

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

_____)	
B.E. TECHNOLOGY, LLC,)	
)	
Plaintiff,)	The Honorable
)	John Phipps McCalla
)	
vs.)	No.: 2:12-cv-02783-JPM-tmp
)	
TWITTER, INC.,)	JURY DEMAND
)	
Defendant.)	
_____)	

**DEFENDANT TWITTER, INC.’S NOTICE OF
30(b)(1) DEPOSITION OF YUICHIRO TSUTSUI**

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(1) of the Federal Rules of Civil Procedure, Defendant Twitter, Inc. (“Twitter”) shall take the deposition of Yuichiro Tsutsui, 2725 West Wingman Avenue, Apt. 1165, Las Vegas, NV 89123 on November 20, 2013, beginning at 9:00 a.m. and continuing from day to day until completed.

The deposition will be held at Cameo Kayser & Associates, 2620 Regatta Drive, Suite 102, Las Vegas, Nevada 89128. The deposition will be conducted for the purposes of discovery, for use at trial, and for such other purposes as are permitted by law. The deposition will be taken before a person authorized to administer oaths under Rule 28 of the Federal Rules of Civil Procedure. The deposition shall be recorded by a stenographer or court reporter, and may be recorded by video and sound means.

You are invited to attend and cross-examine.

Dated: November 14, 2013

/s/ Glen G. Reid, Jr.

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**Admitted Pro Hac Vice*

Counsel for Defendant

TWITTER, INC.

CERTIFICATE OF SERVICE

The undersigned declares as follows:

I am a citizen of the United States and employed in Santa Clara County, State of California I am over the age of eighteen years and not a party to the within-entitled action. My business address is Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, California 94041. On the date set forth below, I served an electronic copy of the following document, initial **DEFENDANT TWITTER, INC.'S NOTICE OF 30(B)(1) DEPOSITION OF YUICHIRO TSUTSUI** via email on the following counsel of record in the subject action:

Robert E. Freitas
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Dated: November 14, 2013

/s/ Justin G. Hulse
Justin G. Hulse

UNITED STATES DISTRICT COURT
for the
District of Nevada

B.E. Technology, L.L.C.,)	
<i>Plaintiff</i>)	
v.)	Civil Action No. 2:12-cv-02783-JPM-tmp
Twitter, Inc.,)	
<i>Defendant</i>)	(If the action is pending in another district, state where: Western District of Tennessee)

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: **Yuichiro Tsutsui**
2725 West Wingman Avenue, Apt. 1165, Las Vegas, Nevada 89123

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 that is *not* a party in this case, 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:

Place: Cameo Kayser & Associates 2620 Regatta Drive, Suite 102 Las Vegas, NV 89128	Date and Time: November 20, 2013 9:00 a.m.
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The deposition will be recorded by this method: **Stenographic and Videotape**

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Please see Exhibit A.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: **November 14, 2013**
CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR



Attorney's signature
Justin Hulse

The name, address, e-mail, and telephone number of the attorney representing *(name of party)* **Twitter, Inc.**, who issues or requests this subpoena, are:

Justin Hulse
 Fenwick & West LLP, 801 California Street, Mountain View, CA 94041
 Telephone: 650.988.8500 Email: jhulse@fenwick.com

Civil Action No. **2:12-cv-02783-JMP-tmp**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* Yuichiro Tsutsui
was received by me 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 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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