

Telco Orig

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

CV2010 027605

Case No.:

SUBPOENA IN CIVIL ACTION
[X] DUCES TECUM

14
15 IN THE STATE OF ARIZONA TO: CUSTODIANS OF RECORDS FOR:

16 ELECTRIC LIGHTWAVE, LLC
17 % NATIONAL REGISTERED AGENTS I, Agent
18 638 NORTH FIFTH AVE
19 PHOENIX, AZ 85003

20 INTEGRA TELECOM HOLDINGS, INC.
21 % NATIONAL REGISTERED AGENTS I, Agent
22 638 NORTH FIFTH AVE
23 PHOENIX, AZ 85003

24 TW TELECOM HOLDINGS, INC.
25 C/o CT CORPORATION SYSTEM, Agent
26 2394 E CAMELBACK RD
27 PHOENIX, AZ 85016

28 TW TELECOM OF ARIZONA LLC
29 C/o CT CORPORATION SYSTEM, Agent
30 2394 E CAMELBACK RD
31 PHOENIX, AZ 85016

32 XO COMMUNICATIONS, LLC
% CORPORATION SERVICE COMPANY, Agent
2338 W ROYAL PALM RD STE J
PHOENIX, AZ 85021

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1 XO COMMUNICATIONS SERVICES, INC.
2 % CORPORATION SERVICE COMPANY, Agent
2338 W ROYAL PALM RD STE J
3 PHOENIX, AZ 85021

4 ESCHELON TELECOM, INC.
5 % NATIONAL REGISTERED AGENTS I, Agent
638 NORTH FIFTH AVE
6 PHOENIX, AZ 85003

7 ESCHELON TELECOM OF ARIZONA, INC.
8 % NATIONAL REGISTERED AGENTS I, Agent
638 NORTH FIFTH AVE
9 PHOENIX, AZ 85003

10 MOUNTAIN TELECOMMUNICATIONS OF ARIZONA, INC.
11 % NATIONAL REGISTERED AGENTS I, Agent
638 NORTH FIFTH AVE
12 PHOENIX, AZ 85003

13 COMCAST PHONE OF ARIZONA, LLC
14 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
15 PHOENIX, AZ 8501

16 TELEPORT COMMUNICATIONS GROUP INC.
17 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
18 PHOENIX, AZ 8501

19 360NETWORKS (USA) INC.
20 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
21 PHOENIX, AZ 8501

22 QWEST SERVICES CORPORATION OF COLORADO (FN)
23 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
24 PHOENIX, AZ 8501

25 QWEST SERVICES CORPORATION
26 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
27 PHOENIX, AZ 8501

28 QWEST CORPORATION
29 C/o CT CORPORATION SYSTEM, Agent
2394 E CAMELBACK RD
30 PHOENIX, AZ 8501

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1 YOU ARE COMMANDED TO APPEAR AND ATTEND and give testimony or to
2 produce and permit inspection and copying, designated books,
3 documents or tangible things in the possession, custody or
4 control of that person, or to permit inspection of premises, at
5 a time and place therein specified:

6 This Subpoena is for records only. Compliance will be deemed
7 complete if you e-mail legible copies of the documents to
8 Charley@LocksmithCharley.com and subsequently mail, prior to
9 October 15, 2010, a printed copy to:

10 Charles Eastwood
11 4024 N. 84th Ln.
12 Phoenix, AZ 85037
13

14 YOU ARE COMMAND TO PRODUCE and permit inspection and copying of:
15 A. All records pertaining to each and every customer of your
16 company that is associated in any way with each of the telephone
17 numbers on "EXHIBIT 1 - ALL COMPANIES PHONE NUMBERS", attached
18 and incorporated herein by reference, that is serviced by your
19 company.

