

Yahoo Orig

1 Charles Eastwood  
2 4024 N. 84<sup>th</sup> 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: CUSTODIAN OF RECORDS

16 YAHOO!  
17 C/o CT CORPORATION SYSTEM, Agent  
18 818 W 7TH ST  
19 LOS ANGELES CA 90017

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 October 15, 2010, a printed copy to:

29 Charles Eastwood  
30 4024 N. 84<sup>th</sup> Ln.  
31 Phoenix, AZ 85037

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1 YOU ARE COMMAND TO PRODUCE and permit inspection and copying of:  
2 A Complete records of all edits done to each and every "YAHOO!"  
3 listings for, or containing references to:

- 4 1. Locksmith Charley
- 5 2. 2308 E. Indian School Rd, Phoenix, AZ
- 6 3. 4024 N. 84<sup>th</sup> Ln, Phoenix, AZ
- 7 4. (602) 717-5397
- 8 5. (602) 230-8888
- 9 6. (509) 278-1751
- 10 7. LocksmithCharley.com
- 11 8. (866) 992-4545
- 12 9. Bear Lock and Safe
- 13 10. 205 Cleveland Ave,, Baltimore, MD 21222
- 14 11. (410) 285-0101
- 15 12. (443) 629-0570
- 16 13. bearlock.com
- 17 14. locksmithdepot.com

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19 In this context, "Complete records" means the date and time of  
20 each edit, the IP number from which the edit was ordered, the  
21 profile name of the individual making the edit, any and all  
22 identifying information relating to the individual making the  
23 edit including but not limited to name, address, telephone  
24 number, e-mail address(es).

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26 B. Complete records of all information known to YAHOO! about the  
27 identity and activities of the person or persons creating  
28 reviews under the profiles:

29 1.. costantino\_davi... as referenced by:

30 EXHIBIT 044 - REVIEW SCAM-Google-Yahoo.pdf (hereinafter  
31 referred to as "EXHIBIT 044")

32 2. lizettepeacock3... as referenced by: EXHIBIT 044

- 1 3. *bennieheins044* as referenced by: EXHIBIT 044
- 2 4. *sharonmann49* as referenced by: EXHIBIT 044
- 3 5. *pamela\_j28* as referenced by: EXHIBIT 044
- 4 6. *frank.hamilton8...* as referenced by: EXHIBIT 044
- 5 7. *Bessie Wade* as referenced by: EXHIBIT 044
- 6 8. *Diana Mccaffrey* as referenced by: EXHIBIT 044
- 7 9. *Lyn Judkins* as referenced by: EXHIBIT 044
- 8 10 *nancykeller63* as referenced by: EXHIBIT 044

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10 E. All documents and records of any kind that discloses YAHOO!'s  
11 source of the information about each and every so-called  
12 locksmith listing and towing listing referenced by EXHIBIT 044 -  
13 REVIEW SCAM-Google-Yahoo.pdf.

14 1. If the source was an information broker or telephone  
15 company the name, address, telephone number and contact person  
16 at that company.

17 2. If the source was web-based, the exact date and time of  
18 origination, the IP number of the source of the information, the  
19 profile name of the individual making the edit, any and all  
20 identifying information relating to the individual making the  
21 edit including but not limited to name, address, telephone  
22 number, e-mail address(es).

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25 The file: EXHIBIT 044 - REVIEW SCAM-Google-Yahoo.pdf is  
26 contained in the NUMBERED EXHIBITS folder on the CD that was  
27 served with the summons and complaint and are incorporated  
28 herein by reference.

29 In the event this Subpoena is for appearance before the court  
30 please contact the division of this Court stated above to  
31 determine if the trial or hearing time has been changed. ARS 22-  
32 217, 12-2211; RCP 45(a), 53(e).

1 You have been subpoenaed by Charles Eastwood, plaintiff in Pro.  
2 Per.

3  
4 YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA  
5 WITHOUT ADEQUATE EXCUSE MAY BE DEEMED A CONTEMPT OF THIS COURT,  
6 AND A CIVIL ARREST WARRANT MAY BE ISSUED. A CIVIL ARREST IS AN  
7 ORDER DIRECTING ANY POLICE OFFICER IN ARIZONA TO ARREST YOU AND  
8 BRING YOU BEFORE THIS COURT FOR FUTURE PROCEEDINGS.

9  
10 SIGNED AND SEALED THIS DATE: SEP 21 2010

11  
12 Clerk  
13 MICHAEL K. JEANES, CLERK

14 By: Deputy *[Signature]*



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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• 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.**