

FILED in the TRIAL COURTS
State of Alaska Third District
DEC 21 2017
By Clerk of the Trial Courts
Deputy

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

GOOGLE LLC,)
)
Plaintiff,)
)
vs.)
)
PEAK TRUST COMPANY,)
)
Defendant.)

Case No.: 3AN-17-11319 CI

COMPLAINT FOR MISCELLANEOUS RELIEF

COMES NOW Plaintiff Google LLC, by and through counsel Ashburn & Mason, P.C., and hereby alleges the following:

PARTIES

1. Google LLC ("Google") is a global technology company that designs and offers various products and services. Google is primarily focused on web-based search and display advertising tools, desktop systems, consumer content, enterprise solutions, commerce, and hardware products.

2. Defendant Peak Trust Company ("Peak," f/k/a Alaska Trust Co.) is an Alaska corporation with its headquarters in Anchorage, Alaska. Peak provides trust-administration and investment-management services.

JURISDICTION AND VENUE

3. This Court has subject-matter jurisdiction pursuant to AS 22.10.020(a) and AS 09.43.440(g).

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LAWYERS
1227 WEST 9TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
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4. This Court has personal jurisdiction over the Defendant pursuant to AS 09.05.015(a)(1)(C).

5. Venue is proper in this court pursuant to Alaska Rule of Civil Procedure 3(c).

GENERAL ALLEGATIONS

The Arbitration

6. On or about, October 28, 2016, Google filed arbitration demands against two former, senior employees, Anthony Levandowski and Lior Ron (“Respondents”). The action was consolidated into a single proceeding before a Judicial Arbitration and Mediation Services (“JAMS”) panel (“Arbitration Panel”) in California. The Chair of the Arbitration Panel is Justice Edward Panelli, a former Justice of the Supreme Court of California.

7. Google brought the arbitration demands to obtain significant damages for Respondents’ various alleged actions, including their breaches of contract; unlawful, unfair, and tortious interference with Google’s employment relationships; their breaches of the duty of loyalty and the duty of a fiduciary; and related torts arising from Respondents’ efforts to unlawfully compete with Google and to solicit Google’s personnel.

8. Under the parties’ arbitration agreements, the Arbitration Panel may issue third-party discovery subpoenas for documents and deposition testimony. The parties

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further amended their agreements to confirm that the Arbitration Panel Chair was authorized to issue those third-party discovery subpoenas.

Peak's Possession of Discoverable Information

9. Respondents are alleged to have breached their agreements with Google, and to have committed torts against Google, in several different ways. The issue that is most relevant to this action is Mr. Levandowski's involvement in (including the financing of) competing side businesses, including Tyto LiDAR, LLC (f/k/a Odin Wave LLC) and Sandstone Group LLC ("Sandstone").

10. Peak markets itself to customers like Mr. Levandowski by advertising how difficult it will be for judgment creditors—like Google—to attach assets that are held in Peak's "domestic asset-protection trusts."¹

11. Google is informed and believes that at least one Respondent, Mr. Levandowski, used at least two Peak-administered trusts (the "Peak/Levandowski Trusts") to facilitate his illicit involvement in competing side businesses that are directly relevant to Google's Arbitration. Peak, as trustee and administrator of these trusts, is thus in possession of documents that are central to the claims at issue in the Arbitration.

12. On information and belief, and as described in more detail in Google's motion to compel, Peak has knowledge of, and information about, Mr. Levandowski, Sandstone, Tyto LiDAR, and the Peak/Levandowski Trusts.

¹ See Peak Trust Co., "The Alaska Advantage," <https://www.peaktrust.com/the-alaska-advantage/>

Issuance and Service of the Subpoenas on Peak; Peak's Refusal to Comply

13. In order to obtain facts regarding Respondents' misconduct, Google served Peak with two related subpoenas that seek information discoverable in, and relevant to, the Arbitration. Peak has largely refused to comply with the subpoenas, and has instead offered to provide Google with an incomplete document production (and no deposition). Google brings this action to address Peak's refusal to comply with those subpoenas.

14. The Panel authorized the issuance of third-party discovery subpoenas, including Google's two related subpoenas directed at Peak.

15. The first subpoena requests production of business records related to Respondents' use of Peak's services to facilitate contract breaches and torts against Google. The second is a subpoena *duces tecum*, and it requests that Peak produce a knowledgeable corporate witness to testify at deposition on the listed topics and produced documents. The subpoenas were served in full compliance with the rules governing third-party discovery in the Arbitration. A true and correct copy of these subpoenas is attached as Exhibit 1.

16. Google has perfected service of both subpoenas. Google originally asked Peak's counsel to accept service on behalf of her client, but Peak's counsel refused to accept service. In light of this refusal, on November 18, 2017, Google personally served the subpoenas on Peak. A true and correct copy of the sworn proof of service is attached as Exhibit 2.

17. After service, Peak's counsel requested tender of deposition-witness fees. On November 30, 2017, Google personally served Peak with a \$25,000 check for witness fees. A true and correct copy of the sworn proof of service is attached as Exhibit 3.

18. Peak informed Google that it did not intend to comply with the subpoenas.

19. Peak subsequently failed to comply with the subpoenas.

COUNT I
VIOLATION OF DISCOVERY OBLIGATIONS
AS 09.43.440(g)

20. Google incorporates all of the above allegations in this Count.

21. Peak has failed to comply with a lawful subpoena for the production of documents.

22. Google is entitled to an order from this Court requiring Peak to produce the documents.

23. Peak has failed to comply with a lawful subpoena for deposition testimony.

24. Google is entitled to an order from this Court requiring Peak to produce a knowledgeable corporate witness for deposition.

25. In the alternative, or in addition, Peak should be held in contempt of court.

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PRAYER FOR RELIEF

WHEREFORE, Google prays for relief as follows:

1. ~~An order compelling Peak to comply with the subpoenas;~~
2. In addition or in the alternative, an order holding Peak in contempt of court;
3. Leave to amend this Complaint as warranted by the progression of this case;
4. An award of Google's actual costs and attorney's fees;
5. Any other relief the Court deems just and equitable.

