## **EXHIBIT G**



PASADENA OFFICE
350 W. Colorado Blvd., Suite 500
Pasadena, CA 91105
Post Office Box 7068
Pasadena, CA 91109-7068
E-mail: info@cph.com
Tel: (626) 795-9900 · Fax: (626) 577-8800

June 12, 2008

## VIA EMAIL

Mr. James Pistorino
Howrey LLP
1950 University Avenue, 4th Floor
East Palo Alto, CA 94303

Re: Calcar, Inc. et al. v. The California Cars Initiative, et al., Case No. SACV 07-00723 AG (JWJx) (C.D. Cal.): Deposition of Dave Bagshaw CPH Ref. C685:100.1

## Dear James:

This letter is in response to your correspondence regarding the deposition subpoena personally served on Dave Bagshaw on May 27, 2008.

Your letter is inaccurate in a number of respects. You claim that the subpoena dated May 23, 2008 was "sent" to Mr. Bagshaw. This subpoena was personally served on Mr. Bagshaw on May 27, 2008. Attached is the proof of service. You claim that service "does not appear . . . proper." Your only basis for challenging service, however, is your assertion that witness fees and mileage were not included. Your assertion is wrong. Mr. Bagshaw was served with a check for witness fees and mileage totaling \$83.80. In addition to the proof of service, which evidences this fact, also enclosed is a copy of the check that was personally served on Mr. Bagshaw.

You object that Mr. Bagshaw is unavailable on June 17 due to a previous commitment. The subpoena requires his appearance on that date. However, we are willing to consider alternate dates. Please provide me with dates that Mr. Bagshaw is available for deposition.

Finally, you object that Mr. Bagshaw "does not appear to have any relevant information." This objection has no merit. According to TCCI's website, Mr. Bagshaw is a "Senior Advisor" to TCCI and is "actively involved in shaping key initiatives of the non-profit start-up, including possible organization of a spin-of for-profit company." Among other things, Mr. Bagshaw has knowledge of TCCI's "steps toward commercialization." Such knowledge is directly relevant to TCCI's claim that it does not intend to sell or offer for sale any products. In addition, Mr.

James B. Christie (1904-195 Robert L. Parker (1920-198 C. Russell Hale (1916-200

D. Bruce Prout Walter G. Maxwell David A. Dillard Thomas J. Dalv Edward R. Schwartz John D. Carpenter Wesley W. Monroe David A. Plumley Gregory S. Lampert Mark Garscia Sved A. Hasan Robert A. Green Howard A. Kroll Michael J. MacDermott Constantine Marantidis Daniel M. Cavanagh Gary J. Nelson Raymond R. Tabandeh Josephine E. Chang Jun-Young E. Jeon Brian K. Brookey David J. Steele Gary S. Dukarich Peter C. Hsueh Oliver S. Bairacharya Lauren E. Schneider Saeid Mirsafian, Ph.D. Gabriel Fitch Tiffany A. Parcher Jonas J. Hodges Steven E. Lauridsen Patrick J. Orme Nikki M. Dossman Derek W. Yeung G. Warren Bleeker Jason C. Martone Jeffrey T. Burgess Uven N. Tano Joshua T. Chu Anne F. Bradley Joseph J. Mellema Daniel L. Essig Danielle M. Criona

## Of Counsel

Hayden A. Carney Richard J. Ward, Jr. Richard A. Wallen Daniel R. Kimbell Richard J. Paclulan\*

\*Admitted only in MA



Mr. James Pistorino Howrey LLP June 12, 2008 Page 2

Bagshaw has knowledge relevant to the likelihood of confusion analysis. Plaintiffs independently have good cause to depose Mr. Bagshaw on the basis that he is identified in thousands of relevant documents produced by TCCI and Kramer.

Unless and until we can mutually agree on an alternate date, we will expect the deposition to go forward on June 17.

Sincerely,

G. Warren Bleeker

GWB/gwb

**Enclosure** 

GWB PAS799197.1-\*-06/12/08 3:07 PM





Attorney or Party without Attorney:					For Court Use Only
CUDICTIE DADVED & HALE					
CHRISTIE, PARKER & HALE					
350 W. COLORADO BLVD.					
SUITE: #500					
PASADENA, CA 91105					
Telephone No: 626 795-9900 FAX N	lo: 626 577-8800				
	Ī	Ref. No. or I	ile No.:		
Attorney for: Plaintiff		99605			_
Insert name of Court, and Judicial District and Branch Court:					
United States District Court Northern District Of California					_
Plaintiff: CALCAR, INC., AMERICAN CALCAR, INC., et al.					1
Defendant: THE CALIFORNIA CARS INIT					
PROOF OF SERVICE	Hearing Date:	Tim	e:	Dept/Div:	Case Number:
SUBPOENA IN A CIVIL	Tue, Jun. 17, 2008	9	30AM		SACV07-00723 AG

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; NOTICE OF DEPOSITION OF DAVE BAGSHAW

3. a. Party served:

**DAVE BAGSHAW** 

4. Address where the party was served:

49 PARKER AVENUE ATHERTON, CA 94027

5. I served the party:

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., May. 27, 2008 (2) at: 6:15PM

b. I received this subpena for service on:

Friday, May 23, 2008

6. Witness fees were offered or demanded, and paid:

\$83.80

7. Person Who Served Papers:

a. DAVID NORIEGA

b. CORPORATE LEGAL SERVICES PO BOX 27975, Registration # 2296 LOS ANGELES, CA 90027

c. 213 202-6030, FAX 213 202-6045

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.:

1028

(iii) County: (iv) Expiration Date: Santa Clara Fri, Jan. 16, 2009

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, May. 29, 2008

32518.chrpa.32518

Judicial Council Form Rule 982.9.(a)&(b) Rev January 1, 2007

in the state of th	TAX DEDUCTIVLE ITEM E
COUNTY LEGAL & NOTARY SERVICE (408) 285-2700	SE 45634
255 N. MARKET STREET, SUITE 246 SAN JOSE, CA 96110	05/27/2008 90-78-1211
Dave Bagohaw Eighty three will solve	PAYMENT 83 80
	BALANCE DEPOSIT
BANK OF THE WEST 1-800-488-2285 第137日本	PONTO TOTAL DE LA CONTROL DE L
#045634# #121100782#	003004324 NOT NEGOTIABLE