for Proposed Scheduling Order)(Wyde, Joshua) (Entered: 03/07/2019)
03/19/2019	42	SCHEDULING ORDER: Jury Selection set for 5/3/2021 08:00AM before Judge David Counts, Jury Trial set for 5/3/2021 08:00 AM before Judge David Counts, Status

		Conference set for 4/2/2021 01:30 PM before Judge David Counts, ADR Report Deadline due by 6/22/2020, Amended Pleadings due by 12/16/2019, Discovery due by 10/12/2020, Motions due by 12/14/2020,. Signed by Judge David Counts. (mg2) (Entered: 03/19/2019)
04/08/2019	43	MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc.. (Attachments: # 1 Exhibit Ex. A, # 2 Exhibit Ex. B, # 3 Exhibit Ex. C)(Greene, Gilbert) (Entered: 04/08/2019)
04/08/2019	44	RULE 7 DISCLOSURE STATEMENT filed by AFD Petroleum Ltd.. (Greene, Gilbert) (Entered: 04/08/2019)
04/08/2019	45	RULE 7 DISCLOSURE STATEMENT filed by AFD Petroleum (Texas) Inc.. (Greene, Gilbert) (Entered: 04/08/2019)
04/22/2019	46	SUMMONS Returned Executed by Frac Shack Inc.. AFD Petroleum Ltd. served on 3/11/2019, answer due 4/1/2019. (Attachments: # 1 Exhibit 1 - March 11, 2019 Proof of Service, # 2 Exhibit 2 - April 11, 2019 Proof of Service)(Wyde, Joshua) (Entered: 04/22/2019)
04/22/2019	47	Response in Opposition to Motion, filed by Frac Shack Inc., re 43 MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> filed by Defendant AFD Petroleum (Texas) Inc., Defendant Alaska Fuel Distributors Inc., Defendant AFD Petroleum Ltd. (Attachments: # 1 Exhibit 1 - Harding Litigation Related, # 2 Exhibit 2 - Int'l Service Related, # 3 Appendix Case Law, # 4 Proposed Order)(Wyde, Joshua) (Entered: 04/22/2019)
04/26/2019	48	ORDER REASSIGNING CASE. Case reassigned to Judge Alan D Albright for all proceedings. Judge David Counts no longer assigned to case. Signed by Judge David Counts. (se) (Entered: 04/29/2019)
04/29/2019	49	REPLY to Response to Motion, filed by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., re 43 MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> filed by Defendant AFD Petroleum (Texas) Inc., Defendant Alaska Fuel Distributors Inc., Defendant AFD Petroleum Ltd. (Greene, Gilbert) (Entered: 04/29/2019)
05/08/2019	50	SUMMONS Returned Executed by Frac Shack Inc.. Global Engineering Solutions Limited served on 4/18/2019, answer due 5/9/2019. (Attachments: # 1 Exhibit 1 - Proof of Hand Delivery Service, # 2 Exhibit 2 - GES Ltd. Official Corporate Documents, # 3 Exhibit 3 - Proof of Delivery by Mail, # 4 Exhibit 4 - Declaration ISO Service)(Wyde, Joshua) (Entered: 05/08/2019)
05/09/2019	51	MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> by Global Engineering Solutions Limited. (Greene, Gilbert) (Entered: 05/09/2019)
05/23/2019	52	Response in Opposition to Motion, filed by Frac Shack Inc., re 51 MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> filed by Defendant Global Engineering Solutions Limited (Attachments: # 1 Exhibit 1 - Inhale v. Gravitron Mot. to Dismiss, # 2 Exhibit 2 - Inhale v. Gravitron Opp'n to Mot Dismiss, # 3 Appendix - Case Law)(Wyde, Joshua) (Entered: 05/23/2019)
05/30/2019	53	ORDER setting Telephone Conference for 5/31/2019 09:30 AM before Judge Alan D Albright. The call in number is (866) 434-5269 with an access code of 9678090. Signed by Judge Alan D Albright. (sm3) (Entered: 05/30/2019)
