



New Era Energy & Digital Issues Statement Setting the Record Straight Regarding New Mexico Civil Complaint

MIDLAND, Texas – December 29, 2025 – New Era Energy & Digital, Inc. (Nasdaq: NUAI) (“New Era” or the “Company”), a developer and operator of next-generation digital infrastructure and integrated power assets in the Permian Basin, today issued the following statement responding to the civil complaint (the “Lawsuit”) recently filed by the State of New Mexico Attorney General and the New Mexico Oil Conservation Division:

“The New Mexico Lawsuit is a baseless and uninformed attack on our Company and on our Chairman and Chief Executive Officer, E. Will Gray II. We will aggressively defend New Era and its leadership in Court against these false allegations.

We urge our investors and other stakeholders to take note of the following:

- **We believe the allegations in the Lawsuit do not relate to any assets that would have a meaningful impact on our near-term business or operations.** As announced on December 23, 2025, we entered into a binding agreement to acquire Sharon AI’s 50% ownership interest in Texas Critical Data Centers LLC (“TCDC”), our flagship 1+ gigawatt hyperscale data center development located in Ector County outside Odessa, Texas. We are focused on bringing TCDC under a single ownership structure and entering the next phase of development of this Texas-based facility. Our focus is on our digital infrastructure business and driving value for our investors.
- **In particular, the 87 wells referenced in the Lawsuit are immaterial to our current business.** These wells no longer align with the Company’s business model, and we were already in the process of divesting them, in line with our focus on our digital infrastructure business.
- **We believe the Lawsuit contains myriad factual errors and misstatements.** As the legal process plays out, we look forward to refuting the Lawsuit’s allegations in further detail. For now, we want to make crystal clear that we do not intend to allow any misrepresentations to stand unaddressed.
- **The Attorney General and the New Mexico Oil Conservation Division made no attempt to contact us.** Had the plaintiffs reached out to us, we would have answered their questions. They provided us with no opportunity to refute what we believe are inaccuracies and falsehoods contained in the Lawsuit.
- **Neither New Era, nor Chairman and CEO Will Gray, have ever been affiliated with Acacia Operating Company, LLC or Acacia Resources, LLC, nor did**

New Era or Will Gray scheme to defraud the State. This fact alone renders a large part of the Lawsuit's theory about supposed "schemes" involving New Era and Will Gray meaningless.

New Era has contributed meaningfully as a corporate citizen in the state of New Mexico. New Era, through its operating entity Solis Partners, has already spent more than \$10 million on New Mexico state taxes and with local businesses through operations since the Company's inception. Just last month, we entered into a land option purchase agreement for approximately 3,500 acres in Lea County, New Mexico, intended for the development of a large-scale seven-gigawatt hyperscale AI data center campus.

The bottom line is that New Era will not be distracted by misguided attacks. We will continue to execute our business plans and work to deliver value for all our stakeholders. We look forward to providing further updates on our core business as we continue to announce key milestones on our Ector County data center complex."

About New Era Energy & Digital, Inc.

New Era Energy & Digital, Inc. (Nasdaq: NUAI) is a developer and operator of next-generation digital infrastructure and integrated power assets. With a growing portfolio of strategically located, vertically integrated resources including powered land and powered shells, the Company delivers turnkey solutions that enable hyperscale, enterprise, and edge operators to accelerate data center deployment, optimize total cost of ownership, and future-proof its infrastructure investments. For more information, visit: www.newerainfra.ai, and follow New Era Energy & Digital on [LinkedIn](#) and [X](#).

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Cautionary Note Regarding Forward-Looking Statements

This press release contains "forward-looking statements." Forward-looking statements reflect the current view about future events. When used in this press release, the words "anticipate," "believe," "estimate," "expect," "future," "intend," "plan" or the negative of these terms and similar expressions, as they relate to us or our management, identify forward-looking statements. Such statements include, but are not limited to, statements contained in this press release relating to our business strategy, our future operating results and liquidity and capital resources outlook. Forward-looking statements are based on our current expectations and assumptions regarding our business, the economy and other future conditions. Because forward-looking statements relate to the future, they are subject to inherent uncertainties, risks and changes in circumstances that are difficult to predict. Our actual results may differ materially from those contemplated by the forward-looking statements. They are neither statements of historical fact nor guarantees of assurance of future performance. We caution you therefore against relying on any of these

forward-looking statements. Important factors that could cause actual results to differ materially from those in the forward-looking statements include, without limitation: (a) our ability to effectively operate our business segments; (b) our ability to manage our research, development, expansion, growth and operating expenses; (c) our ability to evaluate and measure our business, prospects and performance metrics; (d) our ability to compete, directly and indirectly, and succeed in a highly competitive and evolving industry; (e) our ability to respond and adapt to changes in technology and customer behavior; (f) our ability to protect our intellectual property and to develop, maintain and enhance a strong brand; and (g) other factors (including the risks contained in the "Risk Factors" section of our Annual Report on Form 10-K for the fiscal year ended December 31, 2024). Should one or more of these risks or uncertainties materialize, or should the underlying assumptions prove incorrect, actual results may differ significantly from those anticipated, believed, estimated, expected, intended or planned. Factors or events that could cause our actual results to differ may emerge from time to time, and it is not possible for us to predict all of them. We cannot guarantee future results, levels of activity, performance or achievements. Except as required by applicable law, including the securities laws of the United States, we do not intend to update any of the forward-looking statements to conform these statements to actual results.