

Joseph R. Re SBN: 134479
KNOBBE, MARTENS, OLSON & BEAR, LLP
 2040 Main Street - Fourteenth Floor
 Irvine, CA 92614
 (949) 760-0404

UNITED STATES DISTRICT COURT
Southern District of California

MASIMO CORPORATION, et al

Plaintiff(s)

v.

SOTERA WIRELESS, et al

Defendant(s)

CASE NUMBER:

3:19-cv-01100-BAS-NLS

PROOF OF SERVICE
SUMMONS AND COMPLAINT
 (Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- | | | |
|---|--------------------------|-----------------------|
| a. <input checked="" type="checkbox"/> summons | first amended complaint | third party complaint |
| <input checked="" type="checkbox"/> complaint | second amended complaint | counter claim |
| <input type="checkbox"/> alias summons | third amended complaint | cross claim |
| <input checked="" type="checkbox"/> other See attached Document List | | |

2. Person served:

- a. ☒ Defendant (name:) **SOTERA WIRELESS, a California corporation**
- b. ☒ Other: (specify name and title or relationship to the party/business named):
FRANCIS CHEN - REGISTERED AGENT
- c. ☒ Address where the papers were served: **10020 HUENNEKENS STREET**
SAN DIEGO, CA 92121

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☒ Federal Rules of Civil Procedure
- b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By **Personal Service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
1. ☐ **Papers were served on (date): at (time):**
- b. ☒ By **Substituted Service**. By leaving copies: **STACIE BONAR - HUMAN RESOURCES**
1. ☐ **(home)** at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
2. ☒ **(business)** or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
3. ☒ **Papers were served on (date): 6/13/2019 at (time): 1:48 PM**
4. ☐ **by mailing (by first-class mail, postage prepaid)** copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
5. ☒ **papers were mailed on Jun 14, 2019 - DECLARATION OF MAILING ATTACHED**
6. ☐ **due diligence**. I made at least three (3) attempts to personally serve the defendant.
- c. ☐ **Mail and acknowledgment of service**. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. **(Attach completed Waiver of Service of summons and Complaint).**

Los Angeles, CA 90054

Phone: (888) 722-6878 Fax:

Continued from Proof of Service

CLIENT: KNOBBE, MARTENS, OLSON & BEAR, LLP

CLIENT FILE #: 19-cv-01100-BAS-NLS

DATE: June 14, 2019

SUBJECT: SOTERA WIRELESS, a California corporation

SERVED: STACIE BONAR - HUMAN RESOURCES

Civil Cover Sheet; Report on the Filing or Determination of an Action
Regarding a Patent or Trademark; Masimo Corporation's Notice of Party
with Financial Interest



- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service.)**
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorney's Office.

Name of person served:

Title of person served:

Date and time of service: (date): at (time):

- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

David Combs
ProLegal Reg#: 2017025418
P.O. Box 54846
Los Angeles, CA 90054
(888) 722-6878

a. Fee for service: \$ **382.10**

- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server
 Registration # : **1938**
 County: **San Diego**

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

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

Date: **June 14, 2019**

David Combs
 Type or Print Server's Name

David Combs
 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

Joseph R. Re, SBN: 134479
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street - Fourteenth Floor
Irvine, CA 92614

TELEPHONE No.: (949) 760-0404

FAX No. (Optional): (949) 760-9502

E-MAIL ADDRESS (Optional):

Attorney for: Plaintiff

Ref No. or File No.:

19-cv-01100-BAS-NLS

Insert name of Court, and Judicial District and Branch Court:

UNITED STATES DISTRICT COURT - Southern District of California

Plaintiff: MASIMO CORPORATION, et al

Defendant: SOTERA WIRELESS, et al

**PROOF OF SERVICE
BY MAIL**

HEARING DATE:

TIME:

DEPT.:

CASE NUMBER:

3:19-cv-01100-BAS-NLS

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the Civil Cover Sheet; Report on the Filing or Determination of an Action Regarding a Patent or Trademark; Masimo Corporation's Notice of Party with Financial Interest;
3. By placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at LOS ANGELES, California, addressed as follows:

- a. Date of Mailing: June 14, 2019
- b. Place of Mailing: LOS ANGELES, CA
- c. Addressed as follows: SOTERA WIRELESS, a California corporation
ATTENTION: FRANCIS CHEN - REGISTERED AGENT
10020 HUENNEKENS STREET
SAN DIEGO, CA 92121

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at LOS ANGELES, California in the ordinary course of business.

Fee for Service: \$ 382.10

County:

Registration:

ProLegal Reg#: 2017025418

P.O. Box 54846

Los Angeles, CA 90054

(888) 722-6878

Ref: 19-cv-01100-BAS-NLS

I declare under penalty of perjury under the laws of the The United States that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on **June 14, 2019**.



Signature: _____

Sandra Felix

PROOF OF SERVICE BY MAIL