**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

| | |
|---|---|
| MASSIVELY BROADBAND LLC<br><br>Plaintiff,<br><br>v.<br><br>SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.,<br><br>Defendants. | Case No. 2:25-cv-00608-JRG |

**SAMSUNG'S NOTICE OF SUBPOENA**
***DUCES TECUM* AND *AD TESTIFICANDUM* TO CISCO SYSTEMS, INC.**

PLEASE TAKE NOTICE THAT, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Defendants Samsung Electronics, Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") will initiate service of the attached subpoena *duces tecum* and *ad testificandum* upon Cisco Systems, Inc. ("Cisco"). The subpoena requests the production of documents, information, and things described in Exhibit A, and the presentation of a witness competent to testify about the topics described in Exhibit B. The documents and witness shall be produced or presented at the time and location specified in the subpoena, or alternatively at a mutually agreed upon time and location.

Dated: November 12, 2025

By *__/s/ Alex Chachkes*

Sean Pak
California Bar No. 219032 (*pro hac vice*)
seanpak@quinnemanuel.com
**QUINN EMANUEL URQUHART & SULLIVAN, LLP**
50 California Street, 22nd Floor
San Francisco, CA 94111
Tel: 415-875-6600
Fax: 415-875-6700

Kevin Hardy
D.C. Bar No. 473941 (admitted in E.D. Tex.)
kevinhardy@quinnemanuel.com
**QUINN EMANUEL URQUHART & SULLIVAN, LLP**
1300 I Street, N.W., Suite 900
Washington, DC 20005
Tel: 202.538.8000
Fax: 202.538.8100

Matthew Robson
New York Bar No. 4611505 (*pro hac vice*)
matthewrobson@quinnemanuel.com
**QUINN EMANUEL URQUHART & SULLIVAN, LLP**
295 5th Avenue, 9th Floor,
New York, New York 10016
Tel: (212) 849-7000
Fax: (212) 849-7100

Melissa R. Smith
Texas State Bar No. 24001351
melissa@gillamsmithlaw.com
**GILLAM & SMITH, LLP**
303 South Washington Avenue
Marshall, Texas 75670
Phone: (903) 934-8450
Fax: (903) 934-9257

Alex Chachkes
NY State Bar No. 3035078 (*pro hac vice* forthcoming)
alex@chachkes.com
**Chachkes Law, PLLC**

370 Carlton Ave,
Brooklyn, NY 11238-1013
Phone: 917.428.1358

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

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on November 12, 2025 to all counsel of record who are deemed to have consented to electronic service via email.

*/s/ Alex Chachkes*
Alex Chachkes

# UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

| | | |
|---|---|---|
| MASSIVELY BROADBAND LLC<br>*Plaintiff*<br>v.<br>SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.<br>*Defendant* | )<br>)<br>)<br>)<br>)<br>) | Civil Action No. 2:25-cv-00608-JRG |

**SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION**

To: Cisco Systems, Inc.

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

☑ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters: **See Attachment B.**

| Place: Veritext<br>1 Kaiser Plaza, Suite 250<br>Oakland, CA 94612 | Date and Time:<br>12/1/2025 9:00 am (or date and time agreed by parties) |
|---|---|

The deposition will be recorded by this method: Video and stenography.

☑ *Production:* You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: **See Attachment A.**

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: 11/12/2025

*CLERK OF COURT*

OR

| | |
|---|---|
| *Signature of Clerk or Deputy Clerk* | /s/ Alex Chachkes<br>*Attorney's signature* |

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

Alex Chachkes, 370 Carlton Ave, Brooklyn, NY 11238-1013; Phone: (917)428-1358; Email: alex@chachkes.com

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

If this subpoena commands the production of documents, electronically stored information, or tangible things 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. 2:25-cv-00608-JRG

**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 individual 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).

## EXHIBIT A

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, Samsung requests that Cisco produce the documents, information, and things set forth below. The requested documents are to be produced on or before December 1, 2025, at Veritext, 1 Kaiser Plaza, Suite 250, Oakland, CA 94612, or at such other time as may be agreed by counsel. A copy of the Protective Order entered in this action for the protection of any requested proprietary, confidential, or commercially sensitive information is attached hereto as Exhibit C.

## DEFINITIONS

1. "Cisco," "You," or "Your" means Cisco Systems, Inc. and all of its predecessors (merged, acquired, or otherwise), successors, subsidiaries, parents, sisters, divisions, departments, partnerships, and affiliates thereof, and all officers, directors, principals, agents, employees, attorneys, and other persons acting on its behalf.

