

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

STEPHEN ELLIOTT

Plaintiff

v.

MOIRA DONEGAN, and JANE DOES (1-30)

Defendant

Civil Action No. 18-cv-05680

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Google
Google Building 8510, Attn: Custodian of Records, 85 Tenth Avenue, New York, New York 10011

(Name of person to whom this subpoena is directed)

Production: **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Subpoenaed material described in Subpoena Rider, annexed hereto. Appearance Not Required. Notify users whose information shall be disclosed and advise them of their rights to move to quash this subpoena.

Place: Nesenoff & Miltenberg, LLP Certified Records may be sent via password encrypted email to amiltenberg@nmllplaw.com	Date and Time: 04/19/2019 12:00 pm
---	---------------------------------------

Inspection of Premises: **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____

Plaintiff - Stephen Elliott _____, who issues or requests this subpoena, are:

Nesenoff & Miltenberg, LLP, Andrew Miltenberg, Esq., 363 7th Avenue, 5th Fl, NY, NY 10001; E: amiltenberg@nmllplaw

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

RIDER TO SUBPOENA

As per the subpoena, to which this rider is annexed, you are commanded to produce the following documents, data, electronically stored information or objects, regarding a Google Spreadsheet entitled “Shitty Media Men” (hereinafter referred to as “the List”) created on or about October 11, 2017, by Ms. Moira Donegan and others:

1. Any and all identifying information for individuals who entered information to, and/or contributed, edited, input, highlighted or otherwise manipulated entries, words, data and/or information pertaining to the cells, rows and columns attributed to Stephen Elliott. Identifying information shall include, but not be limited to, email address and/or Gmail account name, IP address, IP address history, name, handle, alias and address of said individuals.

Further, as per the subpoena, you are commanded to notify any and all individuals whose information shall be disclosed in response to the subpoena and advise them of their rights to move to quash the instant subpoena by the return date of the subpoena, which is listed therein. Please note the subpoena for production of documents, electronically stored information or objects does not require personal appearance by the individual commanded to produce same. As per the subpoena, the certified business records may be produced via password encrypted email to amiltenberg@nmlplaw.com.