



CIRCUIT COURT FOR ANNE ARUNDEL COUNTY
 8 Church Circle, Annapolis, Maryland 21401
 Phone: (410) 222-1397 Maryland Relay call: 711
 Toll-free (In-state only): (888) 246-0615

E-FILED; Anne Arundel Circuit Court
Docket: 4/8/2022 2:35 PM; Submission: 4/8/2022 2:35 PM

Case No. C-02-CV-22-000626

STATE DEFICIENT UNDER Rule 20-203(d). Unless corrected, not a valid pleading or paper

US Dominion, Inc., et al.
 Plaintiff

vs. FOX News Network, LLC
 Defendant

TO: BILL SAMMON
 Name
308 Linden Shade Court
 Address 1

 Address 2
Millersville, MD 21108
 City, County, State, Zip

SUBPOENA

Issue Date: _____
 Service Deadline: 60 days after the Issue Date.

You are hereby compelled to appear at a court proceeding deposition at the following location:
Veritext Legal Solutions, 36 S. Charles St. #2002
 Address of Court or Other Location
Baltimore, MD 21201
 City, State, Zip
 On June 1, 2022 at 9:00 EST a.m. p.m.
 Date Time

- To testify in the above case, and/or
- To produce the following documents, items, and information, not privileged: _____
- To produce, permit inspection and copying of the following documents or other tangible items: _____

SUSMAN GODFREY LLP requested issuance of this subpoena. Questions should be referred to:
 Requested By
Stephen Shackelford, Jr. 1301 Avenue of the Americas
 Name Address
(212) 336-8330 New York, NY 10019
 Phone City, State, Zip

Special Message: _____

- If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Financial Institutions § 1-304 and any other applicable law.
- If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Health-General § 4-306 and any other applicable law.
- Foreign Subpoena and/or Undertaking form are attached and are incorporated by reference and are made part of this subpoena.



Scott Poyer, Clerk
Circuit Court for Anne Arundel County

- NOTICE:**
1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
 2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
 3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d).
 4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): _____
 on the following date: _____ by the following method (specified as required by Rule 2-126): _____

 Signature

 Printed Name

SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

US Dominion, Inc., et al.

SUBPOENA IN A CIVIL CASE

v.

Fox News Network, LLC

Civil Action No.: N21C-03-257 EMD

TO: Bill Sammon
308 Linden Shade Court
Millersville, MD 21108

YOU ARE COMMANDED to appear in the Delaware Superior Court 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 below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION Veritext Legal Solutions 38 S. Charles St. #2002 Baltimore, MD 21201	DATE AND TIME June 1, 2022, 9:00 a.m. EST
---	--

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
See Exhibit A.

PLACE Veritext Legal Solutions 38 S. Charles St. #2002 Baltimore, MD 21201	DATE AND TIME May 15, 2022 at 10:00 a.m. EST
---	--

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

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

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 consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. *Delaware Superior Court Civil Rule 30 (b) (6).*

REQUESTING PARTY'S NAME, ADDRESS AND PHONE NUMBER Plaintiffs US Dominion, Inc. et al. Farnah LLP, 919 N. Market Street, 12th Floor, Wilmington, Delaware 19801

ISSUING PARTY'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) <i>Bryan J. Farnah</i>	DATE 03/16/2022
---	--------------------

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

I declare under penalty of perjury under the laws of the State of Delaware that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Superior Court Civil Rule 45, Parts C, D & E:

(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 that 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.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, 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.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If 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. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the Court shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iii) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) 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,

the Court may, to protect a person subject to or affected by the subpoena, quash or 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.

(e) Contempt.

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of court.

ATTACHMENT 3

I. DEFINITIONS

The following terms shall have the meanings set forth below whenever used in any Request.

1. “2020 PRESIDENTIAL ELECTION” means and refers to the U.S. Presidential Election that occurred on November 3, 2020, and all voting (including mail-in voting) and related events occurring up to and including FOX’s projection of the winner on November 7, 2020.