2. "Samsung" means Samsung Electronics, Co., Ltd. and Samsung Electronics America, Inc. and all their predecessors (merged, acquired, or otherwise), successors, subsidiaries, parents, sisters, divisions, departments, partnerships, and affiliates thereof, and all officers, directors, principals, agents, employees, attorneys, and other persons acting on their behalf.

3. "ClientLink" means the ClientLink Technology and ClientLink functionality (including at least the ClientLink, ClientLink 2.0, and ClientLink 3.0), including any and all variants, firmware versions, and related software, and any other additional products commercialized by Cisco incorporating the functionality of ClientLink.

4. "Cisco 3600 AP" means the access point devices within the Cisco Aironet 3600 series access point as well as any and all variants, firmware versions, and related software, and any other additional products commercialized by Cisco incorporating the functionality of the Cisco

Aironet 3600 series access point.

5. "Cisco 3700 AP" means the access point devices within the Cisco Aironet 3700 series access point as well as any and all variants, firmware versions, and related software, and any other additional products commercialized by Cisco incorporating the functionality of the Cisco Aironet 3700 series access point.

6. As used herein, "any" and "all" shall be construed to mean "each and every," so as to acquire the broadest possible meaning.

7. As used herein, "each" and "every" mean "each and every."

8. As used herein, "include" and "including" shall be construed to mean "without limitation," so as to acquire the broadest possible meaning.

9. As used herein, "person" means any natural person or any business, legal, or governmental entity or association.

10. As used herein, "identify" as applied to an event means to provide a description of the event, the date of the event, the location of the event, and the individuals and entities participating in the event.

11. As used herein, the term "source code" means any software, HDL, VHDL, Verilog, HTML, JavaScript, source code, object code, template file, configuration file or data, or other electronic information for directing the operation of a computer, mobile device, website, server, or for processing electronic data including but not limited to computer instructions and data definitions expressed in a form suitable for input to an assembler, compiler, other translator, or other data processing module.

12. "Document" has the same broad meaning as in Rule 34 of the Federal Rules of Civil Procedure, including, without limitation, all written, graphic or otherwise recorded material,

including without limitation, microfilms or other film records or impressions, electronically stored information regardless of the form of storage medium, tape recordings or computer cards, floppy disks or printouts, any and all papers, photographs, films, recordings, memoranda, books, records, accounts, communications, letters, telegrams, correspondence, notes of meetings, notes of conversations, notes of telephone calls, inter-office memoranda or written communications of any nature, recordings of conversations either in writings or upon any mechanical or electrical recording devices, including email, notes, papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings, time sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone bills, logs, and any differing versions of any of the foregoing, whether so denominated, formal, informal or otherwise, as well as copies of the foregoing which differ in any way, including by the addition of handwritten notations or other written or printed matter of any nature, from the original. The foregoing specifically includes information stored in a computer database and capable of being generated in documentary form, such as electronic mail.

13. "Reflect," "reflecting," "relate to," "refer to," "relating to," and "referring to" mean relating to, referring to, concerning, mentioning, reflecting, pertaining to, evidencing, involving, demonstrating, describing, discussing, commenting on, comprising, embodying, responding to, supporting, contradicting, containing or constituting (in whole or in part), as the context makes appropriate.

14. Except as specifically provided herein, words imparting the singular shall include the plural and vice versa.

15. Pursuant to any requests herein, You are to produce any and all relevant documents within Your possession, custody, or control, including documents located in the files of any

business entities You own, control, or operate, any persons acting on Your behalf, and any professionals who maintain documents for You, including but not limited to Your attorneys, accountants, or other representatives.

16. Produce each document in its entirety without deletions, redactions, or exclusions, regardless of whether you deem part of a document outside of the scope of the requests.

17. Produce documents that identify the file or other source in which each document responsive to these requests is found or keep a record of such information.

18. Documents from any single file should be produced in the same order as they were found in such a file, including any labels, files, folders, and/or containers in which such documents are located or with which such documents are associated. If copies of documents are produced in lieu of the originals, such copies should be legible and bound or stapled in the same manner as the originals.

19. All documents that constitute electronically stored information, with that term having the meaning ascribed to it by the Federal Rules of Civil Procedure, shall be produced in an intelligible format.

20. If a document once existed, but has been lost, destroyed, erased, or otherwise is no longer in your possession, identify the document and state the details concerning the loss or destruction of such document, including the name and address of the present custodian of any such document known to You.