ASHBURN & MASON, P.C.
Attorneys for Plaintiff Google, LLC

DATED: 12-20-17

By: JWR -
Jeffrey W. Robinson
Alaska Bar No. 0805038
Eva R. Gardner
Alaska Bar No. 1305017

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Thomas E. Gorman
(415) 676-2292
tgorman@keker.com

November 18, 2017

Peak Trust Company
3000 A St. Ste. 200
Anchorage, AK 99503

Re: *Google LLC v. Levandowski, et al.* (1100086069)

To whom this may concern:

I represent Google LLC in a lawsuit against Anthony Levandowski and Lior Ron that is currently pending before Judicial Arbitration and Mediation Services (JAMS) in San Francisco.

In connection with that lawsuit, and pursuant to A.S. § 09.43.440(g), Google has prepared two subpoenas directed at the Peak Trust Company: one subpoena for production of business records and one subpoena for personal appearance at a deposition (and corresponding production of documents and things). Both subpoenas are enclosed here. Please note that the document requests underlying each subpoena are identical. The document requests are being served in this fashion in order to ensure that the parties obtain relevant documents before the deposition date, in order to try and streamline testimony on deposition day.

Please ask your attorney to contact me at his or her earliest convenience so that we may discuss the deposition and the production of requested documents. We wish to make this process as smooth as possible for the Peak Trust Company and we look forward to working with you to resolve our requests.

Sincerely,

KEKER, VAN NEST & PETERS LLP

/s/ Thomas E. Gorman

Thomas E. Gorman

Enclosures

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Rachael Meny - #178514		FOR COURT USE ONLY
Kecker, Van Nest & Peters LLP 633 Battery Street, San Francisco, CA FAX NO.: (415) TELEPHONE NO.: (415) 391-5400 E-MAIL ADDRESS: rmeny@kecker.com ATTORNEY FOR (Name): Claimant Google LLC (f.k.a. Google)		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:		
PLAINTIFF/PETITIONER: Google, Inc. DEFENDANT/RESPONDENT: Anthony Levandowski and Lior Ron		
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS		CASE NUMBER: 1100086069 (consol.)

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
 Custodian of Records, Peak Trust Company
 3000 A St #200 Anchorage, AK 99503 (907) 278-6775

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): Pacific Rim Reporting On (date): December 5, At (time): 9:00 Location (address): 711 M Street, Suite 4 Anchorage, AK 99501
Do not release the requested records to the deposition officer prior to the date and time stated above.

- a. by delivering a true, legible, and durable copy of the business records described in Item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in Item 1.
 - b. by delivering a true, legible, and durable copy of the business records described in Item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
 - c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):

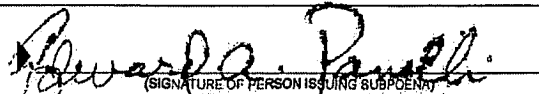
Continued on Attachment 3.

4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: August 24,
Edward A.

(TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ISSUING SUBPOENA)
 Arbitrat

(Proof of service on reverse)

(TITLE)

Page 1 of 2

PLAINTIFF/PETITIONER: Google, Inc.	CASE NUMBER:
DEFENDANT/RESPONDENT: Anthony Levandowski and Lior Ron	1100086069 (consol.)

PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

1. I served this *Deposition Subpoena for Production of Business Records* by personally delivering a copy to the person served as follows:

a. Person served (*name*):

b. Address where served:

c. Date of delivery:

d. Time of delivery:

- e. (1) Witness fees were paid.
Amount: \$ _____
- (2) Copying fees were paid.
Amount: \$ _____
- f. Fee for service: \$ _____

2. I received this subpoena for service on (*date*):

3. Person serving:

- a. Not a registered California process server.
- b. California sheriff or marshal.
- c. Registered California process server.
- d. Employee or independent contractor of a registered California process server.
- e. Exempt from registration under Business and Professions Code section 22350(b).
- f. Registered professional photocopier.
- g. Exempt from registration under Business and Professions Code section 22451.
- h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date:

Date:

(SIGNATURE)

(SIGNATURE)

ATTACHMENT 3

For purposes of this subpoena, the following defined terms shall have the following meanings and the following instructions shall apply.

DEFINITIONS

The following definitions apply to the document requests that follow. If you require clarification of a Definition of any term to comply with any Request for Production, contact undersigned counsel and request such clarification or Definition, which shall be provided.

1. "You" or "Your" or "Peak Trust" means the Peak Trust Company (f.k.a. Alaska Trust Company) and all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations; all predecessors, successors, and assigns of the foregoing; and all past and present officers (including Matthew Blattmachr and Brandon Cintula), employees, agents, partners, principals, managers, consultants, contractors, representatives, subcontractors, accountants, vendors, investors, and attorneys of the foregoing.

2. "Respondent" or "Respondents" means Respondents Anthony Levandowski and Lior Ron, individually or collectively, and any of his or their employees (including Ognen Stojanovski, Brent Schwarz, Michiele Roderick, and Nishi Wise), agents, consultants, contractors, representatives, partners, affiliates, principals, subcontractors, accountants, attorneys (including, for Anthony Levandowski, John Gardner (of Donohue Fitzgerald LLP, formerly of Fitzgerald Abbot & Beardsley and Carroll, Burdick & McDonough), Jesse Bassett of Donohue Fitzgerald LLP (formerly of Fitzgerald Abbot & Beardsley), Susan Szewczyk of Donohue Fitzgerald LLP; Goodwin Procter LLP; Miles Ehrlich, Israel "Izzy" Ramsey, and Amy Craig of Ramsey & Ehrlich LLP; including, for Lior Ron, Levine & Baker LLP and Taylor & Patchen

LLP), vendors, trusts (including the Bismuth Trust and Beryllium Trust), partnerships, holding companies, LLCs (including but not limited to Dogwood Leasing LLC, Team L LLC, and 2201 Dwight Way LLC for Anthony Levandowski), or any other entity or Person Related to, acting on behalf of, or in the interest of, each or both Respondents.

3. “Nunnemaker” means Nunnemaker & Associates, Inc. and all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations; all predecessors, successors, and assigns of each of the foregoing; and all past and present officers, employees, agents, partners, principals, consultants, contractors, representatives, subcontractors, accountants, vendors, and attorneys of each of the foregoing (including Steve Nunnemaker).

