Exhibit 5

1   **BAKER BOTTS L.L.P.**
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9
Attorneys for Plaintiff Lyft, Inc.
10
UNITED STATES DISTRICT COURT
11   **NORTHERN DISTRICT OF CALIFORNIA**

12

13   LYFT, INC.   Case No. 5:21-cv-04653-BLF

14   Plaintiff,   **PLAINTIFF LYFT, INC.'S NOTICE OF**
SUBPOENA TO AGIS HOLDINGS, INC.
15   v.

16   AGIS SOFTWARE DEVELOPMENT LLC,

17   Defendant.

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Rules 34 and 45 of the Federal Rules of Civil Procedure, counsel for Plaintiff Lyft, Inc. ("Lyft"), will be issuing the attached subpoena to AGIS Holdings, Inc.

Dated: February 4, 2022

Respectfully submitted,

By: /s/ Bethany R. Salpietra
      Bethany R. Salpietra

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Attorneys for Plaintiff Lyft, Inc.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via electronic mail on February 4, 2022.

/s/ Bethany R. Salpietra
Bethany R. Salpietra

UNITED STATES DISTRICT COURT

for the

Northern District of California

Lyft, Inc.	)	
Plaintiff	)	
v.	)	Civil Action No. 5:21-cv-04653-BLF
AGIS Software Development LLC	)	
	)	
Defendant	)	

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: AGIS Holdings, Inc.
c/o BEYER, MALCOLM K JR, 92 Lighthouse Dr., Jupiter, FL 33469

(Name of person to whom this subpoena is directed)

☑ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters: See Attachment A

Place: Baker Botts L.L.P., 101 California Street, Suite 3600 San Francisco, CA 9411	Date and Time: 03/04/2022 9:00 am

The deposition will be recorded by this method: stenographic and videographic means

☑ *Production:* You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: See Attachment A

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 02/04/2022

CLERK OF COURT

OR

	/s/ Bethany R. Salpietra
Signature of Clerk or Deputy Clerk	*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*   Lyft, Inc.
, who issues or requests this subpoena, are:
Bethany Salpietra, Baker Botts L.L.P, 2001 Ross Ave., Ste. 900, Dallas, TX 75201
214-953-6765, bethany.salpietra@bakerbotts.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to

AO 88A (Rev. 12/20) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 5:21-cv-04653-BLF

PROOF OF SERVICE
(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____

on *(date)* _____ .

❏ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

❏ I returned the subpoena unexecuted because: _____

_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

$ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00   .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

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