IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

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| VB ASSETS, LLC,<br><br>Plaintiff,<br><br>v.<br><br>SAMSUNG ELECTRONICS CO., LTD. and SAMSUNG ELECTRONICS AMERICA, INC,<br><br>Defendants. | C.A. No. 2:24-cv-828<br><br>**JURY TRIAL DEMANDED** |

**NOTICE OF SUBPOENA TO CARNEGIE MELLON UNIVERSITY**

PLEASE TAKE NOTICE THAT, pursuant to Rule 45(a)(4) of the Federal Rules of Civil Procedure, Defendants Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd., by and through their undersigned counsel, will serve the attached document subpoena on Carnegie Mellon University.

Dated: May 14, 2025

By: */s/ Lora Krsulich*

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*Attorneys for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 14, 2025 a true and correct copy of the foregoing document was served on all counsel of record.

*/s/ Lora J. Krsulich*

# UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

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|---|---|---|
| VB ASSETS, LLC,<br>*Plaintiff*<br>v.<br>SAMSUNG ELECTRONICS CO., LTD., and<br>SAMSUNG ELECTRONICS AMERICA, INC.,<br>*Defendant* | )<br>)<br>)<br>)<br>)<br>) | Civil Action No. 2:24-cv-828 |

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: CARNEGIE MELLON UNIVERSITY
5000 Forbes Ave. Pittsburgh, PA 15213

*(Name of person to whom this subpoena is directed)*

☑ *Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE ATTACHED SCHEDULE A

| Place: | Date and Time: |
|---|---|
| 936 Session St, Pittsburgh, PA 15207<br>or by email/SFT at<br>DG-Samsung-VBA@goodwinlaw.com | 06/02/2025 12:00 am |

☐ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

| Place: | Date and Time: |
|---|---|
| | |

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: 05/13/2025

*CLERK OF COURT*

OR

*Signature of Clerk or Deputy Clerk* | /s/ Srikanth K. Reddy *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Samsung Elec. Co. and Samsung Electronics America, Inc., who issues or requests this subpoena, are:

Srikanth K. Reddy, 100 Northern Ave. Boston, MA 02210, sreddy@goodwinlaw.com, 617-570-1465

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises 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. 2:24-cv-828

**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 person 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 $ 0.00 .

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.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

## SCHEDULE A

## DEFINITIONS

The following definitions shall apply to each request for production unless otherwise explicitly stated:

1. "You," "Your," and "CMU" means Carnegie Mellon University and all persons or entities acting or purporting to active or that have acted or purported to have acted on behalf of Carnegie Mellon University.

2. "Defendants" and "Samsung" mean Defendants Samsung Electronics America, Inc., and Samsung Electronics Co., Ltd., collectively.

3. "Regarding" shall mean in whole or in part constituting, containing, embodying, reflecting, describing, analyzing, identifying, mentioning, stating, referring directly or indirectly to, dealing with, or in any way pertaining to.

## INSTRUCTIONS

1. If any document request is deemed to call for disclosure of proprietary or other confidential data, Samsung's counsel is prepared to receive such data pursuant to the Protective Order (Dkt. 39), which has been entered in this case and attached for your convenience.

2. The requests set forth below call for Documents that are in Your possession custody, or control at the present time, or coming into your possession, custody, or control prior to the date of the production. If You know of the existence, past or present, of any Documents, requested below, but are unable to produce such Documents because they are not presently in Your possession, custody, or control, You shall identify such Documents and the person who has possession, custody, or control of the Documents.

3. All electronic documents and records must be produced with an explanation

sufficient to render the records and information intelligible.

4. All documents must be produced in a form that renders them susceptible to copying.

5. If You are aware that a Document or group of Documents once existed but has been destroyed, this should be stated, and it should be also stated who destroyed it, when, and why it was destroyed, and the circumstances under which it was destroyed.

6. If no Documents available to You are responsive to a particular Request, You are directed to state that no responsive Documents are available to You and the reason the Documents, Communications are not available to You.

7. As to any portion of any Request that refers to Documents that You are aware of which were at one time within Your possession, custody, or control, but which are not now within or subject to Your possession, custody, or control, You are directed to identify such Documents in a manner sufficient to describe the Documents for the purpose of preparing and serving a proper subpoena duces tecum and to give the name, telephone number, and address of the Person last known by You to have been in possession, custody, or control of such Documents.

8. If You withhold any Document or portion thereof in response to any of the Requests set forth below on grounds of privilege or any other claim of immunity from discovery, then for each Document or portion thereof withheld, state the following: (a) the type of Document, (*e.g.*, letter, email, memorandum, contract, etc.); (b) its title; (c) its date; (d) its subject matter (*i.e.*, a summary of subject matter sufficient to permit the judge to reach a determination in the event Defendants moves to compel pursuant to Fed. R. Civ. P. 37); (e) the name, title, and business address of each person who signed or prepared each such Document and the name, title, and business address of each person who has edited, corrected, revised, or amended the Document; (f) the name, title, and business address of each person to whom each such Document was

communicated or made available, or otherwise known to you as being an intended or actual recipient of a copy thereof; (g) the grounds on which the Document is being withheld (*e.g.*, "attorney-client privilege," "work product immunity," etc.). Further, to the extent the claim of privilege or immunity is not being asserted as to the entirety of a Document, produce in redacted form that portion of the Document not covered by such claim of privilege and/or immunity.

