

# Exhibit 1

## EXHIBIT 1

### TOPICS FOR SUBPOENA TO APPLE

#### **List of items to be produced or made available for inspection:**

1. Documents and things related to and sufficient to establish the date of first public use, demonstration, and offer for sale of NeXTstep 3.0 and NeXTstep 3.2 prior to October 17, 1994.
2. Documents and things related to and sufficient to establish the software and programs (e.g. Mathematica and Renderman) included with NeXTstep, NeXTstep, NeXTdimension, and NeXT cube between 1991 and October 17, 1993.
3. Documents and things related to and sufficient to establish the use and demonstrations of MediaView software and system on the NeXT platform prior to October 17, 1994.
4. A working copy of a NeXT computer created, used, or demonstrated prior to October 17, 1994.
5. Inspection of any NeXTdimension or NeXT computer hardware or other media or hardware upon which materials located in response to this subpoena were located at the earliest possible date available under the Federal Rules of Civil Procedure and convenient for Apple, Inc..

#### **Topics for Examination:**

1. The collection or production of materials responsive to this subpoena.
2. The identity of individuals or sources of information from which materials collected and/or produced in response to this subpoena were collected.
3. The dates and authenticity of materials collected and/or produced in response to this subpoena.
4. A general technical description of the features and functions of the NeXT computer systems and NeXTstep operating systems available between 1989 and prior to October 17, 1994, including NeXTstep 3.0 and NeXTstep 3.2, including its networking capabilities.
5. Facts and circumstances of demonstrations on or before October 17, 1993 of the MediaView software and system, including but not limited to SIGGRAPH '92, HP Laboratories (between 1992 and 1993), Computerworld Smithsonian Awards in Washington, D.C. in 1991, and USENIX Summer 1991.

## **TOPICS FOR SUBPOENA TO LANL**

### **List of items to be produced or made available for inspection:**

1. Authenticated copy of [LANL92].
2. Authenticated copy of [LANL93].
3. Documents and things pertaining to any public use or demonstration of MediaView, including [LANL92] and [LANL93].

### **Topics for Examination:**

1. The materials collected and/or produced responsive to this subpoena.
2. The dates and authenticity of materials collected and/or produced in response to this subpoena.
3. Authenticity, date, and circumstances of the original creation of [LANL92].
4. Authenticity, date, and circumstances of the original creation of [LANL93].
5. Role of The University of California Regents in managing the intellectual property at Los Alamos National Laboratory in the 1988-1994 time period.

## **TOPICS FOR SUBPOENA TO P. HEYNEN**

### **List of items to be produced or made available for inspection:**

1. Documents and things pertaining to MediaView.
2. Documents and things pertaining to any public use or demonstration of MediaView.
3. Information necessary to establish the dates and authenticity of materials provided in response to (1) and (2).

### **Topics for Examination:**

1. The materials collected and/or produced responsive to this subpoena.
2. The dates and authenticity of materials collected and/or produced in response to this subpoena.