

**Issued by the
United States District Court**

DISTRICT OF CONNECTICUT

MIRROR WORLDS, LLC,
Plaintiff
v.
APPLE INC.,
Defendant.

SUBPOENA IN A CIVIL CASE
CASE NUMBER:¹ 6:08 cv 88 LED
(Eastern District of Texas, Tyler Division)

TO: **Christopher G. Jones**
325 Spruce Bank Road
APT 5084
Hamden, CT 06518

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 Weil Gotshal & Manges, LLP 767 Fifth Avenue New York, NY 10022	DATE AND TIME September 18, 2009 9:00 a.m.
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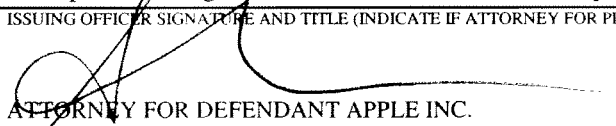
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **See Attachment A.**

PLACE Weil Gotshal & Manges, LLP 767 Fifth Avenue New York, NY 10022	DATE AND TIME August 24, 2009
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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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)  ATTORNEY FOR DEFENDANT APPLE INC.	DATE August 5, 2009
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ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Sonal N. Mehta, Weil, Gotshal & Manges LLP, 201 Redwood Shores Parkway, Redwood Shores, CA 94065; Telephone (650) 802-3000

(See Rule 45, Federal Rules of Civil Procedure Parts C & D on Reverse)

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

PROOF OF SERVICE

SERVED	DATE	PLACE
	SERVED ON (PRINT NAME)	
SERVED BY (PRINT NAME)		MANNER OF SERVICE
		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, Parts C & D:

(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 and copying of designated 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 and copying 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 inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy 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. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying 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, or
- (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) required 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 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.

(2) When information subject to a subpoena is withheld on a claim that 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.

ATTACHMENT A

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, Defendant and Counterclaimant Apple Inc. hereby requests that Christopher Jones produce for inspection and copying the documents and things requested.

DEFINITIONS

1. “You” or “Your” means you, Christopher G. Jones, or anyone working on your behalf.

2. “Yale” means Yale University, its predecessors, successors, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on its behalf.

3. “Lifestreams” means Lifestreams, Inc., its predecessors, successors, past and present parents, subsidiaries, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on its behalf.

4. “Mirror Worlds Technologies” means Mirror Worlds Technologies, Inc., its predecessors, successors, past and present parents, subsidiaries, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on its behalf.

5. “Abacus” means Abacus Ventures, LLC, Abacus Ventures Limited Partnership, Abacus & Associates, L.P., and/or Abacus & Associates Inc., their predecessors, successors, divisions, departments, and other organizational and operating units of any of the foregoing, and

all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on their behalf.

6. “Recognition Interface” mean Recognition Interface Inc. and/or Recognition Interface LLC, their predecessors, successors, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on their behalf.

7. “Plainfield” means Plainfield Specialty Holdings I, Inc., their predecessors, successors, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on their behalf.

8. “Mirror Worlds LLC” means Mirror Worlds LLC, its predecessors, successors, past and present parents, subsidiaries, divisions, departments, and other organizational and operating units of any of the foregoing, and all past and present directors, officers, employees, agents, affiliates, representatives (including consultants and attorneys), and others purporting to act on its behalf.

9. “Dr. Gelernter” means Dr. David Gelernter, Ph.D., or anyone working on his behalf

10. “Dr. Freeman” means Dr. Eric Freeman, Ph.D., or anyone working on his behalf.

11. “Scott Fertig” means Scott Fertig, or anyone working on his behalf.

12. “Mr. Nicholas Carriero” means Nicholas Carriero, or anyone working on his behalf.

13. “Randy Prager” means Randy Prager, or anyone working on his behalf.

14. “Peter Sparago” means Peter Sparago, or anyone working on his behalf.

15. The “Lifestreams Project” means all research, writing or work relating to or following from the Yale Lifestreams Project (including without limitation as described at <http://cs-www.cs.yale.edu/homes/freeman/lifestreams.html>), or to research, writing or work relating to Lifestreams, including without limitation, You, Dr. Gelernter, Nicholas Carreiro, Scott Fertig, Randy Prager or Peter Sparago.

16. “Scopeware Product” means any product or version of software or code with origins in the Lifestreams Project, Your Yale PhD. thesis, Mirror Worlds Technologies, or the Patents-in-Suit or Related Patents.

17. The “Patents-in-Suit” means all patents asserted or to be asserted in the future by Mirror Worlds in this action, including, without limitation, U.S. Patent No. 6,006,227 (“the ’227 patent”), U.S. Patent No. 6,638,313 (“the ’313 patent”), U.S. Patent No. 6,725,427 (“the ’427 patent”), and U.S. Patent No. 6,768,999 (“the ’999 patent”), individually and collectively.

18. “Related Patents” means all patents and patent applications relating to any of the Patents-in-Suit, including any patents or patent applications (including all published and unpublished pending and abandoned applications) from or through which any of the Patents-in-Suit claim priority, any patents or patent applications (including all published and unpublished pending and abandoned applications) that claim priority from or through any of the Patents-in-Suit, and any foreign counterpart patents or patent applications (including all published and unpublished pending and abandoned applications) of any of the foregoing.

