Michael L. Kitchen (019848)
MARGRAVE CELMINS, P.C.
8171 East Indian Bend Rd., Suite 101
Scottsdale, Arizona 85250
mlkitchen@mclawfirm.com
Telephone (480) 994-2000
Facsimile (480) 994-2008
Attorneys for Plaintiffs

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SUPERIOR COURT OF ARIZONA

COUNTY OF PINAL

JOHNSON UTILITIES, LLC, an Arizona limited liability company and GEORGE H. JOHNSON, an individual, Plaintiff, v. EMILY HUGHES and JOHN DOE HUGHES, married individuals, JOHN DOES AND JANE DOES I-X, ABC PARTNERSHIPS I-X, ABC LIMITED LIABILITY COMPANIES I-X; XYZ CORPORATIONS I-X, Defendants.	CASE NO. CV2013024 26 **SUBPOENA DUCES TECUM** GILBERTO V. FIGUEROA

STATE OF ARIZONA TO: Janet Anderson
769 W Gascon Road
San Tan Valley, Arizona 85143

YOU ARE COMMANDED to appear and produce documents at the time and place specified below:

Before Whom To Appear: Michael J. Kitchen

RIG

AK

NC

Date of Appearance:	October 25, 2013
Time of Appearance:	9:00 a.m.
Place of Production:	IF RECORDS NOT MAILED, APPEAR AT: Margrave Celmins, P.C. 8171 East Indian Bend Road, Ste. 101 Scottsdale, Arizona 85250
Mailing Location:	OR MAIL RECORDS TO: Michael J. Kitchen Margrave Celmins, P.C. 8171 East Indian Bend, Suite 101 Scottsdale, Arizona 85250 Telephone: (480) 994-2000

*Avoid appearing in person, by delivering the records requested to Michael J. Kitchen, no later than October 24, 2013at 4:30 p.m. Please contact Michael J. Kitchen at (480) 994-2000, should you wish to appear in person.

YOU ARE COMMANDED to bring with you and produce the following records:

See Attached Exhibit "A"

THIS SUBPOENA DUCES TECUM MAY BE COMPLIED WITH BY MAILING THE RECORDS TO OUR OFFICE BY THE DATE INDICATED ABOVE. IF YOU CHOOSE TO APPEAR IN PERSON, PLEASE TELEPHONE OUR OFFICE TO CONFIRM.

You have been subpoenaed by the Plaintiff whose attorney's name, address and telephone number are:

Michael J. Kitchen
MARGRAVE CELMINS, P.C.
8171 East Indian Bend Road, Suite 101
Scottsdale, Arizona 85250
Telephone: (480) 994-2000

YOUR DUTIES IN RESPONDING TO THIS SUBPOENA

Attendance at a Trial. If this subpoena commands you to appear at a trial, you must appear at the place, date and time designated in the subpoena unless you file a timely motion with the court and the court quashes or modifies the subpoena. See Rule 45(b)(5) and Rule 45(e)(2) of the Arizona Rules of Civil Procedure. See also, "Your right To Object To This Subpoena" section below. Unless a court orders otherwise, you are required to travel to any part of the state to attend and give testimony at a trial. See Rule 45(b)(3)(A) of the Arizona Rules of Civil Procedure.

Attendance at a Hearing or Deposition. If this subpoena commands you to appear at a hearing or deposition, you must appear at the place, date and time designated in this subpoena unless either: (1) you file a timely motion with the court and the court quashes or modifies the subpoena; or (2) you are not a party or a party's officer and this subpoena commands you to travel to a place other than: (a) the county in which you reside or you transact business in person; or (b) the county in which you were served with the subpoena or within forty (40) miles from this place of service; or (c) such other convenient place fixed by a court order. See Rule 45(b)(3)(B) and Rule 45(e)(2)(A)(ii) of the Arizona Rules of Civil Procedure. See also, "Your Right To Object To This Subpoena" section below.

Production of Documentary Evidence of Inspection of Premises. If this subpoena commands you to produce and permit inspection, copying, testing or sampling of designated documents, electronically stored information, or tangible things, you must make the items available at the place, date and time designated in this subpoena, and in the case of electronically stored information, in the form or forms requested, unless you provide a good faith written objection to the party or attorney who served the subpoena. See Rule 45(c)(5) of the Arizona Rules of Civil Procedure. See also "Your Right To Object To This Subpoena" section below. Similarly, if this subpoena commands you to make certain premises available for inspection, you must make the designated premises available for inspection on the date and time designated in this subpoena unless you provide a good faith written objection to the party or attorney who served the subpoena. See Rule 45(c)(5) of the Arizona Rules of Civil Procedure. See also "Your Right To Object To This Subpoena" section.

You should note that a command to produce certain designated materials, or to permit the inspection of premises, may be combined with a command to appear at trial, hearing or deposition. See Rule 45(b)(2) of the Arizona Rules of Civil Procedure. You

do not, however, need to appear in person at the place of production or inspection unless the subpoena also states that you must appear for and give testimony at a hearing, trial, or deposition. See Rule 45(c)(3) of the Arizona Rules of Civil Procedure.

If the subpoena commands you to produce documents, you have the duty to produce the designated documents as they are kept by you in the usual course of business, or you may organize the documents and label them to correspond with the categories set forth in the subpoena. See Rule 45(c)(4) of the Arizona Rules of Civil Procedure.

YOUR RIGHT TO OBJECT TO THIS SUBPOENA

Generally. If you have concerns or questions about this subpoena, you should first contact the party or attorney who served the subpoena. The party or attorney serving the subpoena has a duty to take reasonable steps to avoid imposing an undue burden or expense on you. The superior court enforces this duty and may impose sanctions upon the party or attorney serving the subpoena if this duty is breached. See Rule 45(e)(1) of the Arizona Rules of Civil Procedure.

