

This exhibit is an excerpt of Netlist's Motion for Additional Discovery (Paper No. 30), pages 5 to 9, with red text added below to number Netlist's proposed discovery requests for ease of reference.

III. REQUESTED DISCOVERY

Netlist requests that Petitioner SEC and RPI SSI be ordered to respond to the following discovery requests, directed to three categories of information:

A. Discovery related to funding and control of, or coordination regarding, the Petition:

- 1** • Produce representation/engagement letter(s) between Baker Botts and any Samsung entity regarding this proceeding.
- 2** • Produce any joint defense agreements between SEC and SEA that relate to the current disputes regarding the '087 patent.
- 3** • Produce any joint defense agreements between SEC and Avnet that relate to the current disputes regarding the '087 patent.
- 4** • Produce retention/consulting agreements with any expert, including Dr. Andrew Wolfe, engaged to provide services related to this proceeding.
- 5** • Produce documents and communications that show any coordination between Petitioner SEC and unnamed parties SEA and/or Avnet with respect to the instant Petition or proceeding.

- 6** • Identify all Persons (excluding those affiliated solely with Petitioner SEC or RPI SSI, and Petitioner's counsel at Baker Botts) by name, corporate affiliation, and title, that have provided direction, input, or approval of any kind to Petitioner or Petitioner's counsel of record regarding the Petition, including by selecting prior art and/or experts, drafting, reviewing, or approving filing of the Petition, or were otherwise made aware of the Petition prior to its filing. This includes any individuals affiliated with SEA or other entities that may also be affiliated with SEC or SSI.
- 7** • Identify any shared personnel between Petitioner SEC SEA that were involved in any decision-making related to the Petition and this proceeding.
- 8** • Identify any shared personnel between RPI SSI and SEA that were involved in any decision-making related to the Petition and this proceeding.
- 9** • Identify all Persons and Entities (excluding Petitioner SEC and RPI SSI) by name, corporate affiliation, and title, whom are involved in funding this proceeding.
- 10** • Identify all Board members and corporate officers of SEC, SEA, and SSI both currently and at the time of preparing and filing the Petition.
- 11** • Describe any and all communications and coordination between Petitioner SEC and SEA, with respect to the instant Petition and proceeding.

- 12 • Describe any and all communications and coordination between RPI SSI and SEA, with respect to the instant Petition and proceeding.
- 13 • Describe any and all communications and coordination between Petitioner SEC and Avnet with respect to the instant Petition and proceeding.
- 14 • Describe any and all communications and coordination between RPI SSI and Avnet with respect to the instant Petition and proceeding.

B. Discovery related to indemnification and manufacturing/supply agreements related to the accused products:

- 15 • Produce any indemnification agreements between SEC or SSI and SEA related to the Accused products,² and that implicate in any way the disputes between SEC, SSI, SEA, and Netlist.

² “Accused products” refers to the following: (1) Samsung’s DDR5 generation Dual In-line Memory Modules (DIMMs), including: (a) Registered Dual In-line Memory Module (RDIMM); (b) Multi-Ranked Buffered Dual In-Line Memory Module or Multiplexed Rank Dual In-line Memory Module (MCRDIMM/MRDIMM); (c) Small Outline Dual In-Line Memory Module (SODIMM); and (d) Un-buffered Dual In-Line Memory Module (UDIMM); and (2) Samsung’s HBM2/2E, HBM3/3E, and HBM4/4E high bandwidth memory (“HBM”) packages. The term “DDR5” in part (1) above means and refers to Double Data Rate 5, referring to the fifth generation of a type of computer memory called

- 16** • Produce any indemnification agreements between SEC or SSI and Avnet related to the Accused products, and that implicate in any way the disputes between SEC, SSI, SEA, Avnet, and Netlist.
- 17** • Produce any supply, manufacturing, or other agreements that exist between SEC and/or SSI and SEA related to the Accused products.
- 18** • Produce any supply, manufacturing, or other agreements that exist between SEC and/or SSI and Avnet related to the Accused products.
- 19** • Describe in detail the terms of any indemnification obligations or agreements that exist between Petitioner SEC and SEA related to the Accused products.
- 20** • Describe in detail the terms of any indemnification obligations or agreements that exist between RPI SSI and SEA related to the Accused products.
- 21** • Describe in detail the terms of any indemnification obligations or agreements that exist between Petitioner SEC and Avnet related to the Accused products.
- 22** • Describe in detail the terms of any indemnification obligations or agreements that exist between RPI SSI and Avnet related to the Accused products.
- 23** • Describe in detail any supply, manufacturing, or other agreements that exist between Petitioner SEC and SEA related to the Accused products.

Double Data Rate Synchronous Dynamic Random-Access Memory (“SDRAM”).

- 24 • Describe in detail any supply, manufacturing, or other agreements that exist between RPI SSI and SEA related to the Accused products.
- 25 • Describe in detail any supply, manufacturing, or other agreements that exist between Petitioner SEC and Avnet related to the Accused products.
- 26 • Describe in detail any supply, manufacturing, or other agreements that exist between RPI SSI and Avnet related to the Accused products.

C. Discovery related to foreign government ownership of SEC:

- 27 • Identify all shareholders in SEC that are foreign governments, foreign governmental agencies, other state-linked entities, and/or included on the United States Department of Commerce's Bureau of Industry and Security (BIS), as well as the percentage and type of shares owned by each of the identified shareholders.