

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

JOHN WARD, JR.

Plaintiff

V.

CISCO SYSTEMS, INC.

Defendant.

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§
§
§

No. 08-4022 JLH

JURY TRIAL DEMANDED

NOTICE OF SUBPOENA SERVED

PLEASE TAKE NOTICE that Plaintiff has caused a subpoena to be served upon Google, Inc. A copy of said subpoena is attached hereto.

Respectfully Submitted,

/s/ Nicholas H. Patton

Nicholas H. Patton
State Bar No. 63035
Patton, Tidwell & Schroeder, LLP
4605 Texas Boulevard
Texarkana, Texas 75503
Tel: (903) 792-7080
Fax: (903) 792-8233

Patricia L. Peden
LAW OFFICE OF PATRICIA L. PEDEN
610 16th Street, Suite 400
Oakland, California 94612
Telephone: 510-268-8033

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that on this 12th day of February, 2009, a true and correct copy of the foregoing was served electronically via the Court's CM/ECF electronic filing system upon:

Richard E. Griffin
Charles Babcock
Crystal Parker
JACKSON WALKER, LLP
1401 McKinney
Suite 1900 Houston, Texas 77010

Attorneys for Defendant Cisco Systems, Inc.

/s/ Nicholas H. Patton

Nicholas H. Patton

**Issued by the
UNITED STATES DISTRICT COURT**

NORTHERN DISTRICT OF CALIFORNIA

John Ward, Jr.

SUBPOENA IN A CIVIL CASE

V.

Clisco Systems, Inc.

Case Number:¹ 4:08cv4022
(Pending in the Western District of Arkansas)

TO: Google, Inc., Records Custodian, 1600 Amphitheatre Parkway, Mountain View, CA 94043

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):


See Exhibit A attached hereto

PLACE	DATE AND TIME
Paulson Esquire, 44 Montgomery Street, Suite 1100, San Francisco, CA.	March 2, 2009

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	January 30, 2009
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	

Nicholas H. Patton, Patton, Tidwell & Schroeder, LLP, P.O. Box 5398, Texarkana, Texas, 75505-5398 (Phone: 903.792.7080)

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

<i>Attorney or Party without Attorney:</i> ESQUIRE DEPOSITION SERVICES, LLC 2301 W. BIG BEAVER SUITE 925 Troy, MI 48084 Telephone No: 248-205-7010 FAX No: 248-205-7040				<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff			<i>Ref. No. or File No.:</i> 4:08CV4022		
<i>Insert name of Court, and Judicial District and Branch Court:</i> Court					
Plaintiff: JOHN WARD Defendant: CISCO SYSTEMS					
PROOF OF SERVICE SUBPOENA IN A CIVIL		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i> 4:08CV4022

1. *At the time of service I was at least 18 years of age and not a party to this action.*
2. I served copies of the SUBPOENA IN A CIVIL CASE
3. *a. Party served:* GOOGLE, INC, CUSTODIAN OF RECORDS
b. Person served: Pauline Samson, Legal Assistant -
4. *Address where the party was served:* 1600 AMPHITHEATRE PARKWAY
 Mountain View, CA 94043
5. *I served the party:*
b. by substituted service. On: Wed., Jan. 30, 2008 at: 3:18PM by leaving the copies with or in the presence of:
 Pauline Samson, Legal Assistant / Asian, Female, 35 Years Old, Black Hair,
 Brown Eyes, 5 Feet 1 Inches, 105 Pounds
(1) (Business) Person of suitable age and discretion. I informed him or her of the general nature of the papers.
b. I received this subpoena for service on: Friday, January 30, 2009
6. *Witness fees were not demanded or paid.*
7. *Person Who Served Papers:*
 - a. Raul Deleon
 - d. *The Fee for Service was:* Recoverable Cost Per CCP 1033.5(a)(4)(B)
 - e. I am: (3) registered California process server
 - (i) Independent Contractor
 - (ii) *Registration No.:* 1202
 - (iii) *County:* Santa Clara



Aboingo Services P 510-475-6161
 1780 Whipple Rd F 510-475-6262
 Suite # 102 www.aboingo.net
 Union City, CA 94587

Date: Mon, Feb. 02, 2009

EXHIBIT A

DEFINITIONS & INSTRUCTIONS

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2. The term “DOCUMENT” is used herein in this broadest sense under the Federal Rules of Civil Procedure and applicable case law and includes all tangible things, all originals (or, if originals are not available, identical copies thereof), archives, all non-identical copies of all documents, all drafts of final documents, all other written, printed, or recorded matter of any kind and all other data compilations from which information can be obtained that are or have been in your actual or constructive possession or control, regardless of the medium on which they are produced, reproduced or stored (including with limitation computer programs and files containing any requested information), and any recording or writing as these terms are defined in Rule 1001 of the Federal Rules of Evidence. Any document bearing marks, including without limitation initials, stamped initials, comments, or notations not part of the original text or photographic reproduction thereof is a separate document.
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7. All DOCUMENTS exchanged between Google and Cisco regarding Gregg County, Texas Cause of Action, Gregg County No. 2007-2502-A.

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