

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*)
Robin S. Gray (*pro hac vice*)
Mica L. Moore (*pro hac vice* forthcoming)
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue, Fiftieth Floor
Los Angeles, California 90071-3426
Telephone: (213) 683-9100
Facsimile: (213) 687-3702
zachary.briers@mto.com
heather.takahashi@mto.com
vinny.ling@mto.com
robin.gray@mto.com
mica.moore@mto.com

**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

/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

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.