4. “Tyto LiDAR” means Tyto LiDAR LLC and all of its subsidiaries, affiliates, parent companies, and holding companies; all predecessors, successors, and assigns of each of the foregoing (including but not limited to Odin Wave LLC, Oden Wave LLC, Pouch Holdings LLC, and Sandstone Group LLC); and all past and present officers, employees, agents, managers, members, consultants, contractors, representatives, accountants, investors, and attorneys of each of the foregoing (including but not limited to John Gardner, Ognen Stojanovski, and Brent Schwarz).

5. “Nautilus Group” means Nautilus Group, Inc. as well as all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations. In particular, “Nautilus Group” includes any projects or companies related to Nautilus Group or Randy Miller, including but not limited to

RAD Group, RAD Urban, Nemo Building Systems, NGI East Bay Portfolio, 5110 Telegraph Ave, NGI MacArthur, EB Neun Holdings, R.A.D. Oakland Investco, Village Glen Plaza, Nautilus Group Dwight Way, NGI 4700 Telegraph, NGI 5110 Telegraph, NGI 4801 Shattuck, and 16th Street Medical Center.

6. "Otto" refers collectively to Ottomotto LLC, Otto Trucking LLC, Otto Transport LLC, and any other related or affiliated entity or company created or owned by any Respondent, and all of their individual or collective subsidiaries, parent companies, holding companies, related Persons, affiliates, companies, and corporations; all predecessors, successors, and assigns of each of the foregoing (including but not limited to 280 Systems, Inc., 280 Systems, LLC, and Tyto LiDAR); and all past and present officers, employees, agents, partners, managers, principals, consultants, contractors, representatives, subcontractors, accountants, vendors, investors and attorneys of each of the foregoing.

7. References to "People" and "Person" shall include any natural individual, business, corporation, company, firm, partnership, other business organization; and any charitable, religious, educational, governmental, legal, or other institution, foundation, body, vendor, service provider, professional, organization, or entity. The terms include any and all of that Person's predecessors, successors, assignees, personal representatives, agents, attorneys, and heirs whether by operation of law or otherwise. Unless otherwise stated, the terms also include any employee, agent, or representative of any of the foregoing and any other individual or entity mentioned in these instructions and definitions.

8. "Document" or "Documents" shall mean a writing, as defined in California Evidence Code Section 250, and includes without limitation the original or a copy of handwriting, typewriting, printing, photographing, and every other means of recording upon any

tangible thing, any form of Communication (as defined herein) or representation, including letters, words, pictures, memoranda, reports, studies, calendar or diary entries, telephone conversations and conferences, summaries, records of any conferences or meetings (including lists of Persons in attendance), text messages, emails, instant messages, chats, opinion letters, drafts, notes, graphs, charts, spreadsheets, tabulations, analyses, statistical or informational accumulations, accounting records of any kind, tax-preparation materials of any kind, working papers, computer disks, sounds, or symbols, or combinations of them, any electronically stored information and any record thereby created, regardless of the manner in which the Document has been stored, including, but not limited to, electronic storage.

9. The term "Communication" shall include, without limitation, any written or oral communication, including any conversation in person, by telephone, by email, by facsimile, by text, by chat, or by any other means.

10. Construe "and" and "or" conjunctively and disjunctively so as to achieve the broadest possible meaning.

11. The terms "all," "any," and "each" encompass "any and all."

12. "Including" means "including, but not limited to," or "including, without limitation," and should not be construed as limiting any request. Likewise, "includes" means "includes, but is not limited to," or "includes, without limitation."

13. "Relating to" or "Relate to" or "Related to" means, without limitation, assessing, comprising, constituting, concerning, referring to, containing, describing, discussing, embodying, evidencing, identifying, pertaining to, reflecting, stating, supporting, or tending to support or refute, or referring in any other way, directly or indirectly, in whole or in part, to the subject matter specified.

14. The use of the singular shall also include the plural, and vice versa.

INSTRUCTIONS

1. In responding to these document requests, please furnish all information that is available to You, in Your possession, in Your custody, or subject to Your control.
 2. File folders with tables or labels or directories of files identifying Documents called for by these requests must be produced intact with the Documents identified.
 3. If any information is withheld under a claim of privilege, state the nature of the privilege claimed and provide sufficient information to permit a full determination of whether the claim is valid. For allegedly privileged Documents, include: an identification of the sender and recipient(s) of the document; the date of the document; a description of the contents or nature of the document; and an explanation of the basis for asserting the claim of privilege.
 4. If any document within the scope of these requests once existed but has been destroyed, make a statement to that effect, identify the document, state who destroyed the document, why it was destroyed, and the circumstances under which it was destroyed.
 5. If any document within the scope of these requests once existed but has been lost or cannot currently be located, make a statement to that effect, identify the document, state who was in last possession of the document, the circumstances under which it was lost, and the steps that have been taken to locate the document.
 6. If You cannot fully comply with any document request, You shall comply to the maximum extent possible and explain: (a) what information You refuse to produce; and (b) why full compliance is not possible. If You object to any subpart of a Document request, or if all information and Documents responsive to any Document request are not produced, state with specificity all grounds for each such objection or failure to produce all responsive information.
-
7. Documents should be produced as they are kept in the ordinary course of business

or organized and labeled to correspond with the numbered categories of these Requests.

8. All Documents should be produced as single-page TIFF image files, with multi-page text, metadata and load files; or as native files (.pst, .xls, .pdf, etc.). Excel spreadsheets should always be produced in native format, whether or not they are also provided as TIFF images. When Documents in their native format are in color, the TIFF image files should also be in color. All Documents should include all associated metadata, including without limitation and as applicable: the date on which an email was sent; the date(s) on which a document or email was obtained, created, modified, accessed, deleted, copied, moved or saved; the author of an e-mail message ("from" field); the primary recipient(s) of an e-mail message ("to" field); other recipients of an e-mail message ("cc" and "bcc" fields); the subject line of an e-mail message; the title of a document; the author(s) of a document; the file name and file path of a document; the file type; and all other embedded or associated data Relating to the document or e-mail. E-mail Communications should be produced along with any attachments to those Communications. Documents should be produced on a hard drive, flash drive, disc, or other electronic storage medium.