2. “Communication” or “Communications” means a communication in any form, including, without limitation, notes, complaints, diaries, journals, datebooks, reports, calendars, telephone messages, letters, email messages, instant messages (such as but not limited to Signal, Cisco Jabber, IBM Sametime, Wickr, ICQ, Kik, BBM, Gchat, iMessage, Telegram, WhatsApp, Slack, and similar types of messages), cell phone text messages (SMS messages and MMS messages), voicemail messages, Slack messages or other internal messaging system communications, social media communications or posting on sites including but not limited to Facebook, Twitter, Instagram, Gab, or Parler (including any direct messages), website postings, internet chat-room postings, lists, correspondence, drawings, designs, telegrams, manuals, summaries or records of personal conversations, logs, minutes or records of meetings, minutes of any other type,

transcripts of oral testimony or statements, affidavits, or summaries of investigations. For avoidance of doubt, the term "Communications" includes internal communications and communications with third parties.

3. "Concerning" means without limitation, containing, reflecting, referring to, discussing, relating to, describing, evidencing, supporting, or constituting.

4. "Document" or "Documents" means any printed, written, typed, recorded, transcribed, taped, photographic, or graphic matter, however produced or reproduced, including, but not limited to: any letter, correspondence, or communication of any sort; electronic mail, either sent or received; file, print, negative, or photograph; sound or video recording; note, notebook, diary, calendar, minutes, memorandum, contract, agreement, or any amendment thereto; telex, telegram, or cable; summary, report, or record of any telephone conversation, personal conversation, discussion, interview, meeting, conference, investigation, negotiation, act, or activity; projection, work paper or draft; computer output or input; data processing card; opinion or report of any consultant; request, order, invoice, or bill of lading; analysis, diagram, map, index, sketch, drawing, plan, chart, manual, brochure, pamphlet, advertisement, circular, newspaper or magazine clipping; press release; receipt, journal, ledger, schedule, bill, or voucher; financial statement, statement of account, bank statement, checkbook, check stubs or register,

canceled check, deposit slip, charge slip, tax return, or requisition; file, study, graph, or tabulation; and all other writings and recordings of whatever nature, whether signed, unsigned or transcribed, and any other data compilation from which information can be obtained or translated. The term “document” also shall mean: the original and/or any non-identical original or copy, including those with any marginal note or comment or showing additions, deletions, or substitutions; drafts; attachments to or enclosures with any document; and any other documents referred to or incorporated by reference in the document. The term “document” also specifically includes all electronic documents and other “electronically stored information” (whether stored electronically or in the form of a hard-copy, print-out, or otherwise) and all attachments thereto.

5. “DOMINION” means and refers to US Dominion, Inc., and its subsidiaries Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation, and any and all representatives or individuals that You understood to be acting on DOMINION’s behalf, including Sequoia Voting Systems and Premier Election Solutions f/k/a Diebold Election Systems, Inc.

6. “Electronically stored information” or “ESI” refers to any portion of data available on a computer or other device capable of storing electronic data. “Electronically stored information” includes, but is not limited to, e-mail, spreadsheets, databases, word processing documents, images, presentations,

application files, executable files, log files, and all other files present on any type of device capable of storing electronic data. Devices capable of storing electronically stored information include, but are not limited to: servers, desktop computers, portable computers, handheld computers, flash memory devices, wireless communication devices, pagers, workstations, minicomputers, mainframes, and any other forms of online or offline storage, whether on or off company premises. ESI includes instant messages (such as but not limited to Signal, Cisco Jabber, IBM Sametime, Wickr, ICQ, Kik, BBM, Gchat, iMessage, Telegram, WhatsApp, Slack, and similar types of messages), cell phone text messages (SMS messages and MMS messages), voicemail messages, and similar types of messages. ESI includes any records of such communications or messages, including phone records. ESI includes any social media communication (such as but not limited to Twitter, Facebook, Instagram, Parler, Gab, and Periscope), including any direct messages. For any document kept in electronic form, the term “document” includes any metadata associated with the document.

7. “FNN” means Defendant Fox News Network, LLC, as distinguished from its parent company, FOX CORP., and its affiliates, agents, representatives, employees, or other persons acting on its behalf, whether paid or unpaid.

8. “FOX CORP.” means Fox Corporation, the parent company of FNN, and its affiliates, agents, representatives, employees, or other persons acting on its behalf, whether paid or unpaid.

