

1 Charles Eastwood
2 4024 N. 84th Ln.
3 Phoenix AZ 85037
4 602-717-5397
5 Plaintiff in Pro Per

ORIGINAL

6 SUPERIOR COURT OF ARIZONAA
7 COUNTY OF MARICOPA

8 CHARLES EASTWOOD,
9 Plaintiff,

10 vs.

11 ATLAS LOCKSMITH SOLUTIONS, LLC,
12 Et. Al. ,
13 Defendants

Case No.: CV2010 027605

SUBPOENA IN CIVIL ACTION
[X] DUCES TECUM

14 IN THE STATE OF ARIZONA TO: CUSTODIAN OF RECORDS OF

15 THE BETTER BUSINESS BUREAU, INC.

16 C/o PETER J BORNS (602) 440-4842

17 RYLEY CARLOCK & APPLEWHITE

18 1 N CENTRAL AVE #1200

19 PHOENIX, AZ 85004

20 YOU ARE COMMANDED TO APPEAR AND ATTEND and give testimony or to
21 produce and permit inspection and copying, designated books,
22 documents or tangible things in the possession, custody or
23 control of that person, or to permit inspection of premises, at
24 a time and place therein specified:

25 This Subpoena is for records only. Compliance will be deemed
26 complete if you e-mail legible copies of the documents to
27 Charley@LocksmithCharley.com and subsequently mail, prior to
28 November 15, 2010, a printed copy to:

29 Charles Eastwood
30 4024 N. 84th Ln.
31 Phoenix, AZ 85037

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1 **YOU ARE COMMAND TO PRODUCE** and permit inspection and copying of:
2 1. The complete records of each and every complaint filed with
3 your organization about any locksmith during the time period of
4 October 1, 2008 through the present.

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6 In this context, "Complete records" means the date of the
7 complaint, the name, address, telephone number, e-mail address
8 and fax number, if any of the individual making the complaint;
9 together with the complete text of the complaint filed.

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13 In the event this Subpoena is for appearance before the court
14 please contact the division of this Court stated above to
15 determine if the trial or hearing time has been changed. ARS 22-
16 217, 12-2211; RCP 45(a), 53(e).

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18 You have been subpoenaed by Charles Eastwood, plaintiff in Pro.
19 Per.

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21 YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA
22 WITHOUT ADEQUATE EXCUSE MAY BE DEEMED A CONTEMPT OF THIS COURT,
23 AND A CIVIL ARREST WARRANT MAY BE ISSUED. A CIVIL ARREST IS AN
24 ORDER DIRECTING ANY POLICE OFFICER IN ARIZONA TO ARREST YOU AND
25 BRING YOU BEFORE THIS COURT FOR FUTURE PROCEEDINGS.

26
27 SIGNED AND SEALED THIS DATE: _____

OCT 25 2010

Clerk

MICHAEL K. JEANES, CLERK

By: Deputy 



YOUR DUTIES IN RESPONDING TO THIS SUBPOENA

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2 You have duty to produce the documents requested as they are
3 kept by you in the usual course of business, or you may organize
4 the documents and label them to correspond with the categories
5 set forth in this subpoena. See Rule 45 (d) (1) of the Arizona
6 Rules of Civil Procedure. If this subpoena asks you to produce
7 and permit inspection and copying of designated books, papers,
8 documents, tangible things, or the inspection of premises, you
9 need not appear to produce the items unless the subpoena states
10 that you must appear for a deposition, hearing or trial. See
11 Rule 45 (c) (2) (A) of the Arizona Rules of Civil Procedure.
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YOUR RIGHT TO OBJECT

• 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 (c)(1) of the Arizona Rules of Civil Procedure. You may object to this subpoena if you feel that you should not be required to respond to the request(s) made. Any objection to this subpoena must be made within 14 days after it is served upon you, or before the time specified for compliance, by providing a written objection to the party or attorney serving the subpoena. See Rule 45 (c)(2)(B) of the Arizona Rules of Civil Procedure. If you object because you claim the information requested is privileged 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 (d)(2) 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 seek an order from the court to compel you to provide the documents or inspection requested, after providing notice to you. See Rule 45 (c)(2)(B) of the Arizona Rules of Civil Procedure. If you are not a party to the litigation, or an officer of a party, the court will issue an order to protect you from any significant expense resulting from the inspection and copying commanded. See Rule 45 (c)(2)(B) of the Arizona Rules of Civil Procedure. You also may file a motion in the superior court of the county in which the case is pending to quash or modify the subpoena if the subpoena:

1. does not provide a reasonable time for compliance;
2. requires a non-party or officer of a party to travel to a county different from the county where the person resides or does business in person; or to travel to a county different from where the subpoena was served; or to travel to a place farther than 40 miles from the place of service; or to travel to a place different from any other convenient place fixed by an order of a court, except that a subpoena for you to appear and testify at trial can command you to travel from any place within the state;
3. requires the disclosure of privileged or protected information and no waiver or exception applies; or
4. subjects you to an undue burden. See Rule 45 (c)(3)(A) of the Arizona Rules of Civil Procedure.

If this subpoena;

1. requires disclosure of a trade secret or other confidential research, development, or commercial trade information; or
2. requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or
3. requires a person who is not a party or an officer of a party to incur substantial travel expense;

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• The court may either quash or modify the subpoena, or the court may order you to appear or produce documents only upon specified conditions, if the party who served the subpoena shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that you will be reasonably compensated. See Rule 45 (c)(3)(B) of the Arizona Rules of Civil Procedure. A command to produce evidence or to permit inspection may be joined with a command to appear at trial, hearing or at deposition, or may be issued separately.

**REQUESTS FOR REASONABLE ACCOMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE DIVISION ASSIGNED TO THE CASE
BY THE PARTIES AT LEAST 3 DAYS IN ADVANCE OF A SCHEDULED COURT
PROCEEDING.**