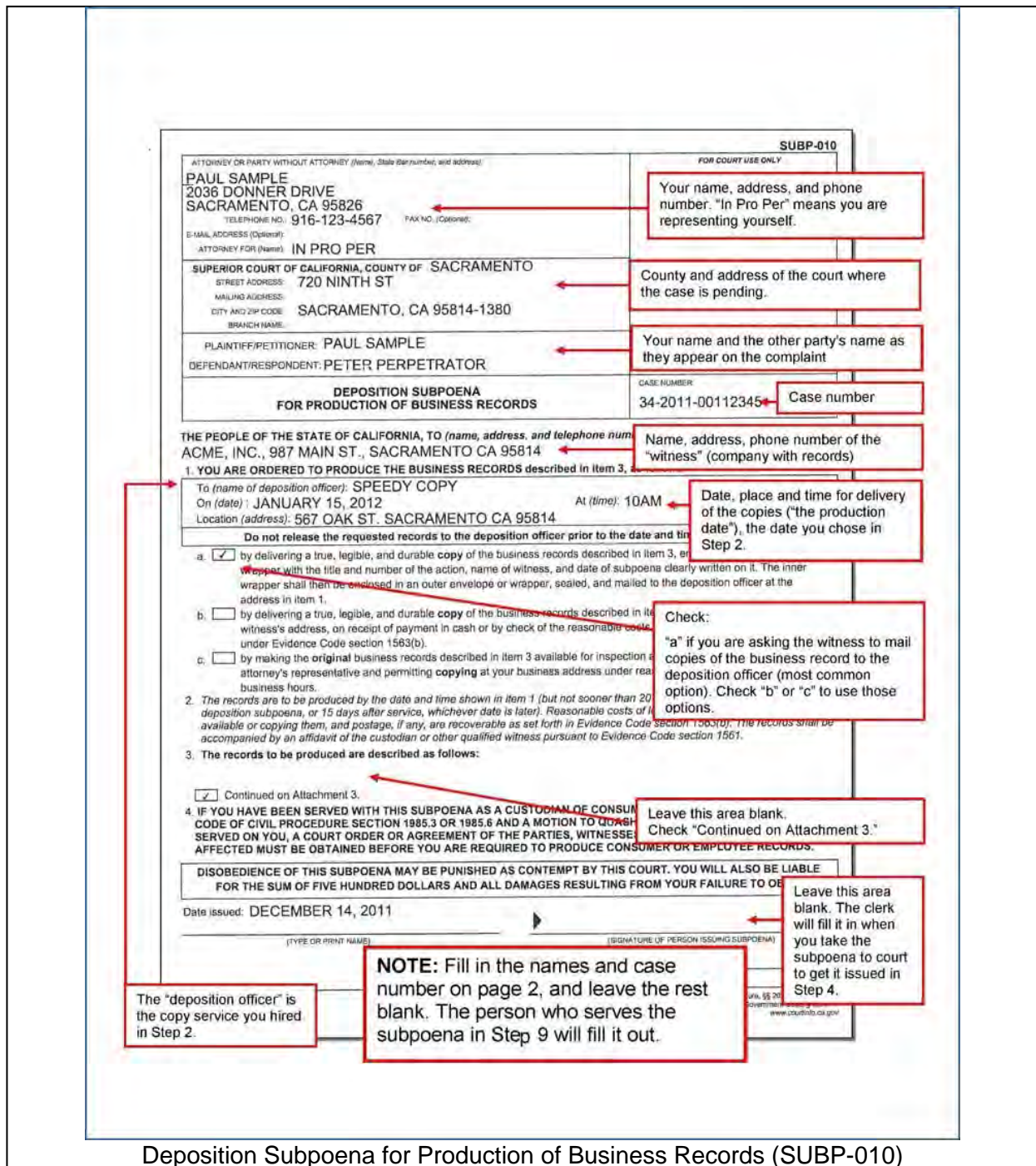


Samples

Deposition Subpoena for Production of Business Records



SUBP-010
FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
PAUL SAMPLE
 2036 DONNER DRIVE
 SACRAMENTO, CA 95826
 TELEPHONE NO. 916-123-4567 FAX NO. (Optional):

Your name, address, and phone number. "In Pro Per" means you are representing yourself.