9. “FOX” means and refers to Defendant Fox News Network, LLC, and its past or present subsidiaries, affiliates, attorneys, agents, representatives or other persons acting on its behalf, including any regional affiliates or contributors, whether paid or unpaid, and including the Fox News Channel, the Fox Business Channel, Fox News Radio, Fox News Digital, which includes the fox.com, foxnews.com, and foxbusiness.com websites, Fox’s social media accounts, and Fox’s digital subscription services, including but not limited to Fox Nation. It also specifically includes Fox Corporation, any officer or Board member of Fox News or Fox Corporation, and any affiliate or subsidiary of Fox or Fox Corporation involved with the production, broadcasting, hiring, or airing of programs or material at Fox News Network. FOX includes both FNN and FOX CORP.

10. “Person” means any natural person or any legal entity, including, without limitation, any business or governmental entity or association.

11. “TRUMP ADMINISTRATION” means and refers to DONALD TRUMP, and/or any of his agents, staff members, appointees, employees, campaign employees, including but not limited to Zach Parkinson, advisors, attorneys, and family members.

12. “You” or “Your” means and refers to Bill Sammon, including any and all Persons responsible for responding to these Requests.

13. The present tense includes the past and future tenses. The singular includes the plural, and the plural includes the singular. "All" means "any and all"; "any" means "any and all." "Including" means "including but not limited to." "And" and "or" encompass both "and" and "or." Words in the masculine, feminine or neutral form shall include each of the other gender.

II. INSTRUCTIONS

1. Please contact Brian E. Farnan at bfarnan@farnanlaw.com or (302) 777-0300 if you have any questions about these Requests.
2. You are requested to produce Documents responsive to the Requests set forth below *within 14 days of receipt* of this subpoena duces tecum, or within a reasonable time as agreed by You and Dominion.
3. The Requests set forth below are continuing in nature. If, after responding, You obtain or become aware of any additional Documents responsive to these Requests, You are to produce such additional Documents.
4. Each Request herein requires the production of all responsive Documents in Your possession, custody or control, including Documents in the possession, custody or control of Your attorneys, agents and any other persons acting or purporting to act on behalf of any of them, and Documents in the possession, custody, or control of any other Person from whom You have the right to obtain Documents, whether in hard-copy or electronic form or in any other form or from any other source, wherever located and however managed, and whether active, in storage, or otherwise.
5. Where there is no timeframe specified in the Request, the time period is January 1, 2016 to the present.
6. Each Document is to be produced (together with all drafts thereof) in

its entirety, without redaction or expurgation of any kind or nature whatsoever.

7. All Documents are to be produced as kept in the usual course of business or organized and labeled to correspond to the specific Requests set forth below. Each responsive document shall be produced with its entire document family, regardless of whether other family members are also responsive. Family members must be maintained together in one production and shall not be broken apart in separate production volumes.

8. If a Request seeks the identification or production of Documents that are not within Your actual or constructive possession, custody or control, You shall so state and shall answer the Request based on the best information presently available. If You have knowledge or belief as to other Persons who have possession, custody or control of such Documents, You shall so identify, to the extent known and based on the best information presently available, such Persons.

9. If any Documents requested herein are withheld under claim of privilege or are not produced for whatever reason, You are requested at the time of responding to these Requests to separately state in writing and with specificity for each Document withheld from production (i) the claim of privilege or other reason asserted for withholding each such Document, and (ii) all information supporting the claim of privilege or other reason for withholding asserted as to each such Document, including without limitation the type or nature of the Document withheld

(e.g., letter, memorandum, email, etc.), its author and all recipients (including any and all addressees and Persons to whom the Document was copied or blind copied, as well as Persons to whom the Document was distributed or given or shown though not reflected on the Document as a recipient), the date of the Document and a description of the substance of the Document, all in a manner sufficient to allow each Document to be described to the Court in order for the Court to rule on the claim of privilege or other reason asserted for withholding it from production. You are further requested to provide all requested information that is not subject to a claim of privilege or other reason for nonproduction by excising or otherwise protecting the portions for which a privilege is asserted, if such a technique does not result in disclosing the contents of the portions for which some privilege is asserted.

10. Each of these definitions and instructions shall be fully applicable to each Request, notwithstanding that a definition or instruction above may, in whole or in part, be reiterated in a particular Request or that a particular Request may incorporate supplemental instructions or definitions.

