

V.

**ION GEOPHYSICAL CORPORATION,  
FUGRO-GEOTEAM, INC.,  
FUGRO-GEOTEAM AS,  
FUGRO NORWAY MARINE SERVICES  
AS, FUGRO, INC., FUGRO (USA), INC. and  
GEOSERVICES, INC.,**

**Defendants.**

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§ **CIVIL ACTION NO. 4:09-cv-01827**  
§  
§ **Judge Keith P. Ellison**  
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§ **JURY TRIAL DEMANDED**  
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**UNOPPOSED NOTICE OF APPLICATION  
FOR ISSUANCE OF LETTER OF REQUEST**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD HEREIN

PLEASE TAKE NOTICE that Defendant ION Geophysical Corporation (“ION” or “Defendant”) hereby applies to the Court, pursuant to Federal Rule of Civil Procedure 28(b), for the issuance of a Letter of Request to The Royal Ministry of Justice and Police, Department of Civil Affairs, P.O. Box 8005, Dep. 0030, Oslo, Norway, to enable ION to secure the production of documents and to obtain oral testimony from the following individual:

Oyvind Hillesund (“Mr. Hillesund”)  
c/o Petroleum Geophysical Services  
Strandveien 4  
N-1326 Lysaker  
Oslo, Norway

Good cause exists for the grant of this Application in that this witness will provide testimony that is important to ION to establish elements of its defenses and to rebut Plaintiff’s claims, as set forth in more detail in the Letter of Request and ION understands that it will take some time for the Court in Norway to act on the Letter of Request. The other parties have been

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Hillesund was deposed by the parties on October 20, 2010, before Judge Anne Cathrine Hving in the Asker Bærum Court in Sandvika, Norway. At that time, the Norwegian Court did not permit ION's counsel to examine Mr. Hillesund on certain matters, concluding that they were not addressed in the original requested topics of testimony and observing that ION could seek a new Letter of Request to cover additional topics. After subsequent briefing by the parties in November and December 2010 on whether the original Letter of Request covered the additional topics, the Norwegian Court denied ION's request to resume Mr. Hillesund's deposition. Accordingly, ION now seeks a new Letter of Request setting out additional topics of testimony directed to Mr. Hillesund on which ION previously was not permitted to inquire.

This Application is based on the attached Memorandum of Points and Authorities, the Declaration of Ray T. Torgerson, the proposed Letter of Request lodged concurrently herewith, the pleadings and papers on file in this action, and any evidence and argument that may be presented at the hearing on this Application.

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**ATTORNEYS FOR DEFENDANT  
ION GEOPHYSICAL CORPORATION**

**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with Timothy Gilman, counsel for WesternGeco, and Gordon Arnold, counsel for the Fugro entities, regarding this Application, and WesternGeco and Fugro indicated they were unopposed to this Application.

/s/ Ray T. Torgerson  
Ray T. Torgerson

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**ATTORNEYS FOR DEFENDANTS,  
FUGRO-GEOTEAM, INC.,  
FUGRO, INC.,  
FUGRO (USA), INC., AND  
FUGRO GEOSERVICES, INC.**

/s/ Ray T. Torgerson  
Ray T. Torgerson

V.

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**MEMORANDUM OF POINTS AND AUTHORITIES**

Defendant ION Geophysical Corporation (“ION” or “Defendant”) respectfully requests that this Court issue the Letter of Request attached as Exhibit 1 to the accompanying Declaration of Ray T. Torgerson (“Torgerson Decl.”), and lodged concurrently herewith, directed to The Royal Ministry of Justice and Police, Norway. The Letter requests the examination of the following individual by deposition, and requests the production of documents from the individual relating to the above-captioned action:

Oyvind Hillesund (“Mr. Hillesund”)  
c/o Petroleum Geophysical Services  
Strandveien 4  
N-1366 Lysaker  
Oslo, Norway

ION expects that the requested documents and testimony will provide evidence that will assist ION in establishing its defenses and rebutting Plaintiff’s claims in this action, as set forth in more detail below and in the Letter of Request. The other parties to this action does not oppose this Application. *See* Torgerson Decl. ¶ 5. An application is appropriate in this instance

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