20 That is to say that plaintiff is attaching "EXHIBIT 1", a list
21 of numbers being used by various locksmith scammer companies.
22 From publicly available sources, it appears that your telephone
23 company provides the telephone service for some of those
24 numbers. Of the numbers that your telephone company services,
25 plaintiff requires all of the information you have relating to
26 the customer or customers connected with those numbers.
27

28 "All records" includes:

29 1. a complete list of each and every telephone number that
30 each of those customers has with your company whether or not
31 those numbers appear in EXHIBIT 1.
32

1 2. All of the billing records for each and every telephone
2 number contracted for by each and every customer identified as
3 by your company as having been associated with any of the
4 telephone numbers contained in EXHIBIT 1, including but not
5 limited to the name(s), address(es), primary telephone number,
6 fax number(s), e-mail address(es), and complete records of each
7 and every credit card that said customers may have used for
8 payment of these services including card number, expiration
9 date, cvv number, and billing address.

10 3. Call detail records for all incoming calls to each and
11 every telephone number contracted for by each and every customer
12 identified as by your company as having been associated with any
13 of the telephone numbers contained in EXHIBIT 1.

14
15 **B.** All internal documents in your telephone company's possession
16 relating to:

17 1. Policies and procedures for selling individual telephone
18 numbers or blocks of telephone numbers to customers.

19 2. Policies and procedures for the acquisition from
20 customers of name and address information to be related to each
21 individual telephone number for population into any directory
22 listing database either internal or external to your telephone
23 company.

24 3. All training materials relating to training your sales
25 staff on the polices and procedures for selling individual
26 telephone numbers or blocks of telephone numbers to customers
27 and the acquisition from customers of name and address
28 information to be related to each individual telephone number
29 for population into any directory listing database either
30 internal or external to your telephone company.

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1 4. All documents describing in any way the manner that
2 customer name, address, and telephone number information for new
3 orders is moved or transmitted from the sales staff to each and
4 every internal or external directory listing database and how
5 those listings eventually become public.

6 5. All documents describing in any way the manner that
7 customer name, address, and telephone number information for
8 changes to existing accounts is moved or transmitted from the
9 sales staff to each and every internal or external directory
10 listing database and how those listings eventually become
11 public.

12 6. All documents identifying individuals within your
13 telephone company who would be involved in the processes related
14 to (B) (4) and (5) above.

15
16 In the event this Subpoena is for appearance before the court
17 please contact the division of this Court stated above to
18 determine if the trial or hearing time has been changed. ARS 22-
19 217, 12-2211; RCP 45(a), 53(e).

20
21 You have been subpoenaed by Charles Eastwood, plaintiff in Pro.
22 Per.

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

29
30 SIGNED AND SEALED THIS DATE SEP 21 2010

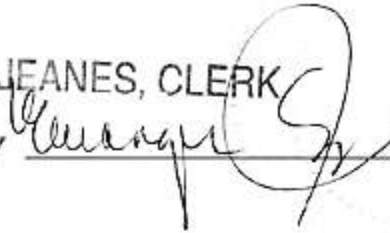
MICHAEL K. JEANES, CLERK

31 Clerk
32

SEP 21 2010.

MICHAEL K. JEANES, CLERK

By: Deputy



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1 **YOUR DUTIES IN RESPONDING TO THIS SUBPOENA**

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

10 **REQUESTS FOR REASONABLE ACCOMODATION FOR PERSONS WITH**
11 **DISABILITIES MUST BE MADE TO THE DIVISION ASSIGNED TO THE CASE**
12 **BY THE PARTIES AT LEAST 3 DAYS IN ADVANCE OF A SCHEDULED COURT**
13 **PROCEEDING.**
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EXHIBIT 1 – ALL COMPANIES PHONE NUMBERS