21. If, after conducting a reasonable investigation, a full answer cannot be provided for any request for the production of documents, state that such is the case and answer to the fullest extent possible, stating what responsive documents or information are available, what documents or information cannot be provided, and what efforts were made to obtain the unavailable

documents or information.

22. If any of the documents requested herein are no longer in Your possession, custody, or control, identify for each such document the date, the type of the document, any senders and recipients, and any persons receiving any copies of each such document, and provide a summary of each such document's pertinent contents.

23. If any document responsive to these requests has been destroyed, describe the contents of the document, identify the location of any copies of the document, and the date of destruction of the document.

24. If any document is withheld on a claim of attorney/client privilege or work product immunity, provide a detailed privilege log that describes the nature and basis for your claim and the subject matter of the document withheld, in a manner sufficient to disclose facts upon which You rely in asserting your claim and to identify the grounds and reasons for withholding the document. Such description should, at a minimum, include the date of the withheld document, an identification of each and every author of the document, an identification of each and every person who received the document, an identification of each and every person from whom the document was received, a description of the subject of the document, and further information relating to the document sufficient to explain the claim of privilege or immunity and to permit the adjudication of the propriety of that claim.

25. The document requests herein shall be deemed continuing, and it is requested that You provide supplemental responses and production as additional information or documents become available, in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

26. If a document is in a language other than English and an English translation exists, provide both documents.

## DOCUMENTS TO BE PRODUCED

1. Documents, including specifications, instructions, technical plans, diagrams, workbooks, manuals, published articles, publications, and user guides, sufficient to show the technical structure, operation, and functionality of ClientLink in any Cisco 3600 AP and Cisco 3700 AP that were created, developed, released, sold, offered for sale, or used prior to August 14, 2013, including ClientLink's functionality for beamforming or beam steering, detecting client signal quality and position, performing dynamic adjustment of beam configurations, using different beam patterns for transmission vs reception, and performing multi-band operation.

2. Source code for the firmware or software implemented in any Cisco 3600 AP and Cisco 3700 AP related to ClientLink that were created, developed, released, sold, offered for sale, or used prior to August 14, 2013, including code regarding ClientLink's functionality for beamforming or beam steering, detecting client signal quality and position, performing dynamic adjustment of beam configurations, using different beam patterns for transmission vs reception, and performing multi-band operation.

3. Documents sufficient to show the sale, offer for sale, or public use prior to August 14, 2013 of ClientLink in any Cisco 3600 AP and Cisco 3700 AP.

4. Documents sufficient to show publication, including in the form of press releases, user guides, specifications, user instructions, etc., prior to August 14, 2013 of the ClientLink in any Cisco 3600 AP and Cisco 3700 AP.

5. Documents sufficient to identify all Cisco 3600 AP and Cisco 3700 AP with ClientLink, including model numbers, release dates, chipset specifications, and key features, that were commercialized prior to August 14, 2013.

## EXHIBIT B

## TOPICS FOR DEPOSITION

1. Specifications, instructions, technical plans, diagrams, workbooks, manuals, published articles, publications, and user guides, sufficient to show the technical structure, operation, and functionality of ClientLink in any Cisco 3600 AP and Cisco 3700 AP that were created, developed, released, sold, offered for sale, or used prior to August 14, 2013, including documents regarding ClientLink's functionality for beamforming or beam steering, detecting client signal quality and position, performing dynamic adjustment of beam configurations, using different beam patterns for transmission vs reception, and performing multi-band operation.

2. Source code for the firmware or software implemented in any Cisco 3600 AP and Cisco 3700 AP related to ClientLink that were created, developed, released, sold, offered for sale, or used prior to August 14, 2013, including code regarding ClientLink's functionality for beamforming or beam steering, detecting client signal quality and position, performing dynamic adjustment of beam configurations, using different beam patterns for transmission vs reception, and performing multi-band operation.

3. The sale, offer for sale, or public use prior to August 14, 2013 of ClientLink in any Cisco 3600 AP and Cisco 3700 AP.

4. Publication, including in the form of press releases, user guides, specifications, user instructions, etc., prior to August 14, 2013 of ClientLink in any Cisco 3600 AP and Cisco 3700 AP.

5. The identification of all Cisco 3600 AP and Cisco 3700 AP with ClientLink, including model numbers, release dates, chipset specifications, and key features, that were commercialized prior to August 14, 2013.