9. Unless otherwise specified, the time period of these requests is January 1, 2012 to present.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All Documents Related to the Bismuth Trust, the Beryllium Trust, or any other trust or investment vehicle owned by, controlled by, settled by, or otherwise affiliated with any Respondent, including investment-policy statements, Documents sufficient to show all transactions for any such trust or investment vehicle, and Documents sufficient to show any involvement by any Respondent in any such transaction.

REQUEST FOR PRODUCTION NO. 2:

All Communications Related to the investment, allocation, transfer, or distribution of assets held in any trust or investment vehicle owned by, controlled by, settled by, or otherwise affiliated with any Respondent, including the Bismuth Trust or Beryllium Trust.

REQUEST FOR PRODUCTION NO. 3:

All Documents and Communications Related to any entity owned by, controlled by, settled by, or affiliated with any Respondent, including Tyto LiDAR, 2201 Dwight Way LLC, Team L LLC, Sandstone Group LLC, Pouch Holdings LLC, Dogwood Leasing LLC, Narwhal Energy LLC, Nautilus Group, and Otto.

REQUEST FOR PRODUCTION NO. 4:

All agreements, contracts, term sheets, declarations, and other legal instruments between You and any Respondent.

REQUEST FOR PRODUCTION NO. 5:

Documents sufficient to show Your record-retention or document-destruction policy for any of the repositories Related to Request for Production Nos. 1–4.

REQUEST FOR PRODUCTION NO. 6:

Documents sufficient to show whether and when You removed, deleted, destroyed, or

otherwise purged any information Related to Request for Production Nos. 1–4 from any physical
or digital storage in Your possession, custody, or control.

/s/ Thomas E. Gorman

Robert Van Nest
Rachael E. Meny
Jo Golub
Jennifer Huber
Thomas E. Gorman
W. Hamilton Jordan
KEKER, VAN NEST & PETERS LLP
633 Battery Street
San Francisco, CA 94111
(415) 391-5400

Dated: November 13, 2017

Attorneys for Claimant Google LLC

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Rachael Meny - #178514 Keker, Van Nest & Peters LLP 633 Battery Street, San Francisco, CA TELEPHONE NO.: 941 111 FAX NO. (Optional): (415) E-MAIL ADDRESS (Optional): rmeny@keker.co ATTORNEY FOR (Name): Claimant Google LLC (f.k.a. Google)		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:		
PLAINTIFF/PETITIONER: Google, Inc. DEFENDANT/RESPONDENT: Anthony Levandowski and Lior Ron		
DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS		

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):

Peak Trust Company
3000 A St #200, Anchorage, AK 99503 (907)

1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following date, time, and place:

Date: December 12,	Time: 8:30	Address: Pacific Rim Reporting 711 M Street, Suite 4, Anchorage AK
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- a. As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 4. (Code Civ. Proc., § 2025.230.)
 - b. You are ordered to produce the documents and things described in item 3.
 - c. This deposition will be recorded stenographically through the instant visual display of testimony and by audiotape videotape.
 - d. This videotape deposition is intended for possible use at trial under Code of Civil Procedure section 2025.620(d).
2. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
3. The documents and things to be produced and any testing or sampling being sought are described as follows:

Continued on Attachment 3.

4. If the witness is a representative of a business or other entity, the matters upon which the witness is to be examined are described as follows:


Continued on Attachment 4.

5. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1885.3 OR 1885.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

6. At the deposition, you will be asked questions under oath. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. You may read the written record and change any incorrect answers before you sign the deposition. You are entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition. Unless the court orders or you agree otherwise, if you are being deposed as an individual, the deposition must take place within 75 miles of your residence or within 150 miles of your residence if the deposition will be taken within the county of the court where the action is pending. The location of the deposition for all deponents is governed by Code of Civil Procedure section 2025.250.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: August 24,


(SIGNATURE OF PERSON ISSUING SUBPOENA)

Edward A.

Arbitrat

ATTACHMENT 3

For purposes of this subpoena, the following defined terms shall have the following meanings and the following instructions shall apply.

DEFINITIONS

The following definitions apply to the document requests that follow. If you require clarification of a Definition of any term to comply with any Request for Production, contact undersigned counsel and request such clarification or Definition, which shall be provided.

1. "You" or "Your" or "Peak Trust" means the Peak Trust Company (f.k.a. Alaska Trust Company) and all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations; all predecessors, successors, and assigns of the foregoing; and all past and present officers (including Matthew Blattmachr and Brandon Cintula), employees, agents, partners, principals, managers, consultants, contractors, representatives, subcontractors, accountants, vendors, investors, and attorneys of the foregoing.

2. "Respondent" or "Respondents" means Respondents Anthony Levandowski and Lior Ron, individually or collectively, and any of his or their employees (including Ognen Stojanovski, Brent Schwarz, Michiele Roderick, and Nishi Wise), agents, consultants, contractors, representatives, partners, affiliates, principals, subcontractors, accountants, attorneys (including, for Anthony Levandowski, John Gardner (of Donohue Fitzgerald LLP, formerly of Fitzgerald Abbot & Beardsley and Carroll, Burdick & McDonough), Jesse Bassett of Donohue Fitzgerald LLP (formerly of Fitzgerald Abbot & Beardsley), Susan Szewczyk of Donohue Fitzgerald LLP; Goodwin Procter LLP; Miles Ehrlich, Israel "Izzy" Ramsey, and Amy Craig of Ramsey & Ehrlich LLP; including, for Lior Ron, Levine & Baker LLP and Taylor & Patchen

LLP), vendors, trusts (including the Bismuth Trust and Beryllium Trust), partnerships, holding companies, LLCs (including but not limited to Dogwood Leasing LLC, Team L LLC, and 2201 Dwight Way LLC for Anthony Levandowski), or any other entity or Person Related to, acting on behalf of, or in the interest of, each or both Respondents.

3. "Nunnemaker" means Nunnemaker & Associates, Inc. and all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations; all predecessors, successors, and assigns of each of the foregoing; and all past and present officers, employees, agents, partners, principals, consultants, contractors, representatives, subcontractors, accountants, vendors, and attorneys of each of the foregoing (including Steve Nunnemaker).