19. “Document” shall have the meaning set forth in Federal Rule of Civil Procedure 34, and shall include without limitation, information stored in electronic, magnetic, or optical media, drafts, all translations of documents, and all materials relating to communications.

20. “Communication” means any form of oral or written interchange or attempted interchange, whether in person, by telephone, by facsimile, by telex, by electronic mail, or by any other medium.

21. “Concerning” means pertaining to, referring to, and/or relating to the matter specified.

INSTRUCTIONS

1. This request seeks production of all documents and things described in the request which are in your possession, custody or control, whether prepared by you or anyone else, and in any location they may exist.

2. If you withhold any document or any portion thereof on a claim of privilege, provide a privilege log pursuant to Fed. R. Civ. P. 26.

3. If you contend that a portion of a document contains information which is immune from discovery, then produce the document with the immune portion redacted therefrom and describe the redacted portion in a privilege log pursuant to Fed. R. Civ. P. 26 (b)(5).

4. The words “and” and “or” shall be used conjunctively or disjunctively, whichever makes the request more inclusive.

5. The words “any,” “all,” or “each” shall be construed as “any, all, and each” inclusively.

6. The singular form of a word shall include the plural and vice versa.

REQUESTS FOR DOCUMENTS AND THINGS

REQUEST NO. 1:

All documents and things concerning how and when You became involved with the Lifestreams Project, including without limitations documents concerning Your relationships with Eric Freeman and David Gelernter as it relates to the Lifestreams Project, Lifestreams, Inc., and the Patents-in-Suit..

REQUEST NO. 2:

All documents and things concerning communications between or among You, Yale, David Gelernter, Eric Freeman, Scott Fertig, Nicholas Carreiro, Randy Prager, Peter Sparago, Mirror Worlds LLC or anyone else concerning the Lifestreams Project.

REQUEST NO. 3:

All documents and things relating to any actual or potential collaboration, partnership or joint venture between You, Yale, David Gelernter, Eric Freeman, Scott Fertig, Nicholas Carreiro, Randy Prager, or Peter Sparago relating to any ideas, concepts, products, systems or software conceived or developed as part of the Lifestreams Project or related to the Patents-in-Suit.

REQUEST NO. 4:

All documents and things relating to the formation and existence of Lifestreams, Inc.

REQUEST NO. 5:

All documents and things concerning any patent applications, draft patent applications or issued patents assigned to Lifestreams, Inc. or relating to the Lifestreams Project, including without limitation the Patents-in-Suit or Related Patents.

REQUEST NO. 6:

All documents and things concerning the Patents-in-Suit or Related Patents.

REQUEST NO. 7:

All documents and things relating to the assignment of any rights in or related to the Patents-in-Suit or Related Patents.

REQUEST NO. 8:

All documents and things concerning the decision whether and when to seek patent protection for work relating to the Lifestreams Project, including without limitation, documents showing who participated in making the decision whether and when to seek patent protection for work relating to the Lifestreams Project.

REQUEST NO. 9:

All documents and things relating to decisions concerning who should be named as an inventor or assignee on the Patents-in-Suit, Related Patents or draft patent applications relating to the Lifestreams Project.

REQUEST NO. 10:

All documents and things relating to any sale or transfer of any right or interest in the Patents-in-Suit or Related Patents.

REQUEST NO. 11:

All documents and things relating to actual or potential licenses to the Patents-in-Suit or Related Patents, including without limitations, any offers to license the Patents-in-Suit or Related Patents.

REQUEST NO. 12:

All documents and things prepared by or at the direction of You or the other named inventors of the Patents-in-Suit or the Related Patents relating to the Lifestreams Project, Lifestreams, Inc., the Patents-in-Suit or any Related Patents.

REQUEST NO. 13:

All documents and things relating to the formation of the company Mirror Worlds Technologies, Inc.

REQUEST NO. 14:

All documents and things relating to Your role or involvement in Lifestreams, Inc. or Mirror Worlds Technologies, Inc.

REQUEST NO. 15:

All documents and things relating to any security interest in or lien against the Patents-in-Suit.

REQUEST NO. 16:

Documents sufficient to show whether You have or have had any past, present or future rights or interest in the Patents-in-Suit or Related Patents, the time period during which you had or have such rights or interest, from whom you obtained such rights or interest and, if applicable, to whom you assigned such rights or interest.

REQUEST NO. 17:

All documents and things relating to communications between You and Abacus, Lifestreams, Mirror Worlds LLC, Mirror Worlds Technologies, Plainfield, or Recognition Interface relating to the Patents-in-Suit or Related Patents.

REQUEST NO. 18:

All documents and things relating to communications between You and Dr. Gelernter, Dr. Freeman, Mr. Fertig, Mr. Carriero, Mr. Prager, or Mr. Sparago relating to the Patents-in-Suit or Related Patents.

REQUEST NO. 19:

All documents and things concerning Your past or present relationship with Mirror Worlds LLC, including without limitation, any compensation received from Mirror Worlds or its attorneys.

REQUEST NO. 20:

All documents and things concerning communications between You and any third party concerning this lawsuit.