

1 KENNETH PARKER (SBN 182911)
2 THOMAS KING (SBN 241661)
3 CASEY KEMPNER (SBN 272149)
4 HAYNES AND BOONE, LLP
5 18100 Von Karman Avenue, Suite 750
6 Irvine, California 92612
7 Phone: (949) 202-3000
8 Facsimile: (949) 202-3100
9 E-mail: kenneth.parker@haynesboone.com
10 thomas.king@haynesboone.com
11 casey.kempner@haynesboone.com

12 Attorneys for Plaintiff
13 TAS ENERGY, INC.

14 UNITED STATES DISTRICT COURT
15 SOUTHERN DISTRICT OF CALIFORNIA

16 TAS ENERGY, INC., a Delaware
17 corporation,

18 Plaintiff,

19 v.

20 SAN DIEGO GAS & ELECTRIC CO., a
21 California corporation; SEMPRA
22 ENERGY, a California corporation; and
23 PALOMAR ENERGY, LLC, a Delaware
24 limited liability company,

25 Defendants.

Case No. '12CV2777 GPC BGS

COMPLAINT FOR:

- (1) PATENT INFRINGEMENT ('065 PATENT);
- (2) PATENT INFRINGEMENT ('686 PATENT); and
- (3) PATENT INFRINGEMENT ('258 PATENT)

DEMAND FOR JURY TRIAL

26 Plaintiff TAS Energy, Inc. ("TAS Energy"), by and through its attorneys,
27 alleges as follows:

THE PARTIES

28 1. TAS Energy is a corporation organized under the laws of the State of
Delaware with its principal place of business at 6110 Cullen Blvd., Houston, Texas
77021.

2. Defendant San Diego Gas & Electric Company ("SDG&E") is a
corporation organized under the laws of the State of California with its principal
place of business at 101 Ash Street, San Diego, California 92101. SDG&E provides

1 electricity and gas to San Diego and other areas in Southern California. SDG&E
2 operates several power plants that generate electricity, including the Palomar Energy
3 Center in Escondido California.

4 3. Defendant Sempra Energy (“Sempra”) is a corporation organized under
5 the laws of the State of California with its principal place of business at 101 Ash
6 Street, San Diego, California 92101. Sempra is the parent company of SDG&E.

7 4. Palomar Energy, LLC (“Palomar Energy”) is a limited liability
8 company organized under the laws of Delaware with its principal place of business
9 at the same address as the principal place of business of SDG&E. Collectively,
10 SDG&E, Sempra and Palomar Energy are referred to in this Complaint as
11 “Defendants.”

12 5. TAS Energy is informed and believes that at all times mentioned herein
13 Defendants, and each of them, were the agents, principals, employees, servants,
14 partners, joint venturers and representatives of each other. In doing the acts
15 hereinafter alleged, they were acting within the scope and course of their authority
16 as such agents, principles, employees, servants, partners, joint venturers, and
17 representatives, and were acting with the permission and consent of the other
18 Defendants. As such, each Defendant is liable for the wrongful acts of the other
19 Defendants. TAS Energy is further informed and believes that each of the
20 Defendants conspired with each of the other Defendants to commit the acts TAS
21 Energy complains of herein.

22 JURISDICTION AND VENUE

24 6. This is a civil action arising under United States Patent Act, 35
25 U.S.C. §§ 100 et seq.

26 7. Jurisdiction over this action exists under 28 U.S.C. §§ 1331 and
27 1338(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff TAS Energy, Inc. demands a trial by jury on all issues triable as of right by a jury.

DATED: November 16, 2012 HAYNES AND BOONE, LLP

By /s/ Kenneth G. Parker

Kenneth G. Parker
Attorneys for Plaintiff
TAS Energy, Inc.