4. "Tyto LiDAR" means Tyto LiDAR LLC and all of its subsidiaries, affiliates, parent companies, and holding companies; all predecessors, successors, and assigns of each of the foregoing (including but not limited to Odin Wave LLC, Oden Wave LLC, Pouch Holdings LLC, and Sandstone Group LLC); and all past and present officers, employees, agents, managers, members, consultants, contractors, representatives, accountants, investors, and attorneys of each of the foregoing (including but not limited to John Gardner, Ognen Stojanovski, and Brent Schwarz).

5. "Nautilus Group" means Nautilus Group, Inc. as well as all of its subsidiaries, parent companies, holding companies, divisions, subdivisions, components, units, partnerships, limited partnerships, related Persons, joint ventures, associations, affiliates, companies, corporations, and unincorporated associations. In particular, "Nautilus Group" includes any projects or companies related to Nautilus Group or Randy Miller, including but not limited to

RAD Group, RAD Urban, Nemo Building Systems, NGI East Bay Portfolio, 5110 Telegraph Ave, NGI MacArthur, EB Neun Holdings, R.A.D. Oakland Investco, Village Glen Plaza, Nautilus Group Dwight Way, NGI 4700 Telegraph, NGI 5110 Telegraph, NGI 4801 Shattuck, and 16th Street Medical Center.

6. "Otto" refers collectively to Ottomotto LLC, Otto Trucking LLC, Otto Transport LLC, and any other related or affiliated entity or company created or owned by any Respondent, and all of their individual or collective subsidiaries, parent companies, holding companies, related Persons, affiliates, companies, and corporations; all predecessors, successors, and assigns of each of the foregoing (including but not limited to 280 Systems, Inc., 280 Systems, LLC, and Tyto LiDAR); and all past and present officers, employees, agents, partners, managers, principals, consultants, contractors, representatives, subcontractors, accountants, vendors, investors and attorneys of each of the foregoing.

7. References to "People" and "Person" shall include any natural individual, business, corporation, company, firm, partnership, other business organization; and any charitable, religious, educational, governmental, legal, or other institution, foundation, body, vendor, service provider, professional, organization, or entity. The terms include any and all of that Person's predecessors, successors, assignees, personal representatives, agents, attorneys, and heirs whether by operation of law or otherwise. Unless otherwise stated, the terms also include any employee, agent, or representative of any of the foregoing and any other individual or entity mentioned in these instructions and definitions.

8. "Document" or "Documents" shall mean a writing, as defined in California Evidence Code Section 250, and includes without limitation the original or a copy of handwriting, typewriting, printing, photographing, and every other means of recording upon any

tangible thing, any form of Communication (as defined herein) or representation, including letters, words, pictures, memoranda, reports, studies, calendar or diary entries, telephone conversations and conferences, summaries, records of any conferences or meetings (including lists of Persons in attendance), text messages, emails, instant messages, chats, opinion letters, drafts, notes, graphs, charts, spreadsheets, tabulations, analyses, statistical or informational accumulations, accounting records of any kind, tax-preparation materials of any kind, working papers, computer disks, sounds, or symbols, or combinations of them, any electronically stored information and any record thereby created, regardless of the manner in which the Document has been stored, including, but not limited to, electronic storage.

9. The term "Communication" shall include, without limitation, any written or oral communication, including any conversation in person, by telephone, by email, by facsimile, by text, by chat, or by any other means.

10. Construe "and" and "or" conjunctively and disjunctively so as to achieve the broadest possible meaning.

11. The terms "all," "any," and "each" encompass "any and all."

12. "Including" means "including, but not limited to," or "including, without limitation," and should not be construed as limiting any request. Likewise, "includes" means "includes, but is not limited to," or "includes, without limitation."

13. "Relating to" or "Relate to" or "Related to" means, without limitation, assessing, comprising, constituting, concerning, referring to, containing, describing, discussing, embodying, evidencing, identifying, pertaining to, reflecting, stating, supporting, or tending to support or refute, or referring in any other way, directly or indirectly, in whole or in part, to the subject matter specified.

14. The use of the singular shall also include the plural, and vice versa.

INSTRUCTIONS

1. In responding to these document requests, please furnish all information that is available to You, in Your possession, in Your custody, or subject to Your control.
 2. File folders with tables or labels or directories of files identifying Documents called for by these requests must be produced intact with the Documents identified.
 3. If any information is withheld under a claim of privilege, state the nature of the privilege claimed and provide sufficient information to permit a full determination of whether the claim is valid. For allegedly privileged Documents, include: an identification of the sender and recipient(s) of the document; the date of the document; a description of the contents or nature of the document; and an explanation of the basis for asserting the claim of privilege.
 4. If any document within the scope of these requests once existed but has been destroyed, make a statement to that effect, identify the document, state who destroyed the document, why it was destroyed, and the circumstances under which it was destroyed.
 5. If any document within the scope of these requests once existed but has been lost or cannot currently be located, make a statement to that effect, identify the document, state who was in last possession of the document, the circumstances under which it was lost, and the steps that have been taken to locate the document.
 6. If You cannot fully comply with any document request, You shall comply to the maximum extent possible and explain: (a) what information You refuse to produce; and (b) why full compliance is not possible. If You object to any subpart of a Document request, or if all information and Documents responsive to any Document request are not produced, state with specificity all grounds for each such objection or failure to produce all responsive information.
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7. Documents should be produced as they are kept in the ordinary course of business

or organized and labeled to correspond with the numbered categories of these Requests.

8. All Documents should be produced as single-page TIFF image files, with multi-page text, metadata and load files; or as native files (.pst, .xls, .pdf, etc.). Excel spreadsheets should always be produced in native format, whether or not they are also provided as TIFF images. When Documents in their native format are in color, the TIFF image files should also be in color. All Documents should include all associated metadata, including without limitation and as applicable: the date on which an email was sent; the date(s) on which a document or email was obtained, created, modified, accessed, deleted, copied, moved or saved; the author of an e-mail message ("from" field); the primary recipient(s) of an e-mail message ("to" field); other recipients of an e-mail message ("cc" and "bcc" fields); the subject line of an e-mail message; the title of a document; the author(s) of a document; the file name and file path of a document; the file type; and all other embedded or associated data Relating to the document or e-mail. E-mail Communications should be produced along with any attachments to those Communications. Documents should be produced on a hard drive, flash drive, disc, or other electronic storage medium.

