

United States District Court

FOR THE

NORTHERN DISTRICT OF CALIFORNIA

CIVIL ACTION FILE No.: C 82 5270 TEH

THE MAGNAVOX COMPANY, a Corporation and SANDERS
ASSOCIATES, INC., a Corporation, Plaintiffs,
vs.

ACTIVISION, INC., a Corporation, Defendants.

TO ATARI, INC.
1265 Borregas Avenue
Sunnyvale, CA 94086

YOU ARE COMMANDED to appear at the law offices of WILSON, SONSINI, GOODRICH & ROSATI, Two Palo Alto Square, Suite 900 in the city of Palo Alto, CA on the 4th day of February, 19 83, at 10:00 o'clock A.M. to testify on behalf of Atari, Inc.

at the taking of a deposition in the above entitled action pending in the United States District Court for the Northern District of California and bring with you¹ all documents responsive to the attached Notice of Taking Deposition.

Dated 1/27 1983

Michael A. Ladra *Michael A. Ladra*
WILSON, SONSINI, GOODRICH & ROSATI

Attorney for
Two Palo Alto Square, Suite 900
Address Palo Alto, CA 94306

WILLIAM L. WHITTAKER

PEGGY CHURCH Clerk.

By Deputy Clerk.

Any subpoenaed organization not a party to this suit is hereby admonished pursuant to Rule 30 (b) (6), Federal Rules of Civil Procedure, to file a designation with the court specifying one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and shall set forth, for each person designated, the matters on which he will testify or produce documents or things. The persons so designated shall testify as to matters known or reasonably available to the organization.

1. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose. If testimony by an organization representative or designee is requested, describe with reasonable particularity the matters on which examination is requested.

RETURN ON SERVICE

Received this subpoena at _____ on _____
and on _____ at _____
served it on the within named _____
by delivering a copy to h _____ and tendering to h _____ the fee for one day's attendance and the mileage
allowed by law.²

Dated: _____, 19____

Service Fees By _____
Travel _____ \$ _____
Services _____
Total _____ \$ _____

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
Executed on _____, 19____

2. Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, or upon service of a subpoena issued on behalf of a party, authorized to proceed in forma pauperis, where the payment thereof is to be made by the United States marshal, as authorized in section 1825 of title 28, U.S.C.

NOTE: _____ 'Dérendant': _____)

TO: PILLSBURY, MADISON & SUTRO
ROBERT P. TAYLOR
225 Bush Street

SCHEDULE A

1. All correspondence, agreements, memoranda, or any other documents sent, exchanged or passed between Charles S. Paul, or any other employee or agent of Atari, Inc., and any employee, agent or attorney of Magnavox Company or Sanders Associates, Inc. concerning Activision, Inc.

2. All documents evidencing or relating to any work done by Flehr, Hohbach, Test, Albritton & Herbert and the members and employees thereof for Atari, Inc., subsequent to January 1, 1978.

3. A copy of the license agreement between Atari, Inc. and Magnavox Company concerning the Reissue '507 patent and/or related additional patents.

4. A copy of the Activision, Inc./Atari, Inc. settlement agreement.

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PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that: I am employed in the county of Santa Clara, California. I am over the age of eighteen years and not a party to the within entitled cause; my business address is Two Palo Alto Square, Suite 900, Palo Alto, California 94304. On January 28, 1983, I served the attached SUBPENA (F.R.C.P. 30(b)(6) Re NOTICE OF TAKING DEPOSITION and SUBPENA (F.R.C.P. 30(b)(6)) in said cause, by placing a true copy thereof enclosed in a sealed envelope sent by FEDERAL EXPRESS, overnight delivery service, deposited at Palo Alto, California, addressed as follows:

Neuman, Williams, Anderson & Olson
Theodore W. Anderson
James T. Williams
77 West Washington Street
Chicago, IL 60602

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 28, 1983, at Palo Alto, California.

Nathy Phillips