

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 16-454 (RGA)
	)	
ELECTRONIC ARTS INC.,	)	
	)	
Defendant.	)	
	)	

**NOTICE OF SUBPOENA**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 45 and the attached subpoena (Ex. A), on June 30, 2017, beginning at 9:00 A.M., and continuing day-to-day thereafter until completed, Defendant Electronic Arts Inc. will take the deposition of The Boeing Company (“Boeing”). The deposition will take place at the offices of Winston & Strawn LLP, 35 W. Wacker Dr., Chicago, IL 60601 and will continue from day to day (excluding weekends and holidays) until completed. The deposition shall be taken before a court reporter or other qualified person to administer the oath and record the testimony by stenographic means. The deposition will be videotaped. Pursuant to Federal Rule of Civil Procedure 45 and the attached subpoena, Boeing must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on its behalf. The person(s) so designated shall be the persons most knowledgeable about, and shall testify as to, the matters known or reasonably available to Boeing with respect to the topics listed below. In addition, it is requested that Boeing provide written notice, at least five (5) business days in advance of the deposition, of the name and position of each designee who consents to testify on behalf of Boeing, and the identity of the particular topic(s) listed below as to which such designee has agreed to testify.

Dated: May 30, 2017

OF COUNSEL:

Michael A. Tomasulo

Gino Cheng

David K. Lin

WINSTON & STRAWN LLP

333 South Grand Avenue, 38<sup>th</sup> Floor

Los Angeles, CA 90071

(213) 615-1700

David P. Enzminger

WINSTON & STRAWN LLP

275 Middlefield Road

Suite 205

Menlo Park, CA 94025

(650) 858-6500

Dan K. Webb

Kathleen B. Barry

WINSTON & STRAWN LLP

35 West Wacker Drive

Chicago, IL 60601

(312) 558-5600

PHILLIPS, GOLDMAN, MCLAUGHLIN &  
HALL, P.A.

*/s/ Megan C. Haney*

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John C. Phillips, Jr. (#110)

Megan C. Haney (#5016)

1200 North Broom Street

Wilmington, DE 19806

(302) 655-4200

jcp@pgmhlaw.com

mch@pgmhlaw.com

Attorneys for Defendant

# EXHIBIT A

## UNITED STATES DISTRICT COURT

for the  
District of Delaware

ACCELERATION BAY LLC,

*Plaintiff*

v.

ELECTRONIC ARTS INC.,

*Defendant*

Civil Action No. C.A. No. 16-454 (RGA)

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

The Boeing Company ("Boeing")  
100 North Riverside, Chicago, IL 60606*(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 designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:  
See Schedule A (Definitions and Deposition Topics) in attached Notice of Subpoena.

Place: Winston & Strawn LLP, 35 W. Wacker Dr., Chicago, IL  
60601

Date and Time:

06/30/2017 9:00 am

The deposition will be recorded by this method: Stenography and videotape.

☐ **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:

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: 05/30/2017

CLERK OF COURT

OR

/s/ Kathleen B. Barry

*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)* Electronic Arts, Inc., who issues or requests this subpoena, are:

Kathleen B. Barry, Winston & Strawn LLP, 35 West Wacker Drive, Chicago, IL 60601, kbarry@winston.com, (312) 558-5600

## 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

Civil Action No. C.A. No. 16-454 (RGA)

**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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