9. Unless otherwise specified, the time period of these requests is January 1, 2012 to present.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All Documents Related to the Bismuth Trust, the Beryllium Trust, or any other trust or investment vehicle owned by, controlled by, settled by, or otherwise affiliated with any Respondent, including investment-policy statements, Documents sufficient to show all transactions for any such trust or investment vehicle, and Documents sufficient to show any involvement by any Respondent in any such transaction.

REQUEST FOR PRODUCTION NO. 2:

All Communications Related to the investment, allocation, transfer, or distribution of assets held in any trust or investment vehicle owned by, controlled by, settled by, or otherwise affiliated with any Respondent, including the Bismuth Trust or Beryllium Trust.

REQUEST FOR PRODUCTION NO. 3:

All Documents and Communications Related to any entity owned by, controlled by, settled by, or affiliated with any Respondent, including Tyto LiDAR, 2201 Dwight Way LLC, Team L LLC, Sandstone Group LLC, Pouch Holdings LLC, Dogwood Leasing LLC, Narwhal Energy LLC, Nautilus Group, and Otto.

REQUEST FOR PRODUCTION NO. 4:

All agreements, contracts, term sheets, declarations, and other legal instruments between You and any Respondent.

REQUEST FOR PRODUCTION NO. 5:

Documents sufficient to show Your record-retention or document-destruction policy for any of the repositories Related to Request for Production Nos. 1–4.

REQUEST FOR PRODUCTION NO. 6:

Documents sufficient to show whether and when You removed, deleted, destroyed, or

otherwise purged any information Related to Request for Production Nos. 1-4 from any physical
or digital storage in Your possession, custody, or control.

/s/ Thomas E. Gorman

Robert Van Nest
Rachael E. Meny
Jo Golub
Jennifer Huber
Thomas E. Gorman
W. Hamilton Jordan
KEKER, VAN NEST & PETERS LLP
633 Battery Street
San Francisco, CA 94111
(415) 391-5400

Dated: November 13, 2017

Attorneys for Claimant Google LLC

ATTACHMENT 4

Pursuant to California Code of Civil Procedure Sections 2020.310 and 2020.510, Google LLC (“Google”) hereby provides a list of the matters on which examination is requested.

Google incorporates the Definitions set out in Attachment 3.

Deposition Topics

TOPIC NO. 1:

Your relationship with any Respondent.

TOPIC NO. 2:

Your Communications with any Respondent.

TOPIC NO. 3:

Your Communications Related to any entity owned by, controlled by, settled by, or affiliated with any Respondent, including Tyto LiDAR, 2201 Dwight Way LLC, Team L LLC, Sandstone Group LLC, Pouch Holdings LLC, Dogwood Leasing LLC, Narwhal Energy LLC, Otto, the Bismuth Trust, or the Beryllium Trust.

TOPIC NO. 4:

The Bismuth Trust, the Beryllium Trust, and any other trust or investment vehicle owned by, controlled by, settled by, or otherwise affiliated with any Respondent, including investment policies, all transactions for any such trust or investment vehicle, and any involvement by any Respondent in any such transaction.

TOPIC NO. 5:

All agreements, contracts, term sheets, declarations, and other legal instruments between You and any Respondent.

TOPIC NO. 6:

Your record-retention or document-destruction policy for any of the repositories Related to Request for Production Nos. 1–4.

TOPIC NO. 7:

Whether and when You removed, deleted, destroyed, or otherwise purged any information Related to Request for Production Nos. 1–4 from any physical or digital storage in Your possession, custody, or control.

TOPIC NO. 8:

The preparation, creation, source, maintenance, and authenticity of any documents produced in response to Request for Production Nos. 1–4.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): W. Hamilton Jordan - #295004 Keke, Van Nest & Peters LLP 633 Battery Street San Francisco, CA 94111-1809 TELEPHONE NO.: 415-391-5400 FAX NO. (Optional): 415-397-7188	FOR COURT USE ONLY
E-MAIL ADDRESS (Optional): wjordan@keker.com ATTORNEY FOR (Name): Google LLC	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center, Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:	
PLAINTIFF/ PETITIONER: Google LLC DEFENDANT/ RESPONDENT: Anthony Levandowski and Lior Ron	CASE NUMBER: 1100086069 (consolidated)
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)	

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): Anthony Levandowski

1. PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): Google LLC

SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): December 5, 2017

The records are described in the subpoena directed to **witness** (specify name and address of person or entity from whom records are sought): Peak Trust Company, 3000 A St Ste 200, Anchorage, AK 99503
 A copy of the subpoena is attached.

2. IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:

a. If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the **witness** and the **deposition officer** named in the subpoena at least five days before the date set for production of the records.

b. If you are not a party to this action, you must serve on the **requesting party** and on the **witness**, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should **not** be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**

3. YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: November 13, 2017

W. Hamilton Jordan

/s/ W. Hamilton Jordan Jr.

(TYPE OR PRINT NAME)

(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

1. I object to the production of all of my records specified in the subpoena.
 2. I object only to the production of the following specified records:

3. The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

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PROOF OF SERVICE

I am an attorney at Kecker, Van Nest & Peters LLP and am a member of the California State Bar. I am over the age of eighteen years and not a party to the within action. My business address is Kecker, Van Nest & Peters LLP, 633 Battery Street, San Francisco, CA 94111-1809.

On November 13, 2017, I served the following document(s):

**CCP 1985.3/1985.6 NOTICE TO ANTHONY LEVANDOWSKI RE:
GOOGLE SUBPOENA TO PEAK TRUST COMPANY**

by **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error.