05/30/2019	54	REPLY to Response to Motion, filed by Global Engineering Solutions Limited, re 51 MOTION to Dismiss <i>Plaintiff's Corrected First Amended Complaint</i> filed by Defendant

		Global Engineering Solutions Limited (Greene, Gilbert) (Entered: 05/30/2019)
05/31/2019	55	Minute Entry for proceedings held before Judge Alan D Albright: Status Conference held on 5/31/2019 (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(jk) (Entered: 05/31/2019)
06/13/2019	56	ORDER DENYING 43 Motion to Dismiss. Signed by Judge Alan D Albright. (dm2) (Entered: 06/17/2019)
06/13/2019	57	ORDER DENYING 51 Motion to Dismiss. Signed by Judge Alan D Albright. (dm2) (Entered: 06/17/2019)
06/19/2019	58	Proposed Scheduling Order (<i>Agreed</i>) by Global Engineering Solutions Limited. (Greene, Gilbert) (Entered: 06/19/2019)
06/19/2019	59	Scheduling Recommendations [<i>Proposed</i>] <i>Agreed Order Governing Proceedings</i> by Global Engineering Solutions Limited. (Greene, Gilbert) (Entered: 06/19/2019)
06/20/2019	60	AGREED ORDER GOVERNING PROCEEDINGS. Signed by Judge Alan D Albright. (dm2) (Entered: 06/20/2019)
06/20/2019	61	SCHEDULING ORDER: (Amended Pleadings due by 7/10/2020, Discovery due by 12/30/2020, Joinder of Parties due by 5/29/2020, Motions due by 1/15/2021), (Markman Hearing set for 4/17/2020 before Judge Alan D Albright, Final Pretrial Conference set for 4/26/2021 before Judge Alan D Albright, Jury Selection set for 5/3/2021 before Judge Alan D Albright, Jury Trial set for 5/3/2021 before Judge Alan D Albright). Signed by Judge Alan D Albright. (jk) (Entered: 06/21/2019)
06/27/2019	62	Unopposed MOTION for Extension of Time to File Answer to <i>First Amended Complaint</i> by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 06/27/2019)
07/09/2019		Text Order GRANTING 62 Motion for Extension of Time to Answer entered by Judge Alan D Albright. The instant Motion is GRANTED. The deadline for Defendants to answer or otherwise respond to Plaintiff's First Amended Complaint is extended until and including July 15, 2019. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jw) (Entered: 07/09/2019)
07/09/2019		Set/Reset Deadlines: AFD Petroleum (Texas) Inc. answer due 7/15/2019; AFD Petroleum Ltd. answer due 7/15/2019; Alaska Fuel Distributors Inc. answer due 7/15/2019; Global Engineering Solutions Limited answer due 7/15/2019. (dm2) (Entered: 07/09/2019)
07/15/2019	63	ANSWER to 26 Amended Complaint, with Jury Demand by Global Engineering Solutions Limited.(Greene, Gilbert) (Entered: 07/15/2019)
07/15/2019	64	ANSWER to 26 Amended Complaint, with Jury Demand by AFD Petroleum (Texas) Inc..(Greene, Gilbert) (Entered: 07/15/2019)
07/15/2019	65	ANSWER to 26 Amended Complaint, with Jury Demand by AFD Petroleum Ltd.. (Greene, Gilbert) (Entered: 07/15/2019)
07/15/2019	66	ANSWER to 26 Amended Complaint, with Jury Demand by Alaska Fuel Distributors Inc..(Greene, Gilbert) (Entered: 07/15/2019)
09/23/2019	67	NOTICE of Attorney Appearance by Jun Zheng on behalf of AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited (Zheng, Jun) (Entered: 09/23/2019)
11/04/2019	68	Joint MOTION to Stay by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska

