

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ELM 3DS INNOVATIONS, LLC,  
Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG SEMICONDUCTOR, INC.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., and SAMSUNG AUSTIN  
SEMICONDUCTOR, LLC,  
Defendants.

C.A. No. 14-cv-1430-LPS-JLH

**JURY TRIAL DEMANDED**

**NOTICE OF SUBPOENA TO DAVID WANETICK**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that pursuant to Federal Rules of Civil Procedure Rules 26, 34, and 45, Defendants Samsung Electronics Co., Ltd., Samsung Semiconductor, Inc., Samsung Electronics America, Inc., and Samsung Austin Semiconductor, LLC (collectively, “Defendants” or “Samsung”) intend to serve David Wanetick with (1) a subpoena to produce documents commanding production of documents, electronically stored information, or other tangible things as set forth in Exhibit A, and (2) a subpoena to testify at a deposition as set forth in Exhibit B.

**PLEASE TAKE FURTHER NOTICE** that the subpoena to produce documents compels the production of documents, information, or objects described in Exhibit A. The documents shall be produced at the time and location specified in the subpoena to produce documents, or at such alternative time and location as may be mutually agreed upon.

**PLEASE TAKE FURTHER NOTICE** that the deposition will be taken by stenographic, videographic, and/or remote means before a court reporter or other person authorized to administer oaths, and will be conducted at the time and location in the subpoena, or alternatively at a mutually agreed upon time and location as set forth in Exhibit B.

*Counsel for Samsung*

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Dated: January 10, 2022

/s/ Adam W. Poff  
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Co., Ltd., Samsung Semiconductor, Inc.,  
Samsung Electronics America, Inc., and  
Samsung Austin Semiconductor, LLC*

# EXHIBIT A

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the  
District of Delaware

Elm 3DS Innovations, LLC	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. 14-cv-1430-LPS-JLH
	)	
Samsung Electronics Co., Ltd., et al.	)	
<i>Defendant</i>	)	

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: David Wanetick  
Incremental Advantage, 2375 E Cloud Dr., Chandler, AZ 85249  
*(Name of person to whom this subpoena is directed)*

**Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:  
 See Attachment A.

Place: Electronically to yarchaikovskyy@paulhastings.com Or to physical location TBD	Date and Time:  02/01/2022 9:00 am
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**Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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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: 01/10/2022

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk	OR	/s/ Yar R. Chaikovskyy Attorney's signature
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The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_  
 Samsung Electronics Co., Ltd., et al. \_\_\_\_\_, who issues or requests this subpoena, are:  
 Yar R. Chaikovskyy, 1117 California Avenue, Palo Alto, CA 94304, yarchaikovskyy@paulhastings.com, (650) 320-1800

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the



Civil Action No. 14-cv-1430-LPS-JLH

**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 person 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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