Procedure for Objection to a Subpoena for Attendance at a Hearing, Trial or Deposition. If you wish to object to a subpoena commanding your appearance at a hearing, trial or deposition, you must file a motion to quash or modify the subpoena with the court to obtain a court order excusing you from complying with this subpoena. See Rules 45(b)(5) and 45(e)(2) of the Arizona Rules of Civil Procedure. The motion must be filed in the superior court of the county in which the case is pending or in the superior court of the county from which the subpoena was issued. See Rule 45(e)(2)(A) and (B) of the Arizona Rules of Civil Procedure. The motion must be filed before the time specified for compliance or within 14 days after the subpoena was/is served, whichever is earlier. See Rule 45(3)(2)(D) of the Arizona Rules of Civil Procedure. You must send a copy of any motion to quash or modify the subpoena to the party or attorney who served the subpoena. See Rule 45(e)(2)(E) of the Arizona Rules of Civil Procedure.

The court must quash or modify a subpoena:

(1) if the subpoena does not provide a reasonable time for compliance;

(2) unless the subpoena commands your attendance at a trial, if you are not a party or a party's officer and if the subpoena commands you to travel to a place other than: (a) the county in which you reside or transact business in a person; (b) the

county in which you were served with a subpoena, or within forty (40) miles from the place of service; or (c) such other convenient place fixed by a court order; or

(3) if the subpoena requires disclosure of privileged or protected information, if no exception or waiver applies; or

(4) if the subpoena subjects you to an undue burden.

See Rule 45(e)(2)(A) of the Arizona Rules of Civil Procedure.

The court may quash or modify a subpoena:

(1) if the subpoena requires you to disclose a trade secret or other confidential research, development, or commercial trade information;

(2) if you are an unretained expert and the subpoena requires you to disclose your opinion or information resulting from your study that you have not been requested by any party to give on matters that are specific to the dispute;

(3) if you are not a party or a party's officer and the subpoena would require you to incur substantial travel expense; or

(4) if the court determines that justice requires the subpoena to be quashed or modified.

See Rule 45(e)(2)(B) of the Arizona Rules of Civil Procedure.

In the last four circumstances, a court may, instead of quashing or modifying a subpoena, order your appearance or order the production of material under specified conditions if: (1) the serving party or attorney shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and (2) if your travel expenses or the expenses resulting from the production are at issues, the court ensures that you will be reasonably compensated. See Rule 45(e)(2)(C) of the Arizona Rules of Civil Procedure.

Procedure for Objecting to Subpoena For Production of Documentary Evidence. If you wish to object to a subpoena commanding you to produce documents, electronically stored information or tangible items, or to permit the inspection of

premises, you may send a good faith written objection to the party or attorney serving the subpoena that objects to: (1) producing, inspecting, copying, testing or sampling any or all of the materials designated in the subpoena; (2) inspecting the premises; or (3) producing electronically stored information in the form or forms requested. You must send your written objection to the party or attorney who served the subpoena before the time specified for compliance or within 14 days after the subpoena is served, whichever is earlier. See Rule 45(c)(5)(A)(ii) of the Arizona Rules of Civil Procedure.

If you object because you claim the information requested is privileged, protected, or subject to protection as trial preparation material, you must express the objection clearly, and support each objection with a description of the nature of the document, communication or item not produced so that the demanding party can contest the claim. See Rule 45(c)(5)(C) of the Arizona Rules of Civil Procedure.

If you object to the subpoena in writing, you do not need to comply with the subpoena until a court orders you to do so. It will be up to the party or attorney serving the subpoena to first personally consult with you and engage in good faith efforts to resolve your objection and, if the objection cannot be resolved, to see and order from the court to compel you to provide the documents or inspection requested, after providing notice to you. See Rule 45(c)(5)(B) of the Arizona Rules of Civil Procedure.

If you are not a party to the litigation, or a party's officer, the court will issue an order to protect you from any significant expense resulting from the inspection and copying commanded. See Rule 45(c)(6)(B) of the Arizona Rules of Civil Procedure.

Instead of sending a written objection to the party or attorney who served the subpoena, you also have the option of raising your objections in a motion to quash or modify the subpoena. See Rule 45(e)(2) of the Arizona Rules of Civil Procedure. The procedure and grounds for doing so are described in the section above entitled "Procedure for Objection to a Subpoena for Attendance at a Hearing, Trial or Deposition."

If the subpoena also commands your attendance at a hearing, trial or deposition, sending a written objection to the party or attorney, who served the subpoena does not suspend or modify your obligation to attend and give testimony at the date, time and place specified in the subpoena. See Rule 45(c)(5)(A)(iii) of the Arizona Rules of Civil Procedure. If you wish to object to the portion of this subpoena requiring your Attendance at a hearing, trial or deposition, you must file a motion to quash or modify the subpoena as described in the section above entitled "Procedure for Objection to a

Subpoena for Attendance at a Hearing, Trial or Deposition." See Rule 45(b)(5) and 45(c)(5)(iii) of the Arizona Rules of Civil Procedure.

ADA Notification

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

SIGNED AND SEALED this date: October 3, 2013

CHAD A. ROCHE
CLERK OF THE SUPERIOR COURT

Deputy Clerk

EXHIBIT A

(Janet Anderson)

1. Produce all letters, memos, e-mails, texts, and any other correspondence or texts sent by you or received by you between January 1, 2013 through the present referencing George Johnson and/or Johnson Utilities, LLC.

2. Produce all letters, memos, e-mails, texts, and any other correspondence or texts sent or received by you between yourself and Emily Hughes.

3. Produce all documents in your possession referencing George J. Johnson and/or Johnson Utilities, LLC.