		Fuel Distributors Inc., Global Engineering Solutions Limited. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 11/04/2019)
11/05/2019		Text Order GRANTING 68 Motion to Stay entered by Judge Alan D Albright. Before the Court is the parties' Joint Motion to Stay Pending Inter Partes Review of U.S. Patent No. 10,029,906. For the reasons stated therein, the Court GRANTS the Motion. All deadlines currently set by the Scheduling Order are vacated. It is therefore ORDERED that this case is stayed pending the issuance of a Final Written Decision by the Patent Trial and Appeal Board in IPR2019-00995. Within fourteen days from the issuance of such a decision, the parties shall file a joint notice advising the Court of the decision. The parties reserve the right to later seek appropriate relief regarding whether any stay should or should not be continued pending any appeal of the Final Written Decision. Each party further reserves the right to request that the stay be lifted or modified due to changed circumstances. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jy) (Entered: 11/05/2019)
11/05/2019		Case Stayed. (se) (Entered: 11/05/2019)
11/25/2019	69	ORDER Cancelling Markman Hearing. Signed by Judge Alan D Albright. (se) (Entered: 11/25/2019)
11/25/2019	70	ORDER Cancelling Final Pretrial Conference. Signed by Judge Alan D Albright. (se) (Entered: 11/25/2019)
11/25/2019	71	ORDER Cancelling Jury Selection and Trial. Signed by Judge Alan D Albright. (se) (Entered: 11/25/2019)
03/24/2020	72	STANDING ORDER from U.S. District Judge Alan D. Albright regarding scheduled civil hearings. (tada) (Entered: 03/25/2020)
10/29/2020	73	NOTICE (JOINT) RE FINAL WRITTEN DECISION IN INTER PARTES REVIEW NO. IPR2019-00995 by Frac Shack Inc. (Attachments: # 1 Exhibit 1 Final Written Decision, IPR201900995 (Oct. 15, 2020) (Paper 32))(Wyde, Joshua) (Entered: 10/29/2020)
10/30/2020	74	NOTICE of Attorney Appearance by Pierre Jean Hubert on behalf of AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited. Attorney Pierre Jean Hubert added to party AFD Petroleum (Texas) Inc.(pty:dft), Attorney Pierre Jean Hubert added to party AFD Petroleum Ltd.(pty:dft), Attorney Pierre Jean Hubert added to party Alaska Fuel Distributors Inc.(pty:dft), Attorney Pierre Jean Hubert added to party Global Engineering Solutions Limited(pty:dft) (Hubert, Pierre) (Entered: 10/30/2020)
12/08/2020	75	Unopposed MOTION to Withdraw as Attorney <i>Jun Zheng</i> by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited. (Attachments: # 1 Proposed Order)(Greene, Gilbert) (Entered: 12/08/2020)
12/11/2020	76	NOTICE of Attorney Appearance by Jonathan T. Suder on behalf of Frac Shack Inc.. Attorney Jonathan T. Suder added to party Frac Shack Inc.(pty:pla) (Suder, Jonathan) (Entered: 12/11/2020)
12/11/2020	77	NOTICE of Attorney Appearance by Corby R. Vowell on behalf of Frac Shack Inc.. Attorney Corby R. Vowell added to party Frac Shack Inc.(pty:pla) (Vowell, Corby) (Entered: 12/11/2020)
12/14/2020	78	Unopposed MOTION to Withdraw as Attorney (s) <i>Edward W. Goldstein, Gary J. Fischman, and Joshua S. Wyde</i> by Frac Shack Inc.. (Attachments: # 1 Proposed Order) (Wyde, Joshua) (Entered: 12/14/2020)
12/15/2020		Text Order GRANTING 75 Motion to Withdraw as Attorney entered by Judge Alan D

