

EXHIBIT D

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10 Counsel for AMAZON.COM, INC.,
11 AMAZON WEB SERVICES, INC., and
12 TWITCH INTERACTIVE, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 IN RE: PERSONAL WEB TECHNOLOGIES,
17 LLC ET AL., PATENT LITIGATION

Case No.: 5:18-md-02834-BLF

18 AMAZON.COM, INC., and AMAZON WEB
SERVICES, INC.,

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

19 Plaintiffs

20 v.

21 PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

22 Defendants,

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

24 Plaintiffs,

25 v.

26 TWITCH INTERACTIVE, INC.,

27 Defendant.

**AMAZON.COM, INC., AMAZON WEB
SERVICES, INC., AND TWITCH
INTERACTIVE INC.'S FIRST SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO PERSONALWEB
TECHNOLOGIES, LLC PURSUANT
TO FRCP 69 AND CCP § 708.030**

28

1 **PROPOUNDING PARTY:** Amazon.com, Inc., Amazon Web Services, Inc., and Twitch
2 Interactive, Inc.

3 **RESPONDING PARTY:** PersonalWeb Technologies, LLC

4 **SET NO:** One (Nos. 1–43)

5 In accordance with Rules 26, 34, and 69 of the Federal Rules of Civil Procedure and
6 California Code of Civil Procedure § 708.030, Plaintiffs Amazon.com, Inc., Amazon Web Services,
7 Inc., and Twitch Interactive, Inc. request that PersonalWeb Technologies, LLC provide a written
8 response to each of the following requests and produce the documents and things described below
9 for inspection and copying, in accordance with the following instructions and definitions, at the
10 offices of Fenwick & West LLP, 555 California Street, San Francisco, CA 94104, within thirty (30)
11 days of service hereof, or at such other time and location as may be mutually agreed upon by the
12 parties.

13 DEFINITIONS

14 1. The following definitions shall apply to each of the requests contained below.
15 Terms not specifically defined below shall have their ordinary and usual meanings.

16 2. “PersonalWeb” means PersonalWeb Technologies, LLC, and its predecessors,
17 parents, subsidiaries, divisions, officers, employees, agents, principals, beneficial owners, and
18 attorneys, and each Person acting or purporting to act on its behalf or under its control.

19 3. “Person” includes any individual, trust, estate, business entity (including but not
20 limited to sole proprietorship, partnership, joint venture, company, or corporation), organization,
21 association, group, government, or governmental body (including but not limited to any
22 governmental agent, representative, agency, bureau, department, committee, or commission).

23 4. “Document” means any items described in Federal Rule of Civil Procedure 34(a)
24 and any “writings” within the meaning of Federal Rule of Evidence 1001, and all preliminary and
25 final drafts of any such items.

26 5. “Concerning” means “evidencing, constituting, comprising, pertaining to, referring
27 to, relating to, mentioning, or reflecting.”
28

1 6. The terms “or” and “and” shall be construed in the conjunctive and in the disjunctive
2 when they appear, and neither of these words shall be interpreted to limit the scope of these requests.

3 7. The terms “any” or “each” shall be construed to include and encompass “all,” and the
4 term “all” means any and all.

5 8. The use of a verb in any tense shall be construed as the use of the verb in all other
6 tenses.

7 9. The singular form of any word shall be construed to include the plural. The plural
8 form of any word shall be construed to include the singular.

9 **INSTRUCTIONS**

10 1. In answering the following requests, furnish all available information including
11 information in the possession, custody, or control of you or any of your attorneys, agents,
12 employees, representatives, associates, investigators, affiliates, partners, partnerships, and persons
13 under your control.

14 2. Selection of Documents from files and other sources and numbering of such
15 Documents shall be performed in such a manner as to ensure that the source and order of each
16 Document may be determined, if necessary.

17 3. File folders with tabs or labels or directories of files identifying Documents must be
18 produced intact with such Documents.

19 4. Documents attached to or associated with each other shall be produced together and
20 not separated.

21 5. Documents shall be produced with control numbers permitting identification of
22 particular documents and pages by their assigned number.

23 6. Where a claim of privilege is asserted in responding or objecting to any of these
24 requests and information is not provided on the basis of such assertion:

25 a. the party or attorney asserting the privilege shall in the response or objection
26 to the discovery request identify the nature of the privilege (including work product) which is being
27 claimed and, if the privilege is being asserted in connection with a claim or defense governed by
28 state law, indicate the state’s privilege rule being invoked;

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