

**EXHIBIT 1**  
**TO THE DECLARATION OF**  
**JACOB T. VELTMAN**

UNITED STATES DISTRICT COURT

for the
CENTRAL District of CALIFORNIA

LEGALZOOM.COM, INC.

Plaintiff

v.

ROCKET LAWYER INCORPORATED

Defendant

Civil Action No. 2:12-CV-09942-GAF-AGR

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

GOOGLE, INC. c/o CSC Lawyers Incorporating Service, 2710 Gateway Oaks, Suite To: 150N, Sacramento, CA 95833.

(Name of person to whom this subpoena is directed)

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, 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: Custodian of Records to authenticate the documents requested.

Table with 2 columns: Place and Date and Time. Place: Veritext-San Francisco, 101 Montgomery Street, Suite 450, San Francisco, CA 94104. Date and Time: December 1, 2014; 3:00 p.m.

The deposition will be recorded by this method: Stenographically and Videotaped

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: See Attachment "1"

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

Date: 11/14/14

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

Barak Vaughn

The name, address, e-mail address, and telephone number of the attorney representing (name of party) LegalZoom.com,

Inc., who issues or requests this subpoena, are: Fred Heather; GLASER WEIL, 10250 Constellation Blvd., 19th Floor, Los Angeles, CA 90067; (310)553-3000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

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

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
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 the 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 \$ \_\_\_\_\_.

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.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**

**(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**ATTACHMENT 1**

**DEFINITIONS**

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A. "YOU," "YOUR" and "GOOGLE" mean Google, Inc. located at 1600 Amphitheatre Way, Mountain View California 943043, and its current and former parents, subsidiaries, affiliates, predecessors, successors, employees, managers, officers, directors, partners, agents, representatives, attorneys, or anyone acting or purporting to act on its behalf or under its control.

B. "LEGALZOOM" and "PLAINTIFF" mean and refer, without limitation, to Plaintiff LegalZoom.com, Inc., its attorneys, agents and all PERSONS, as defined below, acting on its behalf.

C. "ROCKET LAWYER" and "DEFENDANT" mean and refer, without limitation, to Rocket Lawyer Incorporated, its employees, attorneys, agents, independent contractors, officers, directors, shareholders, representatives, and all PERSONS or entities acting on its behalf.

D. "ROCKET LAWYER FREE ADVERTISEMENTS" mean and refer to any marketing, advertising and/or promotion of ROCKET LAWYER and/or ROCKET LAWYER PRODUCTS AND SERVICES, in which the term "free" appears in the marketing, advertisement and promotion and/or in which the term "free" is used as a keyword or other search term to trigger the marketing, advertisement and/or promotion of ROCKET LAWYER and/or ROCKET LAWYER PRODUCTS AND SERVICES.

E. "COMMUNICATION" includes, without limitation, communications by whatever means transmitted (i.e., whether oral, written, electronic, or other methods are used), as well as any note, memorandum, or other document record thereof.

F. "DOCUMENT" has the full meaning ascribed to it by the Federal Rules of Civil Procedure and the Federal Rules of Evidence, and includes without limitation any writing, COMMUNICATION, correspondence or tangible thing on which

1 information can be stored or from which information can be retrieved, whether signed  
2 or unsigned, in draft or final form, an original or a copy, including electronic formats.

3 G. "CONSTITUTING," "CONCERNING," "REFERRING TO,"  
4 "RELATED TO," and "RELATING TO," whether used alone or in conjunction with  
5 one another, are used in their broadest sense and shall mean and refer to, without  
6 limitation, constituting, summarizing, memorializing, or directly or indirectly  
7 referring to, discussing, pertaining to, regarding, evidencing, supporting,  
8 contradicting, containing information regarding, embodying, comprising, identifying,  
9 stating, reflecting, dealing with, commenting on, responding to, describing, analyzing,  
10 or in any way pertinent to the subject matter of the type of DOCUMENTS sought.

11 H. "PERSON" means an individual, firm, partnership, corporation,  
12 proprietorship, association, governmental body, or any other organization or entity.

13 I. "Each" and "any" include both "each" and "every" whenever  
14 appropriate. The terms "and" as well as "or" shall be construed either disjunctively or  
15 conjunctively as necessary to bring within the scope of the inquiry or request any  
16 information which might otherwise be construed to be outside of the scope.

17 J. "Or," "and," and "and/or" shall be interpreted both conjunctively and  
18 disjunctively, so as to be inclusive rather than exclusive, and each term shall include  
19 the other whenever such construction will serve to bring within the scope of a request  
20 documents, information or tangible things which would not otherwise be within its  
21 scope, and these terms shall not be interpreted to exclude any information, documents  
22 or tangible things otherwise within the scope of a request.

23 K. The present tense of any verb shall include the past tense, and vice versa,  
24 whenever such construction will serve to bring within the scope of a request  
25 documents, information or tangible things which would not otherwise be within its  
26 scope.

27 L. The singular shall include the plural and vice versa, and words in one  
28 gender shall include the other gender.

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**REQUEST TO PRODUCE DOCUMENTS**

Pursuant to Federal Rule of Civil Procedure 34 *et seq.*, YOU are obligated to produce at the time and place identified above, on the designated date, those DOCUMENTS or COMMUNICATIONS responsive to the requests listed below:

**REQUEST TO PRODUCE DOCUMENTS NO. 1**

Any and all DOCUMENTS RELATING TO ROCKET LAWYER FREE ADVERTISEMENTS between January 1, 2008 and present.

**REQUEST TO PRODUCE DOCUMENTS NO. 2**

Any and all COMMUNICATIONS between YOU and ROCKET LAWYER RELATING TO ROCKET LAWYER FREE ADVERTISEMENTS between January 1, 2008 and present.

**REQUEST TO PRODUCE DOCUMENTS NO. 3**

Any and all DOCUMENTS RELATING TO studies managed or performed by Google Ventures for ROCKET LAWYER, to the extent those studies examine or concern ROCKET LAWYER FREE ADVERTISEMENTS.

**REQUEST TO PRODUCE DOCUMENTS NO. 4**

Any and all DOCUMENTS sufficient to show the complete name, address, and telephone number for Katherine K. whose email address is Katherine.k@google.com

**SACRAMENTO LEGAL SUPPORT, INC.  
SACRAMENTO FIELD ACCOUNT**

1814 I STREET  
SACRAMENTO, CA 95814

FRAUDARMOR

45392

11-35/1210

11-14 2d4

Pay to the Order of Google, Inc.  
Fortey \$ 00/100

\$ 40<sup>00</sup>

Dollars

Security features are included. Details on back.

**BANK OF AMERICA  
CALIFORNIA**

**NOT TO EXCEED \$1,000  
FOR DEPOSIT ONLY**

For 8850816 W/F

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