		Albright. IT IS ORDERED that Jun Zheng of the Duane Morris LLP law firm be allowed to withdraw and is hereby withdrawn as counsel for Defendants in this matter. (This is a text-only entry generated by the court. There is no document associated with this entry.) (re) (Entered: 12/15/2020)
12/15/2020		Text Order GRANTING 78 Motion to Withdraw as Attorney entered by Judge Alan D Albright. Edward W. Goldstein, Gary J. Fischman, and Joshua S. Wyde's request to withdraw from this case is hereby GRANTED. The Clerk of the Court shall terminate the association of these attorneys with Frac Shack Inc. in this matter. (This is a text-only entry generated by the court. There is no document associated with this entry.) (re) (Entered: 12/15/2020)
10/07/2021	79	STATUS REPORT <i>Joint</i> by Frac Shack Inc.. (Vowell, Corby) (Entered: 10/07/2021)
10/08/2021	80	ORDER TO SHOW CAUSE CONCERNING DISMISSAL FOR FAILURE TO PROSECUTE as to Frac Shack Inc. Show Cause Hearing set for 10/13/2021 01:30 PM before Judge Alan D Albright. Signed by Judge Alan D Albright. (sg) (Entered: 10/08/2021)
10/08/2021	81	ORDER SETTING ORDER TO SHOW CAUSE HEARING, Show Cause Hearing set for 10/13/2021 01:30 PM via ZOOM before Judge Alan D Albright. Signed by Judge Alan D Albright. (sg) (Entered: 10/12/2021)
10/13/2021	82	Minute Entry for proceedings held before Judge Alan D Albright: Show Cause Hearing held on 10/13/2021. (Minute entry documents are not available electronically.). (Court Reporter Kristie Davis.)(sg) (Entered: 10/13/2021)
10/21/2021	83	MOTION to Amend/Correct <i>Docket and Case Caption and Notice of Name Change</i> by Frac Shack Inc.. (Attachments: # 1 Exhibit Exhibit 1 - Name Change Document, # 2 Proposed Order Order)(Vowell, Corby) (Entered: 10/21/2021)
10/22/2021	84	AMENDED COMPLAINT <i>Second</i> against Frac Shack Inc. amending 38 Amended Complaint., filed by Frac Shack Inc.. (Attachments: # 1 Exhibit Exhibit 1-Patent, # 2 Exhibit Exhibit 2-Govt Info re Alaska, # 3 Exhibit Exhibit 3-Govt Info re AFD P TX, # 4 Exhibit Exhibit 4-Govt Info re AFD Pet, # 5 Exhibit Exhibit 5-Govt Info re AFD H, # 6 Exhibit Exhibit 6-Global Eng. Sol. Rel., # 7 Exhibit Exhibit 7-OctoFueler Rel., # 8 Exhibit Exhibit 8-AFD Patent Rel., # 9 Exhibit Exhibit 9-Adv. and Soc. Med., # 10 Exhibit Exhibit 10-Harding Litigation, # 11 Exhibit Exhibit 11-EoU for OctoFueler, # 12 Exhibit Exhibit 12-EoU for ORS, # 13 Exhibit Exhibit 13-10029906)(Vowell, Corby) (Entered: 10/22/2021)
10/26/2021	85	DEFICIENCY NOTICE: re 84 Amended Complaint. (kg) (Entered: 10/26/2021)
10/26/2021	86	NOTICE of Attorney Appearance by William Andrew Liddell on behalf of AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited (Liddell, William) (Entered: 10/26/2021)
10/26/2021	87	AMENDED COMPLAINT <i>Corrected Second</i> against AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited amending 38 Amended Complaint., filed by Frac Shack Inc.. (Attachments: # 1 Exhibit Exhibit 1 - Patent '906, # 2 Exhibit Exhibit 2 - Gov't Info re Alaska Fuel, # 3 Exhibit Exhibit 3-Govt Info re AFD P TX, # 4 Exhibit Exhibit 4-Govt Info re AFD Pet, # 5 Exhibit Exhibit 5-Govt Info re AFD H, # 6 Exhibit Exhibit 6-Global Eng. Sol. Rel., # 7 Exhibit Exhibit 7-OctoFueler Rel., # 8 Exhibit Exhibit 8-AFD Patent Rel., # 9 Exhibit Exhibit 9-Adv. and Soc. Med., # 10 Exhibit Exhibit 10-Harding Litigation, # 11 Exhibit Exhibit 11-EoU for OctoFueler, # 12 Exhibit Exhibit 12-EoU for ORS, # 13 Exhibit Exhibit 13-10029906)(Vowell, Corby) (Entered: 10/26/2021)