11. Please produce electronically-stored information as single page, black and white Group IV TIFFs, created with a resolution of at least 300 dots per inch (dpi). Please brand each TIFF with sequential production numbers and appropriate confidentiality designations (or other designation, pursuant to an applicable protective order). Accompanying the production, please provide a Concordance

.DAT file that contains the following fields, where available: Custodian (“AllCustodian field), Bates Start, Bates End, Attach Bates Start, Attach Bates End Author, Date Created, Date Last Modified, Date Sent, Date Received, Email From, Email To, Email CC, Email BCC, Email Subject, Folder Path, File Name, File Extension, Number of Attachments, and MD5Hash. Please also produce an extracted text file for each electronic document where text can be extracted, and an optical character recognition (“OCR”) text file for each imaged paper document and each electronic document for which text cannot be extracted. Please produce Excel files, and audio and video files in native format.

III. DOCUMENT REQUESTS

REQUEST FOR PRODUCTION NO. 1: Documents and Communications to, from, or about DOMINION from January 1, 2016, and the present.

REQUEST FOR PRODUCTION NO. 2: Documents and Communications concerning FOX’s coverage of the 2020 PRESIDENTIAL ELECTION.

REQUEST FOR PRODUCTION NO. 3: Documents and Communications concerning FOX’s reporting practices, including FOX’s efforts to assess, analyze, examine, investigate, explore, probe, confirm, or evaluate the truth, falsity, accuracy, or inaccuracy of its reporting from January 1, 2016, and the present.

REQUEST FOR PRODUCTION NO. 4: Documents and Communications concerning any alleged fraud in the 2020 PRESIDENTIAL ELECTION and any down-ballot races.

REQUEST FOR PRODUCTION NO. 5: All Documents and Communications concerning the relationship between FOX CORP. and FNN, including documents concerning reporting structure, FOX CORP.'s oversight of FNN, FOX CORP.'s input into FNN reporting, collaborations between FOX CORP. and FNN, or FOX CORP.'s suggestions or editorial control over FNN content.

REQUEST FOR PRODUCTION NO. 6: All Documents and Communications to, from, or concerning Sidney Powell.

REQUEST FOR PRODUCTION NO. 7: All Documents and Communications to, from, or concerning Rudy Giuliani.

REQUEST FOR PRODUCTION NO. 8: All Documents and Communications to, from, or concerning Mike Lindell or MyPillow.

REQUEST FOR PRODUCTION NO. 9: All Documents and Communications to, from, or concerning the following individuals: Russell Ramsland, Patrick Byrne, Col. Phil Waldron, or Michael Flynn.

REQUEST FOR PRODUCTION NO. 10: All Documents and Communications with the TRUMP ADMINISTRATION from September 1, 2020, to present.

REQUEST FOR PRODUCTION NO. 11: Documents and Communications to or from FOX concerning the 2020 PRESIDENTIAL ELECTION.

Dated: January 19, 2022

Respectfully submitted,

Of Counsel:

FARNAN LLP

Justin A. Nelson
Brittany Fowler
SUSMAN GODFREY LLP
1000 Louisiana Street, #5100
Houston, Texas 77002
(713) 651-9366
jnelson@susmangodfrey.com
bfowler@susmangodfrey.com

/s/ Brian E. Farnan
Brian E. Farnan (Bar No. 4089)
Michael J. Farnan (Bar No. 5165)
919 N. Market St., 12th Floor
Wilmington, DE 19801
Tel: (302) 777-0300
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

Stephen Shackelford, Jr.

Rodney Smolla (Bar No. 6327)

Elisha Barron
Mark Hatch-Miller (*pro hac vice
pending*)
SUSMAN GODFREY LLP
1301 Avenue of the Americas
New York, NY 10019
(212) 336-8330
sshackelford@susmangodfrey.com
ebarton@susmangodfrey.com
mhatch-miller@susmangodfrey.com

Dauida Brook (*admitted pro hac vice*)
SUSMAN GODFREY LLP
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
(310) 789-3100
dbrook@susmangodfrey.com

Stephen E. Morrissey
SUSMAN GODFREY LLP
1201 Third Avenue, Suite 3800
Seattle, WA 98101
(206) 516-3880
smorrissey@susmangodfrey.com

4601 Concord Pike
Wilmington, DE 19803
rods moll a@gmail.com
(864) 373-3882

Of Counsel:

Thomas A. Clare, P.C.
Megan L. Meier
Dustin A. Pusch
Daniel P. Watkins
CLARE LOCKE LLP
10 Prince Street
Alexandria, VA 22314
(202) 628-7400
tom@clarelocke.com
megan@clarelocke.com
dustin@clarelocke.com
daniel@clarelocke.com

Attorneys for Plaintiffs