

Issued by the  
**United States District Court**  
EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL GRAVES

**SUBPOENA IN A CIVIL CASE**

CASE NUMBER:<sup>1</sup> 01-CV-308

v.

CITY OF PHILADELPHIA, et al.

TO: R2K Legal  
c/o Jody Dodd  
2118 Sansom Street  
Philadelphia, PA 19103

YOU ARE COMMANDED to appear in the United States District 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:	DATE AND TIME
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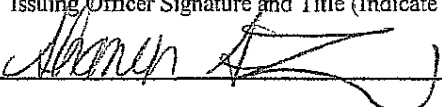
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): All documents responsive to the requests listed in the attached Schedule A.

PLACE: Hangley Aronchick Segal & Pudlin, One Logan Square, 27 <sup>th</sup> Floor, Philadelphia, PA 19103	DATE AND TIME January 24, 2002, 10:00 a.m.
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YOU ARE COMMANDED to produce and permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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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. Federal Rules of Civil Procedure, 30(b)(6).

Issuing Officer Signature and Title (Indicate if attorney for Plaintiff or Defendant)  Attorney for Defendants	Date: January 10, 2002
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Issuing Officer's Name, Address, and Phone Number: Shanon S. Levin, Hangley Aronchick Segal & Pudlin, One Logan Square, 27<sup>th</sup> Floor, Philadelphia, PA 19103. (215) 496-7038

(See Rule 45, Federal Rules of Civil Procedure Parts C & D on Reverse)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.

## SCHEDULE A

### Definitions and Instructions

1. As used herein, the term "documents" shall be construed in the broadest possible sense and shall mean, without limitation, any written, typed, printed, recorded or graphic matter of any type or description, including without limitation, all e-mails, correspondence, drawings, records, tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary entries, telegrams, telexes, messages, studies, ledgers, data processing cards, computer generated matter, including printouts of computer disks, tapes or optical storage media, photographs, photographic negatives, video recordings or motion pictures, phonograph records, tape recordings, wire recordings, other mechanical recordings, transcripts or logs of any such recordings and all other data compilations from which information can be obtained or translated if necessary.
2. Unless otherwise specified in the specific Document Request, the time period covered by these Document Requests is February 1, 2000 through the present.

### Document Requests

1. All documents relating to persons arrested at a warehouse (sometimes known as the "Puppet Warehouse") located at 4100 Haverford Avenue, Philadelphia, PA.
2. All documents relating in any way to the following individuals: Michael Graves; Susan Ciccantelli; Tamara Sisson; Traci Franks; Joseph Tedeschi; Elizabeth Weill-Greenberg; Jacob Fried; Angela Wiley; Ryan Cooper; Matthew Hart; Brad Johnson; Jennifer Kates; Jessica Mammarella; Milan Marvelous; Angela Modugno; Beth Pulcinella; Gwen Witherspoon; Erik Woodworth; John Sellers; Terrence McGuckin; Adam Eidinger; James McGuinness; Amanda Romero; Alexis Baden-Mayer; George Ripley; David Levy; "ChuckO" or Chuck Munson; Eric Laursen; Jodi Netzer; and/or David Levy.
3. All documents relating to jail solidarity and/or court solidarity.
4. All documents relating to any spokescouncil, action spokescouncil, and/or scenario meetings.
5. All documents relating to any training conducted in preparation for the 2000 Republican National Convention and/or protests at the 2000 Republican National Convention.
6. All documents relating to Jody Dodd's employment as a "paralegal" for R2K Legal.
7. All videotapes pertaining to the 2000 Republican National Convention.
8. All documents constituting and/or relating to persons who provided their names, nicknames and/or other information to R2K Legal for use in the event such persons were arrested in connection with the 2000 Republican National Convention.
9. All documents relating to legal observers, including, but not limited to, any documents containing the observations of such legal observers.
10. All documents relating to witnesses, potential witnesses, and/or potential plaintiffs for or relating to any lawsuits or potential lawsuits against the City of Philadelphia, City of Philadelphia officials, and/or police department personnel.
11. All documents relating to training pertaining to jail solidarity, court solidarity, and/or legal matters.

12. Documents sufficient to describe the whereabouts of Kris Hermes.
13. All documents relating to agreements and/or disagreements with the Defender Association of Philadelphia ("Public Defender").
14. Documents sufficient to identify lawyers who at any time have been members of R2K Legal or who have conducted, facilitated, or participated in training in connection with R2K Legal.

**PROOF OF SERVICE**

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 United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE OF SERVER \_\_\_\_\_  
 \_\_\_\_\_ ADDRESS OF SERVER \_\_\_\_\_

**Rule 45, Federal Rules of Civil Procedure, Parts 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 that subpoena. The court on behalf of which the subpoena was issued 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.

(2)(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 by which the subpoena was issued. If objection is 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 by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to

attend trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) 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, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, 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.