Page 1

(480) 306-0101	(480) 422-4180	(480) 478-0603	(480) 621-3867	(480) 777-7488
(480) 307-8188	(480) 422-4181	(480) 478-0688	(480) 621-3868	(480) 816-9833
(480) 339-0011	(480) 422-4182	(480) 483-5080	(480) 621-3869	(480) 820-2145
(480) 347-0745	(480) 422-4183	(480) 488-9551	(480) 621-3870	(480) 820-3658
(480) 347-9115	(480) 422-4184	(480) 515-1287	(480) 621-3871	(480) 821-5558
(480) 347-9160	(480) 422-4185	(480) 553-9425	(480) 621-3872	(480) 836-4279
(480) 371-3220	(480) 422-4186	(480) 584-5024	(480) 621-3873	(480) 941-7212
(480) 371-3285	(480) 422-4189	(480) 607-6770	(480) 621-3874	(480) 947-0371
(480) 371-3287	(480) 422-4190	(480) 621-3837	(480) 621-3875	(480) 947-1160
(480) 371-3289	(480) 422-4192	(480) 621-3838	(480) 621-3876	(480) 966-2232
(480) 371-3290	(480) 422-4195	(480) 621-3839	(480) 621-3877	(480) 969-7432
(480) 371-3292	(480) 422-4197	(480) 621-3840	(480) 621-3878	(480) 970-1778
(480) 371-3294	(480) 422-4198	(480) 621-3841	(480) 621-3879	(480) 991-0508
(480) 371-3295	(480) 429-7602	(480) 621-3842	(480) 621-3880	(480) 998-1345
(480) 371-3297	(480) 455-3342	(480) 621-3843	(480) 621-3881	(520) 254-5260
(480) 371-3299	(480) 455-3343	(480) 621-3844	(480) 621-3882	(520) 395-9485
(480) 371-3322	(480) 455-3344	(480) 621-3845	(480) 621-3883	(520) 395-9498
(480) 371-3324	(480) 455-3344	(480) 621-3846	(480) 621-3884	(520) 979-3418
(480) 371-3325	(480) 455-3345	(480) 621-3847	(480) 621-3885	(602) 220-6725
(480) 371-3327	(480) 455-3345	(480) 621-3848	(480) 621-3886	(602) 243-0108
(480) 371-3329	(480) 455-3346	(480) 621-3849	(480) 621-3887	(602) 249-8752
(480) 374-1687	(480) 455-3346	(480) 621-3850	(480) 621-3939	(602) 251-2338
(480) 374-1775	(480) 455-3347	(480) 621-3851	(480) 621-3940	(602) 252-1860
(480) 381-6316	(480) 455-3347	(480) 621-3852	(480) 621-3941	(602) 252-3123
(480) 389-6298	(480) 455-3348	(480) 621-3853	(480) 621-3942	(602) 252-3835
(480) 422-1206	(480) 455-3348	(480) 621-3854	(480) 621-3943	(602) 252-5012
(480) 422-1207	(480) 455-3349	(480) 621-3855	(480) 621-3944	(602) 253-2609
(480) 422-4166	(480) 455-3349	(480) 621-3856	(480) 621-3945	(602) 253-2695
(480) 422-4169	(480) 455-3352	(480) 621-3857	(480) 621-3957	(602) 253-2878
(480) 422-4170	(480) 455-3355	(480) 621-3858	(480) 626-6082	(602) 255-1258
(480) 422-4172	(480) 455-3356	(480) 621-3859	(480) 639-6840	(602) 255-6107
(480) 422-4173	(480) 455-3357	(480) 621-3860	(480) 654-2870	(602) 255-6241
(480) 422-4174	(480) 455-3358	(480) 621-3861	(480) 675-5988	(602) 256-6241
(480) 422-4175	(480) 463-4180	(480) 621-3862	(480) 704-1351	(602) 257-4118
(480) 422-4176	(480) 463-4250	(480) 621-3863	(480) 717-1099	(602) 257-9155
(480) 422-4177	(480) 463-4404	(480) 621-3864	(480) 730-9700	(602) 258-1280
(480) 422-4178	(480) 478-0067	(480) 621-3865	(480) 775-4070	(602) 265-0346
(480) 422-4179	(480) 478-0089	(480) 621-3866	(480) 777-3915	(602) 274-0866

