

Irving, Texas 75063, or at such other time and place as the parties may agree. The deposition will be recorded by stenographic and sound-and-visual (videographic) means, will be taken before a Notary Public or other officer authorized to administer oaths, and will continue from day to day until completed, weekends and public holidays excepted.

Reference is made to the “Description of Matters on Which Examination is Requested” attached to the subpoena as Exhibit A and incorporated herein by this reference. In accordance with Rule 30(b)(6), NEC Corporation of America has been notified of its obligation to designate one or more officers, directors, or managing agents (or other persons who consent to do so) to testify on its behalf as to all matters embraced in the “Description of Matters on Which Examination is Requested” and known or reasonably available to NEC Corporation of America.

NOTE: Paragraph 2 in Section III of the following “Description of Matters on Which Examination is Requested” is subject to the Confidentiality Agreement and Protective Order entered in this action on September 26, 2006.

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Dated: February 17, 2009

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2009, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by electronic mail to the following:

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