

EXHIBIT 1

**Issued by the
UNITED STATES DISTRICT COURT**

Southern

DISTRICT OF

Ohio

Google, Inc.

SUBPOENA IN A CIVIL CASE

V.

Traffic Information, LLC.

Case Number:¹ 09-642-HU

District of Oregon

TO: Cincinnati Bell Inc.
221 East Fourth Street
Cincinnati, OH 45202

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 Cincinnati Bell Inc. 221 East Fourth Street, Cincinnati, OH 45202 | DATE AND TIME 1/27/2012 10:30 am |
|---|-------------------------------------|

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):

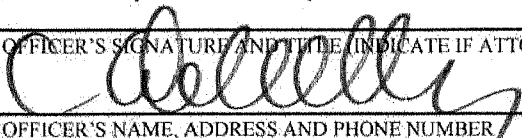
See Document Requests attached hereto.

| | |
|---|------------------------------------|
| PLACE Cincinnati Bell Inc. 221 East Fourth Street, Cincinnati, OH 45202 | DATE AND TIME 1/24/2012 9:00 am |
|---|------------------------------------|

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

| | |
|----------|---------------|
| PREMISES | DATE AND TIME |
|----------|---------------|

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 1/6/2012 |
|--|------------------|

| | |
|--|--|
| ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER C. Dale Quisenberry, 6750 West Loop S., STE 920, Bellaire, Texas 77401 (832)-778-6000 Attorney for Defendant Traffic Information, LLC | |
|--|--|

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

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

PROOF OF SERVICE

| | |
|------------------------|-------------------|
| DATE | PLACE |
| SERVED | |
| SERVED ON (PRINT NAME) | MANNER OF SERVICE |
| SERVED BY (PRINT NAME) | TITLE |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ DATE _____ SIGNATURE OF SERVER _____

ADDRESS OF SERVER _____

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held;
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena 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 to quash, the person from whom discovery is sought must show that the information sought 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) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that 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 and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).

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Attorneys for Defendant Traffic Information, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

GOOGLE INC.,

Plaintiff,

v.

TRAFFIC INFORMATION, LLC,

Defendant.

No. CV09-642-HU

**TRAFFIC INFORMATION, LLC'S NOTICE
OF DEPOSITION *DUCES TECUM* OF
CINCINNATI BELL INC.**

Please take notice that pursuant to Rules 26, 30 and 45 of the Federal Rules of Civil Procedure, Traffic Information, LLC ("Traffic"), by and through its attorneys of record, will take the oral deposition *duces tecum* of Cincinnati Bell Inc. ("CARRIER") on January 27, 2010 beginning at 10:30 a.m. at the offices of Cincinnati Bell Inc., 221 East Fourth Street, Cincinnati,

TRAFFIC INFORMATION, LLC'S NOTICE OF DEPOSITION
DUCES TECUM OF CINCINNATI BELL INC.

OH 45202 or at another mutually-agreeable time and place, and will continue from day to day until complete. The deposition will be recorded by stenographic means.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, CARRIER is directed to designate one or more officers, directors, or managing agents or other persons to testify on its behalf as to the matters set forth in the Schedule A attached hereto. You are invited to attend and exercise your rights under the Federal Rules of Civil Procedure.

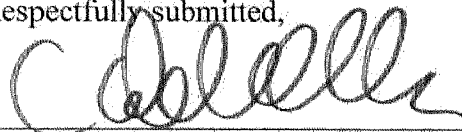
Pursuant to Rule 45 of the Federal Rules of Civil Procedure, CARRIER is directed to make available for inspection and copying the documents listed in Schedule B hereto on or before January 24, 2012 at CARRIER's above-listed offices (or at another mutually-agreeable time and place).

It is noted that the purpose of this subpoena, deposition notice and request for documents is to obtain targeted information, preferably in summary form, and to obtain such information in the most efficient manner so as to impose the least amount of burden on CARRIER, including without the need of a deposition if possible. CARRIER is encouraged to contact the undersigned, who will cooperate with CARRIER to achieve these objectives.

