

Clear Form

AO 440 (Rev. 03/08) Civil Summons (cand 6/08)

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC.,

Plaintiff
v.

NETLIST, INC.,

Defendant

E-filing

ADR

Civil Action No.

C08 04144

Summons in a Civil Action

To: NETLIST, INC.

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

David J. Miclean (CA Bar No. 115098/miclean@fr.com)
Christina Jordan (CA Bar No. 245944/cjordan@fr.com)
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

AUG 28 2008

Date:

Richard W. Wieking

Tiffany Samas-Harwell

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by:

- (1) personally delivering a copy of each to the individual at this place, _____; or
- (2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or
- (3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or
- (4) returning the summons unexecuted to the court clerk on _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

Date: _____

Server's signature

Printed name and title

Server's address