11/02/2021	88	Unopposed MOTION for Extension of Time to File Answer re 84 Amended Complaint,, 87 Amended Complaint,,, by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited. (Attachments: # 1 Proposed Order)(Hubert, Pierre) (Entered: 11/02/2021)
11/05/2021		Text Order DENYING 88 Motion for Extension of Time to Answer as not compliant with the August 11, 2021 Standing Order Regarding Joint or Unopposed Request to Change Deadlines, entered by Judge Alan D Albright. (This is a text-only entry generated by the court. There is no document associated with this entry.) (RRlc) (Entered: 11/05/2021)
11/05/2021	90	ORDER ON PLAINTIFF'S NOTICE OF NAME CHANGE AND MOTION TO CORRECT DOCKET AND CASE CAPTION. Signed by Judge Alan D Albright. (sg) (Entered: 11/10/2021)
11/08/2021	89	NOTICE of Joint Request to Change Deadline by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited (Hubert, Pierre) (Entered: 11/08/2021)
12/20/2021	91	ANSWER to 87 Amended Complaint,,, with Jury Demand by Alaska Fuel Distributors Inc..(Liddell, William) (Entered: 12/20/2021)
12/20/2021	92	ANSWER to 87 Amended Complaint,,, with Jury Demand by AFD Petroleum Ltd.. (Liddell, William) (Entered: 12/20/2021)
12/20/2021	93	ANSWER to 87 Amended Complaint,,, with Jury Demand by AFD Petroleum (Texas) Inc..(Liddell, William) (Entered: 12/20/2021)
12/20/2021	94	ANSWER to 87 Amended Complaint,,, with Jury Demand by Global Engineering Solutions Limited.(Liddell, William) (Entered: 12/20/2021)
12/30/2021	95	STATUS REPORT <i>Case Readiness</i> by Energera Inc.. (Vowell, Corby) (Entered: 12/30/2021)
01/26/2022	96	NOTICE of Attorney Appearance by Jeffrey D. Parks on behalf of Energera Inc.. Attorney Jeffrey D. Parks added to party Energera Inc.(pty:pla) (Parks, Jeffrey) (Entered: 01/26/2022)
01/27/2022	97	Proposed Scheduling Order <i>Notice of Pre-Markman Scheduling Order</i> by Energera Inc.. (Vowell, Corby) (Entered: 01/27/2022)
01/28/2022	98	SCHEDULING ORDER. Signed by Judge Alan D Albright. (sg) (Entered: 01/28/2022)
04/14/2022	99	Standing Order Regarding Order Governing Proceedings Patent Cases. Signed by Judge Alan D Albright. (Entered: 04/14/2022)
04/21/2022	100	Opening Claim Construction Brief by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Hubert, Pierre) (Entered: 04/21/2022)
05/06/2022	101	ORDER REFERRING CASE to Magistrate Judge Derek T. Gilliland. Signed by Judge Alan D Albright. (jkda) (Entered: 05/09/2022)
05/12/2022	102	BRIEF <i>Plaintiff's Responsive Claim Construction Brief</i> by Energera Inc.. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C)(Vowell, Corby) (Entered: 05/12/2022)
05/25/2022	103	ORDER, (Markman Hearing set for 6/17/2022 10:30 AM before Judge Alan D Albright). Signed by Judge Alan D Albright. (bot2) (Entered: 05/25/2022)
05/26/2022	104	Reply Claim Construction Brief regarding 102 Brief by AFD Petroleum (Texas) Inc.,

		AFD Petroleum Ltd., Alaska Fuel Distributors Inc., Global Engineering Solutions Limited. (Attachments: # 1 Exhibit H, # 2 Exhibit I, # 3 Exhibit J)(Hubert, Pierre) (Entered: 05/26/2022)