ATTORNEY FOR (Name): **IN PRO PER**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **SACRAMENTO**
 STREET ADDRESS: **720 NINTH ST**
 MAILING ADDRESS:
 CITY AND ZIP CODE: **SACRAMENTO, CA 95814-1380**
 BRANCH NAME:

County and address of the court where the case is pending.

PLAINTIFF/PETITIONER: **PAUL SAMPLE**
 DEFENDANT/RESPONDENT: **PETER PERPETRATOR**

Your name and the other party's name as they appear on the complaint

DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

CASE NUMBER: **34-2011-00112345** Case number

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number):
ACME, INC., 987 MAIN ST., SACRAMENTO CA 95814

Name, address, phone number of the "witness" (company with records)

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:
 To (name of deposition officer): **SPEEDY COPY**
 On (date): **JANUARY 15, 2012** At (time): **10AM**
 Location (address): **567 OAK ST. SACRAMENTO CA 95814**
 Do not release the requested records to the deposition officer prior to the date and time shown above.

Date, place and time for delivery of the copies ("the production date"), the date you chose in Step 2.

a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.

b. by delivering a true, legible, and durable copy of the business records described in item 3 to the witness's address, on receipt of payment in cash or by check of the reasonable costs under Evidence Code section 1563(b).

c. by making the original business records described in item 3 available for inspection at your business address under reasonable hours.

Check: "a" if you are asking the witness to mail copies of the business record to the deposition officer (most common option). Check "b" or "c" to use those options.

2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after service of this subpoena, or 15 days after service, whichever date is later). Reasonable costs of production and copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(d). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.

3. The records to be produced are described as follows:
 Continued on Attachment 3.

4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTOMER OF CONSUMER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, OR AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

Leave this area blank. Check "Continued on Attachment 3."

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: **DECEMBER 14, 2011**

(TYPE OR PRINT NAME) _____ (SIGNATURE OF PERSON ISSUING SUBPOENA) _____

Leave this area blank. The clerk will fill it in when you take the subpoena to court to get it issued in Step 4.

NOTE: Fill in the names and case number on page 2, and leave the rest blank. The person who serves the subpoena in Step 9 will fill it out.

The "deposition officer" is the copy service you hired in Step 2.

Deposition Subpoena for Production of Business Records (SUBP-010)



MC-025	
SHORT TITLE: Sample v. Perpetrator	CASE NUMBER: 34-2011-00112345

ATTACHMENT (Number): 3
(to be used with any Judicial Council form.)

Short title (party 1 v party 2)

Case number

Fill in "3"

1. Any and all any and all police reports, arrest reports, case reports, supplementary reports, street files, laboratory reports, notes and memoranda, printed or otherwise, and files relating to the arrest of [Party Name], date of birth of [Party Name], on or about [Date of Arrest or Incident], at or near [Location].
2. Any and all phone records for the year of [year or range of dates] pertaining to [name of Consumer/Employee] at [Consumer/Employee's phone number or numbers], including but not limited to text and data and call records.
3. Employment records for Employee [employee's name] whose Social Security number is _____, and whose date of birth is _____, including the following: All documents relating to Employee's employment from [date] to [date], including but not limited to pay checks, pay stubs, reviews, correspondence, and W-2 forms.
4. All documents relating to medical and physical therapy, examinations, treatment and services rendered to [Party] from [date] to the present, including but not limited to reports, summaries, prognoses, x-rays, statements, and billings.
5. All documents relating to operation, maintenance, and repair of the automobile [Party] was operating during the accident which is the subject of this action, including repair estimates, repair receipts, owner's manuals, and records of repairs made by any person or entity, including [Party], from [date] to the present.

Specifically describe each item or reasonably particularize each category of item to be produced (CCP § 2025.410(a)).

Specific information that is identifiable only to the deponent's records system (e.g., a policy number or the date the consumer interacted with the witness) is not required. (CCP § 2020.410(a)-(b)).

Sample language for several common situations is listed here. For more information about how to request specific types of records, talk to the Reference Librarian.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

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(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 (Rev. July 1, 2009)

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

Attachment (MC-025), Attached to SUBP-010