

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

MALIKIE INNOVATIONS LTD.,  
KEY PATENT INNOVATIONS LTD.

Plaintiffs,

v.

FOUNDRY DIGITAL LLC, FORTITUDE  
MINING, LLC, RIOT PLATFORMS, INC.,  
CIPHER DIGITAL INC. F/K/A/ CIPHER  
MINING INC.

Defendant.

CASE NO. 7:25-CV-00567-DC-DTG

JURY TRIAL DEMANDED

**NOTICE OF DISMISSAL OF FOUNDRY DIGITAL, LLC**  
**WITHOUT PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(i) of Federal Rules of Civil Procedure, Plaintiffs Malikie Innovations Ltd. and Key Patents Ltd. hereby file this notice of dismissal of Defendant, Foundry Digital LLC, without prejudice, in the above-captioned action, including all claims. Each party shall bear its own costs and fees.

Dated: August 28, 2026

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Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record are being served with a copy of the foregoing document via the Court's CM/ECF system on August 28, 2026.

/s/ Mark D. Siegmund

Mark D. Siegmund