



## **I. GENERAL INSTRUCTIONS**

1. Unless a term is defined in Section II, each word used below should be construed according to its plain meaning. If any term defined in Section II is used anywhere in these requests, the Section II definition should be applied.

2. These discovery requests are intended to include all documents and information in your possession or subject to your custody or control whether directly or indirectly. Documents or information are deemed to be within your possession, custody, or control if:

- (a) It is within your actual possession;
- (b) It is in your physical control or ownership;
- (c) It is within the knowledge, custody, or control of any other person or entity and YOU could obtain the DOCUMENT or information upon conducting a reasonable inquiry; or
- (d) It is in the physical control of any other person, and you:
  - (i) own the document or information in whole or in part;
  - (ii) have a right by contract, statute, or otherwise to use, inspect, examine, obtain, access, or copy such document or information on any terms; or
  - (iii) have, as a practical matter, been able to use, inspect, examine, or copy such document or information when you have sought to do so.

3. It is requested that all documents or information and/or other data compilations that might have impact on the subject matter of this litigation be preserved and that any ongoing process of documents or information destruction involving such items ceases.

4. If any responsive document is withheld as privileged or protected work product, a privilege log or equivalent document complying with Federal Rule of Civil Procedure 26(b)(5)(A)'s requirements must be produced.

5. Unless otherwise specified in the specific discovery request, the relevant time period is the earliest date that SEC began design, development, creation, manufacture, or testing of the Accused Instrumentalities, to the present.

## II. DEFINITIONS

1. The term “LWS” or “Plaintiff” shall mean and refer to LED Wafer Solutions, LLC.

2. The terms “SEA,” “Defendant,” “You,” and “Your” shall mean Samsung Electronics America, Inc. as well as owners, partners, officers, directors, employees, agents, subsidiaries or affiliates controlled by Samsung Electronics America, Inc., and other representatives of the foregoing, including but not limited to counsel and/or attorneys thereof.

3. The term “SEC” shall mean Samsung Electronics Co. LTD. as well as owners, partners, officers, directors, employees, agents, subsidiaries or affiliates controlled by Samsung Electronics Co. LTD., and other representatives of the foregoing, including but not limited to counsel and/or attorneys thereof.

4. The term “SSI” shall mean Samsung Semiconductor, Incorporated as well as owners, partners, officers, directors, employees, agents, subsidiaries or affiliates controlled by Samsung Semiconductor, Incorporated, and other representatives of the foregoing, including but not limited to counsel and/or attorneys thereof.

5. The term “Person” shall mean any natural person or legal entity, including but not limited to any business, proprietorship, firm, partnership, corporation, trust, association, government entity, organization, group of persons or other legal entity. The acts of a Person shall include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

6. The term the “Patents-in-Suit” means U.S. Patent Nos. 8,941,137 (the “137 Patent”); 8,952,405 (the “405 Patent”); 9,502,612 (the “612 Patent”); and 9,786,822 (the “822 Patent”).

7. “Accused Instrumentality” means any and all LED structures and methods for forming LED structures individually or as provided or used in combination with one or more other such products or services, made by or for You, used by You or Your customers, sold or offered for sale by You or on Your behalf, or imported by You, in the United States since 2015, incorporating or involving one or more claims of the Patents-in-suit. Representative examples of such devices include those identified in Plaintiff’s Preliminary Infringement Contentions served in this matter on August 13, 2021, as amended on November 12, 2021 (as well as those identified in Plaintiff’s Complaint).

8. “Participating Person” means any Person—including employees, former employees, independent contractors, and consultants—who is knowledgeable about that design, structure, functionality, marketing or sales—including Your market

channels and materials, sales process, revenues, costs, and profits associated with the sales—of the products and features accused of infringement including, but not limited to the Persons who were directly involved in any of the design, development, creation, manufacture, testing, patenting, patent clearing, launching, creation of product documentation, marketing, or sales of any Accused Instrumentality.

9. The term “Document” shall be construed under the broadest possible construction under the Federal Rules of Civil Procedure and shall include electronic mail and other electronic record.

### **III. REQUESTS FOR PRODUCTION**

#### **REQUEST FOR PRODUCTION NO. 1:**

Any documents detailing the job description, job duties, level of experience (including years of experience, job title, education, training, etc.), and address of each Participating Person.

#### **REQUEST FOR PRODUCTION NO. 2:**

All job descriptions, organizational charts, division rosters, team-member lists, directories, chain of command, or similar Documents for any employee located within Texas that was created, or that applied to an employee located within Texas, on or after January 1, 2016.

#### **REQUEST FOR PRODUCTION NO. 3:**

All contracts with any Persons located within Texas that is related to the Accused Instrumentalities. This includes but is not limited to contracts with any Persons who supplied any hardware, software, or services (including testing) or performed any manufacturing related to the Accused Instrumentalities.

#### **REQUEST FOR PRODUCTION NO. 4:**

All documents reflecting prior art witnesses, identified by any party, being located in Texas.

#### **REQUEST FOR PRODUCTION NO. 5:**

Any documents identifying the last-known location of any third party who supplied any hardware, software, or services (including testing) or performed any manufacturing related to the Accused Instrumentalities.

**REQUEST FOR PRODUCTION NO. 6:**

Any documents identifying the location(s) of technical, marketing, and financial documents related to the Accused Instrumentalities.

**REQUEST FOR PRODUCTION NO. 7:**

Documents sufficient to reflect, for Your employees and contractors located in Texas, the location and number of employees and contractors at each location, and the nature of their role and work in the design, development, creation, manufacture, testing, marketing, or sales of the Accused Instrumentalities.

**REQUEST FOR PRODUCTION NO. 8:**

Documents sufficient to reflect, for any SSI employees and contractors located in Texas, the location and number of SSI employees and contractors at each location, and the nature of their role and work in the design, development, creation, manufacture, testing, marketing, or sales of the Accused Instrumentalities.

**REQUEST FOR PRODUCTION NO. 9:**

All documents You reviewed or relied on in answering LWS's First Set of Interrogatories Relating to Venue.

**REQUEST FOR PRODUCTION NO. 10:**

Any documents on which You intend to rely in support of your argument that the Northern District of California is a more convenient venue than the Western District of Texas.

Dated: December 7, 2021

Respectfully Submitted,

/s/ Bradley D. Liddle

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**ATTORNEYS FOR PLAINTIFF LED  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2021, I e-mailed the foregoing to all counsel of record.

/s/ Nathan Cox  
Nathan Cox