

UNITED STATES DISTRICT COURT
for the

Northern District of California

APPLE INC., a California corporation,

Plaintiff

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant

CV11

1327

Civil Action No.

DMA

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Amazon.com, Inc.
c/o Corporations Service Company (Registered Agent)
300 Deschutes Way SW, Suite 304
Tumwater, WA 98501

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — 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 or plaintiff's attorney, whose name and address are:

David R. Eberhart, Esq.
David J. Sepanik, Esq.
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111

If you fail to respond, 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.

CLERK OF COURT
HELEN ALMACEN

Signature of Clerk or Deputy Clerk

MAR 18 2011

Date: _____

<i>Attorney or Party without Attorney:</i> DAVID EBERHART, ESQ., Bar #195474 O'MELVENY & MYERS LLP TWO EMBARCADERO CENTER 28TH FLOOR SAN FRANCISCO, CA 94111 Telephone No: (415) 984-8700 FAX No: (415) 984-8701				<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff			<i>Ref. No. or File No.:</i> 341894		
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court, Northern District Of California					
<i>Plaintiff:</i> APPLE, INC., ETC. <i>Defendant:</i> AMAZON.COM, INC., ETC.					
PROOF OF SERVICE		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i> CV-11-1327-DMR

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 Summons In A Civil Action; Complaint; Plaintiff Apple, Inc.'s Certificate Of Interested Parties Or Persons Pursuant To Civil Local Rule 3-16; Order Setting Initial Case Management Conference And ADR Deadlines; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Consent To Proceed Before A United States Magistrate Judge; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States District Judge; Ecf Registration Information Handout; Court Guidelines For The Oakland Divisional Office Of The United States District Court; Consenting To A Magistrate Judge's Jurisdiction In The Northern District Of California; Civil Cover Sheet
3.
 - a. Party served:
 - b. Person served:

AMAZON.COM, INC., A DELAWARE CORPORATION
CORPORATE SERVICE COMPANY, AGENT AUTHORIZED TO ACCEPT SERVICE OF PROCESS. BY LEAVING WITH JUANITA HUEY, PROCESS AGENT (SERVED UNDER F.R.C.P. RULE 4).
4. Address where the party was served:

300 DESCHUTES WAY S.W.
OLYMPIA, WA 98501
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: Mon., Mar. 21, 2011 (2) at: 2:21PM
7. **Person Who Served Papers:**
 - a. CAROLYN HEATER
 - b. **ECP PROCESS SERVICE**
1009 4TH AVENUE EAST
OLYMPIA, WA 98501
 - c. (360) 239-1770
 - d. *The Fee for Service was:*
 - e. I am: not a registered California process server

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

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: Wed, Mar. 23, 2011

