

W/C

1 NANCY KNIGHT  
2 1803 E. Lipan Circle  
3 Fort Mohave, AZ 86426  
4 928-768-1537  
5 nancyknight@frontier.com  
6 Plaintiff Pro Per

7 **SUPERIOR COURT OF THE STATE OF ARIZONA**  
8  
9 **IN AND FOR THE COUNTY OF MOHAVE**

10 NANCY KNIGHT,  
11  
12 Plaintiff,  
13 and

Case No.: CV 2018-04003

14 GLEN LUDWIG and PEARL LUDWIG,  
15 Trustees of THE LUDWIG FAMILY  
16 TRUST; FAIRWAY CONSTRUCTORS,  
17 INC.; MEHDI AZARMI; JAMES B.  
18 ROBERTS and DONNA M. ROBERTS,  
19 husband and wife; JOHN DOES 1-10;  
20 JANE DOES 1-10; ABC CORPORATIONS  
21 1-10; and XYZ PARTNERSHIPS 1-10.

22 **SUBPEONA IN A CIVIL CASE**  
23 **REGARDING DESERT LAKES GOLF**  
24 **COURSE AND ESTATES TRACT 4076**

25 Defendants.

26 **TO:** Angelo Rinaldi,  
27 Architecture Committee Member  
28 P.O. Box 8858  
Fort Mohave, AZ 86427

29 **For Production of Documentary Evidence or Inspection of Architecture Committee**  
30 **Premises**

31 **YOU ARE COMMANDED**, to produce and permit inspection, copying, testing, or  
32 sampling of the following designated documents, electronically stored information or  
33 tangible things, or to permit the inspection of the Desert Lakes Golf Course and Estates  
34 Architecture Committee's dedicated premises as held in your care:

35 **on Friday, May 3, 2019, at 10:00 am**



1  
2 **Your records and communications have been subpoenaed by Nancy Knight.** Contact  
3 the Plaintiff, Nancy Knight, by email or phone as cited above, to inform her of the  
4 location where these documents/records/communications may be inspected, viewed,  
5 copied, or photographed as may be needed.

6 The party filing this subpoena was informed that you are in possession of specific  
7 documents that are held in your care as a member of the Desert Lakes Golf Course and  
8 Estates Architecture Committee.

9 **Place of Production or Inspection:**

10 To be arranged between Angelo Rinaldi and the moving party, Nancy Knight.

11 The purpose of this Subpoena is to examine the Architecture Committee's minutes  
12 of meetings and any other documentation associated with the various phases of  
13 development within the 300+ acre master planned community known as Desert Lakes  
14 Golf Course and Estates Tract 4076 and any communications you have received  
15 regarding the above referenced law suit (CV 2018 04003).

16 **DOCUMENTS AND THINGS TO BE PRODUCED**

17 The documents which are, or should be, readily available in your office or in your  
18 possession and available for examination or copying as needed for discovery include:

- 19
- 20 1. Original boilerplate of the Desert Lakes Golf Course and Estates Tract 4076  
21 Covenants, Conditions, and Restrictions (hereinafter "CC&Rs") from which  
22 various developers, including yourself, used as the template for subsequent CC&R  
23 Declarations for phases of Tract 4076 development such as: Tract 4076-A, Tract  
24 4076-B, Tract 4076-C, Tract 4076-D, Tract 4132, and your Tract 4159, etc.;
  - 25 2. Any enforcement or imposition of CC&Rs by letter, law suit, etc.;
- 26  
27

- 1 3. Any law suits known to have been filed against any subdivision developer or  
2 developer of phases of development within Desert Lakes Golf Course and Estates;
- 3
- 4 4. Any emails, or any other Correspondence between yourself and any of the  
5 Defendants and/or their attorney of record (Mr. Oehler);
- 6
- 7 5. Any emails, or any other Correspondence known by you between any of the  
8 members of the Architecture Committee and any of the Defendants and/or their  
9 attorney of record (Mr. Oehler);
- 10
- 11 6. Any variances issued by the Architecture Committee for any lot(s) or parcel(s).
- 12
- 13 7. Any rezoning requests/decisions made by any subdivision developer or developer  
14 of any phase of development for any lot(s) or parcel(s) including but not limited to  
15 Parcel VV and/or portions of Parcel KK.;
- 16
- 17 8. Any emails, or any other Correspondence between yourself or any member of the  
18 Real Estate community doing business in Desert Lakes Golf Course and Estates  
19 (e.g. agents, brokers, etc.).
- 20
- 21 9. Any and all records or documents with regard to any zoning change variance  
22 requested of the Architecture Committee by any developer or land owner, for any  
23 private recreational or commercial recreational designation post-1988.
- 24
- 25 10. Any and all purchase documents between Bella Enterprises, Inc. and Desert Lakes  
26 Development, L.P.
- 27
- 28 11. Any and all documents for the purchase of lot(s) and/or parcel(s) between Desert  
Lakes Development, L.P. and any of the Defendants named above.

1 12. All meeting minutes.