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com
Andrew Ong (SBN 267889)
aong@goodwinlaw.com
GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025-1105
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

Attorneys for Respondent
ANTHONY LEVANDOWSKI

Brett Schuman (SBN 189247)
bschuman@goodwinlaw.com
Rachel M. Walsh (SBN 250568)
rwalsh@goodwinlaw.com
GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax.: +1 415 677 9041

Executed on November 13, 2017, in San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ W. Hamilton Jordan
W. Hamilton Jordan

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): W. Hamilton Jordan - #295004 Keker, Van Nest & Peters LLP 633 Battery Street San Francisco, CA 94111-1809 TELEPHONE NO.: 415-391-5400 FAX NO. (Optional): 415-397-7188	FOR COURT USE ONLY
E-MAIL ADDRESS (Optional): wjordan@keker.com ATTORNEY FOR (Name): Google LLC	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center, Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:	
PLAINTIFF/ PETITIONER: Google LLC DEFENDANT/ RESPONDENT: Anthony Levandowski and Lior Ron	CASE NUMBER: 1100086069 (consolidated)
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3,1985.6)	

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): Lior Ron

- PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): Google LLC
 SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): December 5, 2017
 The records are described in the subpoena directed to **witness** (specify name and address of person or entity from whom records are sought): Peak Trust Company, 3000 A St Ste 200, Anchorage, AK 99503
 A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the **witness** and the **deposition officer** named in the subpoena at least five days before the date set for production of the records.
 - If you are not a party to this action, you must serve on the **requesting party** and on the **witness**, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should **not** be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: November 13, 2017

W. Hamilton Jordan
(TYPE OR PRINT NAME)

▶ /s/ W. Hamilton Jordan Jr.
(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:

3. The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

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(SIGNATURE)

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PROOF OF SERVICE

I am an attorney at Keeker, Van Nest & Peters LLP and am a member of the California State Bar. I am over the age of eighteen years and not a party to the within action. My business address is Keeker, Van Nest & Peters LLP, 633 Battery Street, San Francisco, CA 94111-1809.

On November 13, 2017, I served the following document(s):

CCP 1985.3/1985.6 NOTICE TO LIOR RON RE: GOOGLE SUBPOENA TO PEAK TRUST COMPANY

by **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error.

JONATHAN A. PATCHEN (SBN 237346) Attorneys for Respondent LIOR RON
CHERYL A. CAULEY (SBN 252262)
KARAN S. DHADIALLA (SBN 296313)
TAYLOR & PATCHEN, LLP
One Ferry Building, Suite 355
San Francisco, California 94111
Email: staylor@taylorpatchen.com
Email: jpatchen@taylorpatchen.com
Email: ccauley@taylorpatchen.com
Email: kdhadialla@taylorpatchen.com

Executed on November 13, 2017, in San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ W. Hamilton Jordan
W. Hamilton Jordan

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): W. Hamilton Jordan - #295004 Kecker, Van Nest & Peters LLP 633 Battery Street San Francisco, CA 94111-1809 TELEPHONE NO.: 415-391-5400 FAX NO. (Optional): 415-397-7188	FOR COURT USE ONLY
E-MAIL ADDRESS (Optional): wjordan@kecker.com ATTORNEY FOR (Name): Google LLC	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center, Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:	
PLAINTIFF/ PETITIONER: Google LLC DEFENDANT/ RESPONDENT: Anthony Levandowski and Lior Ron	CASE NUMBER: 1100086069 (consolidated)
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3,1985.6)	

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): Bismuth Trust

- PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): Google LLC
 SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): December 5, 2017
 The records are described in the subpoena directed to witness (specify name and address of person or entity from whom records are sought): Peak Trust Company, 3000 A St Ste 200, Anchorage, AK 99503
 A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
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 - If you are not a party to this action, you must serve on the requesting party and on the witness, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should not be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: November 13, 2017

W. Hamilton Jordan

(TYPE OR PRINT NAME)

▶ /s/ W. Hamilton Jordan Jr.

(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:

3. The specific grounds for my objection are as follows:

Date:

 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE)

AFFIDAVIT - RETURN OF SERVICE

GOOGLE LLC
Plaintiff(s),
vs.
ANTHONY LEVANDOWSKI AND LIOR RON
Defendant(s).

FILE STAMP
Case Number: 1100086069

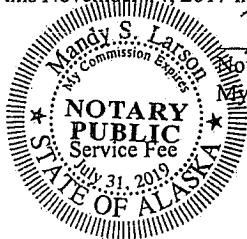
I solemnly swear or affirm that on 11/13/2017, at 2:25 PM, I served the following documents:
LETTER, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, ATTACHMENT 4, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, ATTACHMENT 4

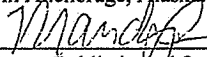
upon the therein named BISMUTH TRUST at 3000 A STREET, SUITE 200, ANCHORAGE, ALASKA 99503, by handing and leaving a true and correct copy with BRANDON CINTULA, AUTHORIZED TO ACCEPT SERVICE ON BEHALF OF BISMUTH TRUST.


DOUGLAS CALLISON
Civilian Process Server

SUBSCRIBED AND SWORN to or affirmed before me this November 14, 2017 in Anchorage, Alaska

Client: KEKER, VAN NEST & PETERS LLP
Client Contact: W. HAMILTON JORDAN
File Number:




Notary Public in and for the State of Alaska
My Commission Expires: 7/31/2019

North Country Process, Inc.
P.O. Box 101126
Anchorage, Alaska 99510
Office: (907) 274-2023
Fax Line: (907) 274-2823

\$100.00

NCPI@alaska.net

Other Costs: \$14.60

Return No.: 165864

Total Service Fees: \$114.60

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): W. Hamilton Jordan - #295004 Keke, Van Nest & Peters LLP 633 Battery Street San Francisco, CA 94111-1809 TELEPHONE NO.: 415-391-5400 FAX NO. (Optional): 415-397-7188	FOR COURT USE ONLY
E-MAIL ADDRESS (Optional): wjordan@keker.com ATTORNEY FOR (Name): Google LLC	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF n/a (JAMS Arbitration) STREET ADDRESS: JAMS San Francisco MAILING ADDRESS: Two Embarcadero Center, Suite 1500 CITY AND ZIP CODE: San Francisco, CA 94111 BRANCH NAME:	
PLAINTIFF/ PETITIONER: Google LLC DEFENDANT/ RESPONDENT: Anthony Levandowski and Lior Ron	CASE NUMBER: 1100086069 (consolidated)
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)	

