

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

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 2:22-CV-203-JRG
	)	
MICRON TECHNOLOGY, INC., MICRON	)	JURY TRIAL DEMANDED
SEMICONDUCTOR PRODUCTS, INC.,	)	
AND MICRON TECHNOLOGY TEXAS	)	<b>Filed Under Seal</b>
LLC,	)	
	)	
Defendants.	)	

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**PLAINTIFF NETLIST, INC.’S FIRST NOTICE OF DEPOSITION OF DEFENDANTS  
MICRON TECHNOLOGY, INC., MICRON SEMICONDUCTOR PRODUCTS, INC.,  
AND MICRON TECHNOLOGY TEXAS LLC**

Please Take Notice that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, and the Local Rules of this Court, Plaintiff Netlist, Inc. (“Netlist”) directs the following interrogatories to defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively “Micron” or “Defendants”). The deposition(s) shall take place at a mutually agreeable place and date, beginning at 9:00 am and continuing from day-to-day thereafter (excluding Saturdays, Sundays, and holidays) until completed. The deposition(s) will be conducted pursuant to the Federal Rules of Civil Procedure and will be conducted in the English language before a notary public or other officer authorized to administer oaths. The deposition(s) may be recorded by stenographic means, audiotaped, videotaped, and/or transcribed using real time interactive transcription (e.g., LiveNote).

Pursuant to Federal Rule of Civil Procedure 30(b)(6), Micron shall designate one or more of its officers, directors, managing agents, or other persons who are most knowledgeable, and competent to testify on its behalf, as to all matters known or reasonably available to Micron with

respect to the topics set forth in Attachment A. Pursuant to Federal Rule of Civil Procedure 30(b)(6), the person(s) designated should be prepared to testify as to such matters known or reasonably available to Micron. At least five (5) business days before the date set for the deposition(s), Micron shall identify, by name and position, each person so designated and shall set forth the matters on which that person will testify.

Netlist reserves the right to serve Micron with additional notices pursuant to Rule 30(b)(6) on additional topics as this litigation progresses and as further evidence is produced.

Dated: May 15, 2023

Respectfully submitted,

/s/ Jason G. Sheasby

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## ATTACHMENT A

### **DEFINITIONS**

Unless the context indicates otherwise, for purposes of these discovery requests, the following words and phrases have the meanings given:

1. “You,” “Your,” “Micron,” or “Defendant(s)” means Micron Technology, Inc., Micron Semiconductor Products, Inc., Micron Technology Texas LLC and any present or former parent, subsidiary, division, subdivision, affiliated company, licensee, predecessor, or successor of Micron, and any of its or their present or former officers, directors, agents, attorneys, consultants, accountants, employees, representatives, investigators, distributors, salespersons, sales representatives, licensors, licensees, and any other persons acting, or purporting to act for or on its or their behalf or under its or their control, including but not limited to experts or persons consulted concerning any factual matter or matters of opinion relating to any issues involved in the action.

2. “Netlist” shall mean Netlist, Inc. and all of its affiliates, officers, employees, agents, representatives, contractors, consultants, attorneys, successors, and assigns.

3. “Patent” shall mean any United States, international, or foreign classes or types of patents, utility models, design patents, applications (including provisional applications), certificates of invention, reissues, divisionals, continuations, continuations-in-part, extensions, renewals, reexaminations and foreign counterparts thereof. The defined term Patent includes all stated categories of intellectual property regardless of whether those rights are presently expired or were ever adjudged invalid.

4. “Netlist Patents-in-Suit” means and refers to one or more of U.S. Patent Nos. 10,860,506 (“506 Patent”), 10,949,339 (“339 Patent”), 11,016,918 (“918 Patent”),

11,232,054 (“054 Patent”), 8,787,060 (“060 Patent”), and 9,318,160 (“160 Patent”).

5. “Third Party” means any individual, entity, organization, partnership, or corporation that is not a party to this action.

6. “Micron Accused DDR4 LRDIMMs” shall include any and all Micron Double Data Rate 4 (“DDR4”) load reduced dual in-line memory modules (“LRDIMMs”), including ones that its customers further customize.

7. “Micron Accused DDR5 DIMMs” shall include any and all Micron Double Data Rate 5 (“DDR5”) dual in-line memory modules, including ones that its customers further customize.

8. “Micron Accused HBM Products” shall include any and all Micron HBM2, HBM2E, HBM3, or HBMnext high bandwidth memory products, including ones that its customers further customize.

9. “Micron Accused Products” shall mean any and all Micron Accused DDR4 LRDIMMs, Micron Accused DDR5 DIMMs, and Micron Accused HBM Products.

10. “Micron Distributor” shall include any person who Micron authorized to sell any Micron Accused Products.

11. “Micron Partner” shall include any customers of Micron’s Accused Products and any other third parties involved in the design, development, manufacture, testing, assembly, importation, distribution, sourcing, qualification, sale, or offer to sell Micron Accused Products.

12. “Micron Supplier” means a natural person or a business entity that supplies any component involved in the Micron Accused Products or assembled Micron’s Accused Products in whole or in part. For the purposes of this definition, a co-development relationship

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