9. All Documents are to be produced in the same file or other organizational environment in which they are maintained. For example, a Document that is part of a file, docket, or other grouping must be produced in the same order or manner of arrangement as the original. Alternatively, as to each Document produced in response hereto, You should identify the Request for Production, and where applicable, the interrogatory number, in response to which the Document is being produced.

10. Documents including electronically stored information shall be produced in their native format with metadata, as kept in the ordinary course of business. Documents that exist only on paper shall be scanned and produced in .tiff format along with the corresponding load files. Any copy, version, or duplicate of a Document that has a comment or notation that is not a part of the original text, is to be considered a separate Document.

11. If a Document is in a language other than English and an English translation exists, provide both the Document and the English translation.

12. In the event that You object to any Request on the ground that it is overbroad and/or unduly burdensome for any reason, respond to that Request as narrowed to the least extent necessary, in Your judgment, to render it not overbroad/unduly burdensome, state specifically the extent to which You have narrowed that Request for purposes of Your response, and describe in detail Your justification for so narrowing the Request.

13. In the event that You object to any Request on the ground that it is vague and/or ambiguous, identify the particular words, terms or phrases that are asserted to make such Request vague and/or ambiguous and specify the meaning actually attributed by You to such words for purposes of Your response thereto.

14. These Requests should be read in the most inclusive manner possible. Accordingly: (1) the singular shall include the plural and the plural shall include the singular whenever necessary to bring within the scope of these Requests information that might otherwise be outside their scope; (2) "and" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Requests information and documents that might otherwise be construed to be outside their scope; (3) "each" shall be construed to include the word "every" and "every" shall be construed to include the word "each"; (4) "any" shall be construed to include the word "all" and "all" shall be construed to include the word "any"; (5) "include" or "including" means including but not limited to, and should not be read to limit the scope of any particular Request, but merely as illustrative of some information that would be responsive; (6) all tenses include the past, present, and future tenses; and (7) any pronoun shall be construed to refer to the masculine, feminine, or neuter gender as in each case is most appropriate.

15. If the meaning of any term in these Requests is unclear, You should assume a reasonable meaning, state what the assumed meaning is, and produce documents on the basis of that assumed meaning.

## REQUESTS FOR PRODUCTION

1. Project materials related to the "Verbmobil" system, including:

    a. all documents that describe the architecture, design, or specifications of the system, including but not limited to high-level design diagrams, component descriptions, deployment models, and network architecture;

    b. all user manuals, installation guides, and internal technical documentation relating to the operation, configuration, and maintenance of the system;

    c. all documents reflecting updates, patches, or version histories of the system, including release notes and changelogs;

    d. the complete source code for all versions of the system, including any proprietary libraries, dependencies, build scripts, or internal documentation embedded in the code;

    e. all source code repositories, version control logs, and other histories associated with the development of the system;

    f. all licensing agreements, end-user license agreements (EULAs), or reseller agreements related to the system, whether with telecom operators, government entities, or third-party vendors;

    g. all documentation of any public deployments, demonstrations, or public distribution of the system; and

    h. materials sufficient to show the identity of the living CMU-affiliated person or persons most knowledgeable about the system.

2. Project materials related to the "Let's Go" system, including:

    a. all documents that describe the architecture, design, or specifications of the system, including but not limited to high-level design diagrams, component descriptions, deployment models, and network architecture;

    b. all user manuals, installation guides, and internal technical documentation relating to the operation, configuration, and maintenance of the system;

    c. all documents reflecting updates, patches, or version histories of the system, including release notes and changelogs;

    d. the complete source code for all versions of the system, including any proprietary libraries, dependencies, build scripts, or internal documentation embedded in the code;

    e. all source code repositories, version control logs, and other histories associated with the development of the system;

    f. all licensing agreements, end-user license agreements (EULAs), or reseller agreements related to the system, whether with telecom operators, government entities, or third-party vendors;

    g. all documentation of any public deployments, demonstrations, or public distribution of the system; and

    h. materials sufficient to show the identity of the living CMU-affiliated person or persons most knowledgeable about the system.

3. Project materials related to the "Olympus" system, including:
    a. all documents that describe the architecture, design, or specifications of the system, including but not limited to high-level design diagrams, component descriptions, deployment models, and network architecture;
    b. all user manuals, installation guides, and internal technical documentation relating to the operation, configuration, and maintenance of the system;
    c. all documents reflecting updates, patches, or version histories of the system, including release notes and changelogs;
    d. the complete source code for all versions of the system, including any proprietary libraries, dependencies, build scripts, or internal documentation embedded in the code;
    e. all source code repositories, version control logs, and other histories associated with the development of the system;
    f. all licensing agreements, end-user license agreements (EULAs), or reseller agreements related to the system, whether with telecom operators, government entities, or third-party vendors;
    g. all documentation of any public deployments, demonstrations, or public distribution of the system; and
    h. materials sufficient to show the identity of the living CMU-affiliated person or persons most knowledgeable about the system.