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): Beryllium Trust

1. PLEASE TAKE NOTICE THAT REQUESTING PARTY (name): Google LLC
 SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): December 5, 2017
 The records are described in the subpoena directed to witness (specify name and address of person or entity from whom records are sought): Peak Trust Company, 3000 A St Ste 200, Anchorage, AK 99503
 A copy of the subpoena is attached.
2. IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
 - a. If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the witness and the deposition officer named in the subpoena at least five days before the date set for production of the records.
 - b. If you are not a party to this action, you must serve on the requesting party and on the witness, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should not be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
3. YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: November 13, 2017

W. Hamilton Jordan _____

▶ /s/ W. Hamilton Jordan Jr. _____

(TYPE OR PRINT NAME)

(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

1. I object to the production of all of my records specified in the subpoena.
2. I object only to the production of the following specified records:

3. The specific grounds for my objection are as follows:

Date:

▶ _____

(TYPE OR PRINT NAME)

(SIGNATURE)

AFFIDAVIT - RETURN OF SERVICE

GOOGLE LLC

Plaintiff(s),

vs.

ANTHONY LEVANDOWSKI AND LIOR RON


Defendant(s).

FILE STAMP

Case Number: 1100086069


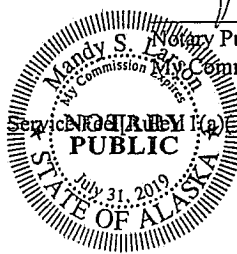
I solemnly swear or affirm that on 11/13/2017, at 2:25 PM, I served the following documents:
LETTER, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, ATTACHMENT 4, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION, DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, ATTACHMENT 4

upon the therein named BERYLLIUM TRUST at 3000 A STREET, SUITE 200, ANCHORAGE, ALASKA 99503, by handing and leaving a true and correct copy with BRANDON CINTULA, AUTHORIZED TO ACCEPT SERVICE ON BEHALF OF BERYLLIUM TRUST.


DOUGLAS CALLISON
Civilian Process Server

SUBSCRIBED AND SWORN to or affirmed before me this November 14, 2017 in Anchorage, Alaska.

Client: KEKER, VAN NEST & PETERS LLP
Client Contact: W. HAMILTON JORDAN
File Number:


Mandy S. Parson
Notary Public in and for the State of Alaska
My Commission Expires: 7/31/2019


North Country Process, Inc.
P.O. Box 101126
Anchorage, Alaska 99510
Office: (907) 274-2023
Fax Line: (907) 274-2823

NCPI@alaska.net

Service Fee (ii): \$55.00

Other Costs: \$14.60

Return No.:165865

Total Service Fees:

\$69.60

AFFIDAVIT - RETURN OF SERVICE

GOOGLE LLC

Plaintiff(s),

vs.

ANTHONY LEVANDOWSKI AND LIOR RON

Defendant(s).

FILE STAMP

Case Number: 1100086069

I solemnly swear or affirm that on 11/18/2017, at 8:46 PM, I served the following documents:

LETTER, DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS, ATTACHMENT 3, REQUESTS FOR PRODUCTION, ATTACHMENT 4, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION TO ANTHONY LEVANDOWSKI, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION TO LIOR RON, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION TO BISMUTH TRUST, AFFIDAVIT - RETURN OF SERVICE, NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION TO BERYLLIUM TRUST, AFFIDAVIT - RETURN OF SERVICE

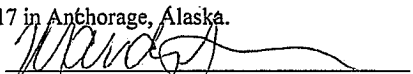
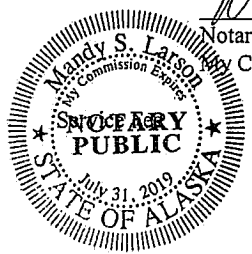
upon the therein named PEAK TRUST COMPANY at 3430 W. 31ST AVENUE, ANCHORAGE, ALASKA 99517, by handing and leaving a true and correct copy with BRANDON CINTULA.



OWEN STANTON
Civilian Process Server

SUBSCRIBED AND SWORN to or affirmed before me this November 21, 2017 in Anchorage, Alaska.

Client: KEKER, VAN NEST & PETERS LLP
Client Contact: W. HAMILTON JORDAN
File Number:


Notary Public in and for the State of Alaska
My Commission Expires: 7/31/2019

North Country Process, Inc.
P.O. Box 101126
Anchorage, Alaska 99510
Office: (907) 274-2023
Fax Line: (907) 274-2823

NCPI@alaska.net

\$100.00

Other Costs: \$6.20

Return No.: 166020

Total Service Fees: \$106.20

AFFIDAVIT - RETURN OF SERVICE


GOOGLE LLC
Plaintiff(s),
vs.
ANTHONY LEVANDOWSKI AND LIOR RON
Defendant(s).

FILE STAMP
Case Number: 1100086069

I solemnly swear or affirm that on 11/30/2017, at 1:25 PM, I served the following documents:
LETTER, WITNESS FEE CHECK FOR \$25.00

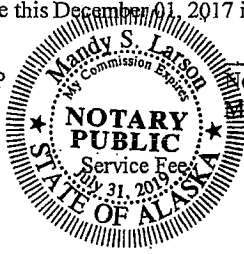
upon the therein named PEAK TRUST COMPANY at 3430 W. 31ST AVENUE, ANCHORAGE, ALASKA 99517, by handing and leaving a true and correct copy with BRANDON CINTULA, AUTHORIZED TO ACCEPT SERVICE ON BEHALF OF PEAK TRUST COMPANY.

Process Server Notes:
NCPI ISSUED WFC FOR \$25.00; CHECK #29441


DOUGLAS CALLISON
Civilian Process Server

SUBSCRIBED AND SWORN to or affirmed before me this December 01, 2017 in Anchorage, Alaska,

Client: KEKER, VAN NEST & PETERS LLP
Client Contact: W. HAMILTON JORDAN
File Number:



Notary Public in and for the State of Alaska
My Commission Expires: 7/31/2019

North Country Process, Inc.
P.O. Box 101126
Anchorage, Alaska 99510
Office: (907) 274-2023
Fax Line: (907) 274-2823

NCPI@alaska.net

\$100.00

Other Costs: \$25.00

Return No.: 166442

Total Service Fees: \$125.00