

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SUNOCO PARTNERS MARKETING &
TERMINALS L.P.

Plaintiff,

v.

POWDER SPRINGS LOGISTICS, LLC and
MAGELLAN MIDSTREAM PARTNERS,
L.P.

Defendants.

C.A. No. 17-1390 (LPS-CJB)

VERDICT FORM

I. INFRINGEMENT

1. Do you find that Sunoco has proven by a preponderance of the evidence that Magellan's West Tulsa and Kansas City systems literally infringed each and every element of any of the asserted claims of the '302 patent?

YES is a finding in favor of Sunoco; NO is a finding in favor of Magellan.

'302 Patent Claims

Claim 3:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 16:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 17:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>

2. If you answered "No" for any claim(s) in Question 1, do you find that Sunoco has proven by a preponderance of the evidence that Magellan's West Tulsa and Kansas City systems infringe that claim under the doctrine of equivalents? *Only answer for the claims with a "No" in Question 1.*

YES is a finding in favor of Sunoco; NO is a finding in favor of Magellan.

'302 Patent Claims

Claim 3:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 16:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 17:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>

3. Do you find that Sunoco has proven by a preponderance of the evidence that Magellan's OKC-Reno, Chattanooga II, West Tulsa, East Houston, Kansas City, Greensboro II, Carthage, and Dupont systems literally infringed each and every element of any of the asserted claims of the '629 patent?

YES is a finding in favor of Sunoco; NO is a finding in favor of Magellan.

'629 Patent Claims

Claim 18:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 22:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 31:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 32:	Yes (infringed) <input checked="" type="checkbox"/>	No (not infringed) <input type="checkbox"/>

4. If you answered "No" for any claim(s) in Question 3, do you find that Sunoco has proven by a preponderance of the evidence that Magellan's OKC-Reno, Chattanooga II, West Tulsa, East Houston, Kansas City, Greensboro II, Carthage, and Dupont systems infringe that claim under the doctrine of equivalents? *Only answer for the claims with a "No" in Question 3.*

YES is a finding in favor of Sunoco; NO is a finding in favor of Magellan.

'629 Patent Claims

Claim 18:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 22:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 31:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>
Claim 32:	Yes (infringed) <input type="checkbox"/>	No (not infringed) <input type="checkbox"/>

5. Do you find that Sunoco has proven by a preponderance of the evidence that Magellan's **OKC-Reno, Chattanooga II, West Tulsa, East Houston, Kansas City, Greensboro II, Carthage,** and **Dupont** systems and the **Powder Springs** system literally infringed each and every element of claim 3 of the '686 patent?

YES is a finding in favor of Sunoco; NO is a finding in favor of Defendants.

Yes (infringed) No (not infringed)

6. If you answered "No" to Question 5, do you find that Sunoco has proven by a preponderance of the evidence that Magellan's **OKC-Reno, Chattanooga II, West Tulsa, East Houston, Kansas City, Greensboro II, Carthage,** and **Dupont** systems and the **Powder Springs** system infringe claim 3 of the '686 patent under the doctrine of equivalents?

YES is a finding in favor of Sunoco; NO is a finding in favor of Defendants.

Yes (infringed) No (not infringed)

II. WILLFUL INFRINGEMENT

If you found in Questions 1-6 above that any asserted patent claim was infringed by Defendants, please answer the following questions. Only answer for any patents for which you have found at least one claim to have been infringed. Otherwise, please go to Question 9.

7. Has Plaintiff Sunoco proven by a preponderance of the evidence that Defendant Magellan's infringement of any of the asserted patents listed below was willful?

'302 patent: Yes (willful) No (not willful)
'629 patent: Yes (willful) No (not willful)
'686 patent: Yes (willful) No (not willful)

8. Has Plaintiff Sunoco proven by a preponderance of the evidence that Defendant Powder Springs' infringement of any of the asserted patents listed below was willful?

'686 patent: Yes (willful) No (not willful)

III. INVALIDITY**A. Prior Art**

9. Have Defendants proven by clear and convincing evidence that any of the systems listed below are prior art to the asserted patents?

System	Prior Art to Asserted Patents?	
TransMontaigne System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams Des Moines System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams Carthage System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams Kansas City System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams West Tulsa System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams Allen System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Williams OKC-Reno System	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

B. Obviousness

10. Have Defendants proven by clear and convincing evidence that any of the asserted patent claims listed below are invalid because the claimed invention would have been obvious at the time of the invention over the prior art?

YES is a finding in favor of Defendants; NO is a finding in favor of Sunoco.

Patent Claims	Invalid as Obvious?
'302 patent, claim 3	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'302 patent, claim 16	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'302 patent, claim 17	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'629 patent, claim 18	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'629 patent, claim 22	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'629 patent, claim 31	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'629 patent, claim 32	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'686 patent, claim 3	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

C. Written Description

11. Have Defendants proven by clear and convincing evidence that any of the following claims are invalid as unsupported by the written description?

YES is a finding in favor of Defendants; NO is a finding in favor of Sunoco.

'302 Patent Claims

Claim 16: Yes _____ No
Claim 17: Yes _____ No

'629 Patent Claims

Claim 18: Yes _____ No
Claim 22: Yes _____ No
Claim 31: Yes _____ No
Claim 32: Yes _____ No

'686 Patent Claims

Claim 3: Yes _____ No

IV. CONCLUSION

You have reached the end of the verdict form. Please review the entire form to ensure that it is complete and that the answers accurately reflect your unanimous determinations. The Foreperson should then sign the verdict form in the space below and notify the Court Security Officer that you have reached a verdict. The Foreperson should retain possession of the verdict form and bring it to the courtroom with the jury.

Date: 12/3/2021



Foreperson