EXHIBIT 5

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SIGNATURE PAGE]

12

13   UNITED STATES DISTRICT COURT

14   NORTHERN DISTRICT OF CALIFORNIA

15   SAN JOSE DIVISION

16 | IN RE PERSONALWEB TECHNOLOGIES, LLC, ET AL., PATENT LITIGATION | **CASE NO.: 5:18-md-02834-BLF** |
|---|---|

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18 | AMAZON.COM, INC. and AMAZON WEB SERVICES, INC., | **CASE NO.: 5:18-cv-00767-BLF** |

19 Plaintiffs,
v.
PERSONALWEB TECHNOLOGIES, LLC'S SECOND SET OF REQUESTS FOR ADMISSION (Nos. 46-47) TO AMAZON WEB SERVICES, INC.

20
PERSONALWEB TECHNOLOGIES, LLC, and
21 LEVEL 3 COMMUNICATIONS, LLC,
Defendants.

22

23 PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,
24   Counterclaimants,

25 v.

26 AMAZON.COM, INC. and AMAZON WEB
SERVICES, INC.,
27   Counterdefendants.

28

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure ("FRCP"), PersonalWeb Technologies, LLC ("PersonalWeb"), by and through its attorneys, hereby submits its following Second Set of Requests for Admission Nos. 46 to 47 ("Requests") to Amazon Web Services, Inc., ("AWS"). AWS shall have thirty (30) days from the service of these Requests to respond. Per FRCP 26, these Requests shall be deemed to be continuing.

INSTRUCTIONS

In addition to the FRCP and the Local Rules of this Court, the following instructions apply:

1.   For each Request that is denied, or is not admitted without qualification, AWS is to set forth in detail the reason for such denial or qualification. If you deny a Request, the denial must fairly meet the substance of the Request. If you qualify your answer or deny any part of the matter for which an admission is requested, you shall admit so much of the statement as is true and deny the remainder.

2.   If you object that a term or phrase is vague or ambiguous, you shall respond with your understanding of the term or phrase and specifically admit or deny the statement.

3.   These Requests are continuing in nature and require supplementation per the FRCP.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION 46

Admit that AWS was not contractually obligated to indemnify website operator customers of S3 for claims of patent infringement prior to June 28, 2017.

REQUEST FOR ADMISSION 47

Admit that, prior to June 28, 2017, no contractual obligation existed between AWS and its S3 customers requiring AWS to indemnify S3 customers for claims of patent infringement.

Dated: December 7, 2018   Respectfully submitted,

STUBBS ALDERTON
& MARKILES, LLP

By: */s/ Michael A. Sherman*
      Michael A. Sherman
      Attorneys for Defendants and
      Counterclaimants

1   Dated: December 7, 2018   **MACEIKO IP**

2
                                           By: */s/ Theodore S. Maceiko*
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PROOF OF SERVICE

I declare as follows:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 15260 Ventura Blvd., 20th Floor, Sherman Oaks, California 91403. On **December 7, 2018**, I served the documents described as:
PERSONALWEB TECHNOLOGIES, LLC'S SECOND SET OF REQUESTS FOR ADMISSIONS (Nos. 46-47) TO AMAZON WEB SERVICES, INC. on the interested parties in this action as follows:

Via Email	**NDCA Case No. 5:18-cv-00767-BLF**
J. David Hadden	*Attorney for Amazon.com, Inc. and Amazon*
dhadden@fenwick.com	*Web Services, Inc. and numerous defendants*
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c/o Melanie Mayer	
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c/o Todd Gregorian	
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☐ **VIA MESSENGER:** I caused the document(s) listed above to be delivered via messenger to the individual(s) as set forth above.

☒ **BY U.S. MAIL: (SEE ATTACHED SERVICE LIST)** By depositing for collection and mailing in the ordinary course of business. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on the same day with postage thereon fully prepaid at Sherman Oaks, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

☒ Pursuant to stipulation for email service reached with counsel of record, I served the above documents to the emails listed in the service caption above. A true and correct copy of the transmittal will be produced if requested by any party or the court.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on **December 7, 2018**, at Sherman Oaks, California.

/s/ *Elizabeth Saal de Casas*
ELIZABETH SAAL DE CASAS

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