[remainder of page intentionally left blank]

DATED: January 6, 2012

Respectfully submitted,



C. Dale Quisenberry, Texas Bar No. 24005040

dquisenberry@pqelaw.com

(Admitted pro hac vice)

POLASEK, QUISENBERRY &

ERRINGTON, L.L.P.

6750 West Loop South, Suite 920

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209 Southwest Oak Street

Portland, Oregon 97204

(503) 227-1600

(503) 227-6840 (facsimile)

Attorneys for Defendant

DEFINITIONS

The following definitions shall apply for purposes of this deposition notice:

A. The term "CARRIER" as used herein means (1) Cincinnati Bell Inc.; (2) Cincinnati Bell Inc.'s parent companies, subsidiaries and divisions, (3) any successors and predecessors-in-interest to Cincinnati Bell Inc. and/or (4) any and all persons or entities acting on Cincinnati Bell Inc.'s behalf.

B. The phrase "MOBILE PHONES" means (1) mobile telephones made by, and/or bearing brands/names of, Samsung, LG, Motorola, Sanyo, Dell and Huawei that are or have been sold by YOU since July 1, 2005 with "Google Maps for Mobile" preinstalled thereon, and (2) the phones listed in Schedule C attached hereto.

C. The term "GOOGLE" as used herein means (1) Google Inc.; (2) Google Inc.'s parent companies, subsidiaries and divisions, (3) any successors and predecessors-in-interest to Google Inc., and/or (4) any and all persons or entities acting on Google Inc.'s behalf.

D. The connectives "and", "or" and "and/or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of a particular discovery request all information that might otherwise be construed to be outside of its scope.

E. The term "document(s)" as used herein is used in its broadest sense and includes, without limitation, all "documents," "writings," "recordings," and "photographs" of the types designated in Rule 34(a) of the Federal Rules of Civil Procedure and Rule 1001 of the Federal Rules of Evidence.

SCHEDULE A

AREA OF CORPORATE INQUIRY

1. The monthly number of each of the MOBILE PHONES sold by YOU from July 1, 2005 to the present (or most recent available information).
2. Identification of mobile telephones made by, and/or bearing brands/names of, Samsung, LG, Motorola, Sanyo, Dell and Huawei that are or have been sold by YOU since July 1, 2005 with "Google Maps for Mobile" preinstalled thereon.

SCHEDULE B

DOCUMENT REQUESTS

*Traffic does not seek voluminous documents by these document requests.
Please contact Traffic's counsel to discuss how to avoid a voluminous document
production and undue burden on YOU.*

1. Document(s) (e.g., computer generated summary report) summarizing the monthly number of each of the MOBILE PHONES sold by YOU from July 1, 2005 to the present (or most recent available information).

SCHEDULE C

LIST OF MOBILE PHONES

1. Huawei Ascend X
2. Huawei U8500
3. Motorola Milestone XT720
4. Samsung T759 Exhibit 4G
5. Samsung Vibrant

CERTIFICATE OF SERVICE

I certify that the foregoing was served upon counsel for Plaintiff by regular mail addressed as follows, and also by e-mail, on January 6, 2012.

Julia E. Markley

JMarkley@perkinscoie.com

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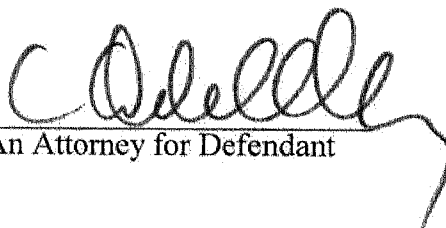
cmoser@bakerlaw.com

BAKER & HOSTETLER LLP

3200 National City Center
1900 East Ninth Street
Cleveland, Ohio 44114-3485

I further certify that the foregoing was served upon CARRIER by certified mail, return receipt requested, addressed as follows, and also by facsimile to the below facsimile number, if any, and e-mail to the below email addresses, if any, on January 6, 2012.

Christopher J. Wilson
Vice President and General Counsel
Cincinnati Bell Inc.
221 East Fourth Street
Cincinnati, OH 45202


An Attorney for Defendant