

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</b> Angela F. Storey, Esq. (State Bar # 217942) Miller, Morton, Caillat & Nevis, LLP 25 Metro Drive, 7th Floor San Jose, CA 95110 TELEPHONE NO.: (408) 292-1765 FAX NO. (Optional): (408) 436-8272 E-MAIL ADDRESS (Optional): <b>ATTORNEY FOR (Name):</b> Plaintiff Eclipse Aviation Corporation	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b> STREET ADDRESS: 191 North First Street MAILING ADDRESS: CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME:	
<b>PLAINTIFF/PETITIONER:</b> Eclipse Aviation Corporation <b>DEFENDANT/RESPONDENT:</b> John Doe; Jane Doe; et al.	
<b>DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS</b>	<b>CASE NUMBER:</b> <b>108CV110380</b>

**THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address and telephone number of deponent, if known):**  
 Google Legal Support, Blogger CMCA Complaints

**1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:**

To (name of deposition officer): Angela F. Storey, Esq., Miller, Morton, Caillat & Nevis, LLP  
 On (date): May 14, 2008 At (time): 10:00 a.m.  
 Location (address): 25 Metro Drive, 7th Floor, San Jose, CA 95110

Do not release the requested records to the deposition officer prior to the date and time stated above.

- by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner 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.
  - by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
  - by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
- The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
  - The records to be produced are described as follows:  
See Attachment 3

Continued on Attachment 3.

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

**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 COSTS RESULTING FROM YOUR FAILURE TO OBEY.**

Date issued: April 14, 2008

APR 14 2008

(TYPE OR PRINT NAME)

Kimi Torre

Chief Executive Officer (Title)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

B. CHOPOFF

Clerk of the Santa Clara County Superior Court

(TITLE)

DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

ATTACHMENT 3

Subscriber, Poster, or Member information and details from the Web Log (BLOG) account of ECLIPSE AVIATION CRITIC NG ([HTTP://WWW.ECLIPSECRITICNG.BLOGSPOT.COM/](http://www.eclipsecriticng.blogspot.com/)) for the individual or individuals using the posting identity/identities of:

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EXEAC  
EASYBAKEPLANE  
PLUMER  
VOVA\_K  
AIRSAFETYMAN  
CARLOS  
FRED  
BILL E.GOAT  
MOUNTAINHIGH  
PLASTIC\_PLANES  
AGROTH  
EXPILOT  
THE REAL FRANK CASTLE  
WHYTECH  
ISPACE

including, but not limited to: first name, last name, zip code, and email address given when registering the account and also any and all records pertaining to user login information including, but not limited to: all remote IP addresses with corresponding dates and times logged by your system on each occurrence of the account being accessed, and remote IP address, date and time logged by your system when the account was created and all other information pertaining to the account in the custody of Google, Inc. and/or Blogger.com.