

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

FILED
MAR - 7 2013
SUPERIOR COURT
BETTY J. GOULD
THURSTON COUNTY CLERK

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

JZK, Inc., a Washington corporation,

Plaintiff,

vs.

VIRGINIA COVERDALE; JOHN DOES 1-20 AND
JANE DOES 1-20, also known as Enlighten Me
Free,

Defendants.

NO. 12-2-02241-8

SUBPOENA DUCES TACUM

ASSIGNED TO THE HONORABLE JAMES
~~DIXON~~ GARY R. TABOR.

TO: Google Legal Investigations Support
1600 Amphitheatre Parkway
Mountain View, CA 94043
Phone: 650-253-3425
Fax: 650-649-2939
Email: legal-support@google.com

YOU ARE COMMANDED to appear in the Superior Court of the State of Washington at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified to testify at the taking of a deposition in the above case.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who

SUBPOENA DUCES TACUM - 1 of 5
(12-2-02241-8)
[100056703.docx]

LAW OFFICES
GORDON THOMAS HONEYWELL LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

1 consent to testify on its behalf, and may set forth, for each person designated, the
2 matters on which the person will testify. CR 30(b)(6).

3 PLACE OF DEPOSITION

DATE AND TIME

4 YOU ARE COMMANDED to produce and permit inspection and copying of the following
5 documents or tangible things at the place, date, and time specified below:

6 Please produce the following for each account:

7
8 **A.) hongkytalk@gmail.com** created on 7/1/2011 09:12:55 UTC

9 **B.) emergencemusicnz@gmail.com** created on 2/17/2012 12:39 PST

10 **C.) enlightenmefree@gmail.com** created on 2/10/11 06:29 PST

- 11
- 12 1) The first and last names given when establishing the email account.
 - 13 2) All of the users alternate or recovery email addresses if applicable.
 - 14 3) All of the users primary, alternate or recovery phone numbers.
 - 15 4) **All log-in and log-out IP Addresses for the account for the past 6 months.**
 - 16 5) All physical and postal address information for the user.
 - 17 6) All other contact information including but not limited to telephone numbers,
18 fax numbers, etc.
 - 19 7) The cellular phone number used to verify the account by way of SMS text
20 message if applicable.
 - 21 8) The details of any other method, or medium used in the process of verifying
22 the user's identity or details.
 - 23 9) Any additional information that may assist in identifying the blog or ISP email
24 subscriber.
 - 25 10) Any connections to the email account including the connection from which the
26 account was first established.
 - 11) The date, time and time zone for each connection or login to the email service
by the subscriber.

SUBPOENA DUCES TACUM - 2 of 5

(12-2-02241-8)

[100056703.docx]

LAW OFFICES
GORDON THOMAS HONEYWELL LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

- 1 12) The date, time and time one for each disconnection or logoff for each
 2 connection/session.
 3 13) The originating I.P address, email and phone number that established the
 4 account.
 5 14) If available, provide the agent details for each access including browser and
 6 version, operating system and version, and any other logged information for
 7 each connection/session.
 8 15) If available, provide Media Access Control address (MAC address) for each
 9 connection/session.
 10 16) If the Defendant has any secondary email accounts or any other interactive or
 11 other services with you including but not limited blogs, VoIP, photo albums,
 12 please provide all related identifying information and IP log details.

13 If this request is descriptively deficient in any way I would ask that you use your best
 14 judgment to discern my intent and preserve what I have requested and any additional
 15 information that will help us identify the individual that utilized or accessed the services
 16 described above. Furthermore, if you require any clarifying language in the request I would
 17 ask that you contact us at your earliest convenience. In the interests of expedience you are
 18 authorized to communicate directly with Mr. Bruce C. Anderson who is assisting me with
 19 litigation support and forensic investigative tasks; his number is (813) 333-7346, before
 20 mailing the original to:

PLACE GORDON THOMAS HONEYWELL LLP 1201 Pacific Avenue, Suite 2100 Tacoma, WA 98402	DATE AND TIME April 5, 2013 10:00 a.m.
---	--

21 YOU ARE COMMANDED to permit inspection of the following premises at the date and
 22 time specified below.

PREMISES	DATE AND TIME
----------	---------------

23
 24
 25
 26 SUBPOENA DUCES TACUM - 3 of 5
 (12-2-02241-8)
 [100056703.docx]

LAW OFFICES
 GORDON THOMAS HONEYWELL LLP
 1201 PACIFIC AVENUE, SUITE 2100
 POST OFFICE BOX 1157
 TACOMA, WASHINGTON 98401-1157
 (253) 620-6500 - FACSIMILE (253) 620-6565

ISSUING OFFICER SIGNATURE AND TITLE <i>[Signature]</i> WSBA No. 44767 Attorney for Plaintiff	DATE 3/4/2013
---	------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Reuben Schutz WSBA No. 44767 GORDON THOMAS HONEYWELL LLP 1201 Pacific Avenue, Suite 2100 Tacoma, WA 98402 (253) 620-6500 (206) 620-6565 FACSIMILE	DATE
--	------

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR THURSTON COUNTY

Presented by Reuben Schutz, WSBA No. 44767

SIGNED IN OPEN COURT ON March 7th, 2013
GARY R. TABOR

~~Court Commissioner~~

PROOF OF SERVICE

DATE SERVED	PLACE
SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

CR 45, Sections (c) & (d)

(c) Protection of Persons Subject to Subpoenas

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

SUBPOENA DUCES TACUM - 4 of 5

(12-2-02241-8)

[100056703.docx]

LAW OFFICES
GORDON THOMAS HONEYWELL LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

1 (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers,
2 documents or tangible things, or inspection of premises need not appear in person at the place of
production or inspection unless commanded to appear for deposition, hearing or trial.

3 (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection
4 and copying may, within 14 days after service of subpoena or before the time specified for compliance if
5 such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena
6 written objection to inspection or copying of any or all of the designated materials or of the premises. If
7 objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or
inspect the premises except pursuant to an order of the court by which the subpoena was issued. If
8 objection has been made, the party serving the subpoena may, upon notice to the person commanded to
produce and all other parties, move at any time for an order to compel the production. Such an order to
9 compel production shall protect any person who is not a party or an officer of a party from significant
10 expense resulting from the inspection and copying commanded.

11 (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if
12 it:

13 (i) fails to allow reasonable time for compliance;

14 (ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;

15 (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies;
16 or

17 (iv) subjects a person to undue burden, provided that, the court may condition denial of the motion
18 upon a requirement that the subpoenaing party advance the reasonable cost of producing the
19 books, papers, documents, or tangible things.

20 (B) If a subpoena

21 (i) requires disclosure of a trade secret or other confidential research, development, or commercial
22 information, or.

23 (ii) requires disclosure of an unretained expert's opinion or information not describing specific
24 events or occurrences in dispute and resulting from the expert's study made not at the request of
25 any party, the court may, to protect a person subject to or affected by the subpoena, quash or
26 modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial
need for the testimony or material that cannot be otherwise met without undue hardship and
assures that the person to whom the subpoena is addressed will be reasonably compensated, the
court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the
usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to
protection as trial preparation materials, the claim shall be made expressly and shall be supported by a
description of the nature of the documents, communications, or things not produced that is sufficient to
enable the demanding party to contest the claim.

SUBPOENA DUCES TACUM - 5 of 5

(12-2-02241-8)

[100056703.docx]

LAW OFFICES
GORDON THOMAS HONEYWELL LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565