06/09/2022	105	Reply Claim Construction Brief regarding 102 Brief by Energera Inc.. (Vowell, Corby) (Entered: 06/09/2022)
06/14/2022	106	NOTICE of Joint Request to Change Deadline by Energera Inc. (Parks, Jeffrey) (Entered: 06/14/2022)
06/15/2022	107	ORDER RESETTING Markman Hearing RESET for 6/29/2022 03:30 PM vis ZOOM before Judge Alan D Albright. Signed by Judge Alan D Albright. (sg) (Entered: 06/15/2022)
06/17/2022	108	MOTION to Strike 105 Claim Construction Brief by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc.. (Attachments: # 1 Exhibit 1, # 2 Proposed Order). Motions referred to Judge Derek T. Gilliland. (Hubert, Pierre) (Entered: 06/17/2022)
06/20/2022	109	Joint Claim Construction Brief or Statement by Energera Inc.. (Vowell, Corby) (Entered: 06/20/2022)
06/21/2022	110	ORDER SETTING MARKMAN HEARING VIA ZOOM. Markman Hearing set for 7/7/2022 02:00 PM VIA ZOOM before Judge Derek T. Gilliland. Signed by Judge Derek T. Gilliland. (jb3) (Entered: 06/21/2022)
06/21/2022	111	Response in Opposition to Motion, filed by Energera Inc., re 108 MOTION to Strike 105 Claim Construction Brief filed by Defendant AFD Petroleum (Texas) Inc., Defendant Alaska Fuel Distributors Inc., Defendant AFD Petroleum Ltd. (Vowell, Corby) (Entered: 06/21/2022)
06/23/2022	112	REPLY to Response to Motion, filed by AFD Petroleum (Texas) Inc., AFD Petroleum Ltd., Alaska Fuel Distributors Inc., re 108 MOTION to Strike 105 Claim Construction Brief filed by Defendant AFD Petroleum (Texas) Inc., Defendant Alaska Fuel Distributors Inc., Defendant AFD Petroleum Ltd. (Hubert, Pierre) (Entered: 06/23/2022)
07/07/2022	113	ORDER Cancelling Markman Hearing. Signed by Judge Derek T. Gilliland. (sg) (Entered: 07/07/2022)
07/08/2022	114	CLAIM CONSTRUCTION ORDER. Signed by Judge Derek T. Gilliland. (sg) (Entered: 07/08/2022)
07/13/2022	115	MOTION to Withdraw as Attorney <i>Corby R. Vowell</i> by Energera Inc.. (Attachments: # 1 Proposed Order Order). Motions referred to Judge Derek T. Gilliland. (Parks, Jeffrey) (Entered: 07/13/2022)
07/14/2022		Text Order GRANTING 115 Motion to Withdraw as Attorney. entered by Judge Derek T. Gilliland. (This is a text-only entry generated by the court. There is no document associated with this entry.) (mslc) (Entered: 07/14/2022)
07/18/2022	116	AMENDED ANSWER to 87 Amended Complaint,, by Alaska Fuel Distributors Inc.. (Greene, Gilbert) (Entered: 07/18/2022)
07/18/2022	117	AMENDED ANSWER to 87 Amended Complaint,, by AFD Petroleum Ltd.. (Greene, Gilbert) (Entered: 07/18/2022)
07/18/2022	118	AMENDED ANSWER to 87 Amended Complaint,, by Global Engineering Solutions Limited. (Greene, Gilbert) (Entered: 07/18/2022)
07/18/2022	119	AMENDED ANSWER to 87 Amended Complaint,, by AFD Petroleum (Texas) Inc..

		(Greene, Gilbert) (Entered: 07/18/2022)
07/26/2022	120	MOTION to Appear Pro Hac Vice by Richard A. Wojcio, Jr (Filing fee \$ 100 receipt number 0542-16301039) by on behalf of Energera Inc.. (Attachments: # 1 Proposed Order Order). Motions referred to Judge Derek T. Gilliland. (Wojcio, Richard) (Entered: 07/26/2022)
07/29/2022	121	Proposed Scheduling Order <i>Joint Post Markman</i> by Energera Inc.. (Parks, Jeffrey) (Entered: 07/29/2022)

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