

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RFCYBER CORP.,

Plaintiff,

v.

GOOGLE LLC, and GOOGLE PAYMENT
CORP.

Defendants.

Civil Action No. 2:20-cv-00274-JRG
(Lead Case)

Jury Trial Demanded

RFCYBER CORP.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG ELECTRONICS
AMERICA, INC.

Defendants.

Civil Action No. 2:20-cv-00335-JRG
(Member Case)

Jury Trial Demanded

**GOOGLE’S NOTICE OF INTENT TO SERVE SUBPOENAS
ON EMV CO.**

PLEASE TAKE NOTICE that, pursuant to Rules 30(b)(6) and 45 of the Federal Rules of Civil Procedure, Defendants Google LLC and Google Payment Corp. (collectively, “Google”), will cause the subpoenas attached hereto as Exhibit 1 to be served on third party EMV Co. (“EMV”).

The document subpoena requires EMV to produce documents on or before July 13, 2021, at the offices of Munger, Tolles & Olson LLP, 560 Mission Street, 27th Floor, San Francisco, California 94105, or at such other time and place as may be mutually agreed upon by counsel.

The deposition upon oral examination of EMV will occur on July 20, 2021, at 9:30 a.m. at the offices of Munger, Tolles & Olson LLP, 350 South Grand Avenue, 50th Floor, Los Angeles, California 90071, or at such other time and place as may be mutually agreed to by Google and EMV. The deposition will be taken before a court reporter or other person authorized by law to administer oaths, and it will be recorded by video, audio, and/or stenographic means. You are invited to attend the deposition.

DATED: June 28, 2021

MUNGER, TOLLES & OLSON LLP

By: /s/ Heather E. Takahashi
HEATHER E. TAKAHASHI

Zachary M. Briers (*pro hac vice*)
Heather E. Takahashi (*pro hac vice*)
Vincent Y. Ling (*pro hac vice*)
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**ATTORNEYS FOR DEFENDANTS
GOOGLE LLC. AND
GOOGLE PAYMENT CORP.**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served by email on counsel for all parties on June 28, 2021.

By: /s/ Heather E. Takahashi
Heather E. Takahashi

EXHIBIT 1

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

RFCYBER CORP.

Plaintiff

v.

GOOGLE LLC and GOOGLE PAYMENT CORP.

Defendant

Civil Action No. 2:20-cv-00274-JRG

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

To: EMV Co., 901 Metro Center Boulevard, Mailstop M3-3D, Foster City, California, 94404

(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 SCHEDULE A.

Table with 2 columns: Place and Date and Time. Place: Munger, Tolles & Olson LLP, 560 Mission Street, 27th Fl. San Francisco, CA 94105, Attn: Heather E. Takahashi. Date and Time: 07/13/2021 10:00 am

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.

Table with 2 columns: Place and Date and Time. Both fields are empty.

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: 06/29/2021

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk OR /s/ Heather E. Takahashi Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Defendants GOOGLE LLC and GOOGLE PAYMENT CORP., who issues or requests this subpoena, are: Heather E. Takahashi, 350 S. Grand Ave., 50th Fl., Los Angeles, CA 90071 Heather.takahashi@mto.com 213-638-9531

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

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