2 13. The contact information for other Architecture Committee Members and/or  
3 officers/directors/secretary/owners including Mr. Frank Passantino, Mr. Sterling  
4 Varner, Mr. Dewey Davide, and Mrs. Phyllis Varner.  
5

6 **DEFINITIONS OF CORRESPONDENCE**

- 7
- 8 1. "Any", "all", "each", should be read to be all inclusive and to require the  
9 production of each and every document responsive to the paragraph in which the  
10 term appears.  
11
  - 12 2. "And", "or", "and/or" and any other conjunctions or disjunctions should be read  
13 both conjunctively and disjunctively so as to require the broadest response to the  
14 paragraph in which the term appears.  
15
  - 16 3. "Communication" means any oral, graphic, demonstrative, telephonic, verbal,  
17 electronic, written, or other conveyance of information, including documents.  
18 Communication includes any transmission made on any computer network,  
19 including the "Internet" as well as through any form of E-mail or text message  
20 utilizing a cell phone, smart phone, or other communication device.  
21
  - 22 4. "Concerning", "pertaining", "relating", "reflecting", "referring", "with respect to",  
23 "with regard to", and "regarding" are synonymous and interchangeable. They  
24 mean to alluding to, responding to, in connection with, commenting on, in respect  
25 of, about, discussing, showing, describing, mentioning, reflecting, analyzing,  
26 constituting, evidencing, bearing upon, or having any logical or factual connection  
27

1 with the subject matter addressed in the relevant paragraph or subparagraph of this  
2 request.

3  
4 5. "Document" or "documents" means all electronically stored information as well as  
5 all writings or printed matter of any kind. The term "document" or "documents"  
6 includes, without limitation: (a) the originals and all non-identical copies (whether  
7 different from the originals by reason of any notation made on such copies or  
8 otherwise); (b) any alterations, amendments, changes, drafts, or modifications;  
9 (c) all graphics or records or representation of any kind, including, without  
10 limitation, audiotapes, cassettes, computer diskettes or printouts, CDs, charts,  
11 data card programs, data compilations, discs, drawings or other representations  
12 or depictions, graphs, maps, microfiches, microfilm, motion pictures, other input  
13 or output of data processing systems, photographs (positive print or negative),  
14 recordings, and videotapes; and (d) every other form of storage on any device or  
15 medium, mechanical or electrical, on or through which information of any type is  
16 transmitted, recorded or preserved.

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20 6. "Person" means agency, association, company, corporation, estate, federal, state or  
21 municipal government agency, board, bureau, department or other subdivision,  
22 firm, joint venture, natural person, partnership, proprietorship, organization, or  
23 other legally recognizable entity.

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26 7. "You" refers to Angelo Rinaldi and any other members of the Architecture  
27 Committee, and any agents, employees, independent contractors, officers,  
28

1 directors, members, consultants, accountants, and any other representatives of the  
2 foregoing, as the context may require.

3  
4 8. "This case", "litigation" or "law suit" refers to the above-captioned matter pending  
5 in the Lake Havasu City Superior Court, Mohave County, State of Arizona.

6  
7 9. "Law suit", "litigation" against Desert Lakes Development, L.P. refers to any  
8 CC&R violations, fraud, or zoning issues with respect to Desert Lakes Golf  
9 Course and Estates parcels including but not limited to Parcel VV and/or portions  
10 of Parcel KK.

11  
12 10. Whenever appropriate, the singular form of a word should be interpreted in the  
13 plural so as to require the broadest response to the request in which the term  
14 appears.

15 **INSTRUCTIONS FOR USE**

16  
17 The following instructions are considered to be applicable to all requests for  
18 production of documents herein:

- 19  
20 1. You must produce all documents, wherever located, in the possession, custody, or  
21 control of or obtainable by you. Possession, custody, or control includes  
22 constructive possession — i.e., if you have a reasonable ability or right to compel  
23 the production of a matter from any third party (including an agency, authority,  
24 custodian or representative).
- 25  
26 2. If for any reason, you are unable to produce in full any document requested: (a)  
27 produce the document to the fullest extent possible; (b) specify the reasons for  
28

1 your inability to produce the remainder of the document; and ( c ) state in detail  
2 whatever information, knowledge, or belief you have concerning the whereabouts  
3 and substance of the document, including but not limited to its date of preparation,  
4 date of mailing, author, and type (e.g., letter, memorandum, telecopy, etc.).  
5

6 3. For any document requested that was at any time but is no longer in existence,  
7 state: (a) the nature of the document (i.e., letter, memorandum, etc. (b) the  
8 information contained in the document (c) the date on which it was prepared; (d)  
9 the date on which it ceased to exist; (e) the circumstance under which it ceased to  
10 exist; (f) the identity of the author or initiator of the document; (g) the identity of  
11 all persons having knowledge of the circumstances under which it ceased to exist;  
12 and (h) the identity of all persons who have, or had, knowledge of the contents of  
13 the document.  
14

15  
16 4. For each document requested that you are unable to produce but at any time had  
17 access to or possession, custody, or control of, state: (a) the nature of the  
18 document (i.e., letter, memorandum, etc.); (b) the information contained in the  
19 document; (c) the date on which it was prepared; (d) the identity of the author or  
20 initiator of the document; (e) the identity of any person(s) who at any time had  
21 access to or possession, custody, or control of the document or any copy thereof;  
22 (f) the date on which you lost, relinquished, or otherwise ceased to have access to  
23 or possession, custody, or control of the document; (g) the identity of all persons  
24 having knowledge of the circumstances whereby you lost, relinquished, or  
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1 otherwise ceased to have access to or possession, custody, or control of the  
2 document; and (h) the identity of all persons who have, or had, knowledge of the  
3 contents of the document, in full or in part.  
4

5 5. For each document you do not produce on the ground that it is not subject to  
6 discovery or has already been produced, state: (a) the name of the author, writer,  
7 sender, or initiator of the document; (b) the name of each person to whom the  
8 document was sent or intended to be sent; (c) the name of each and every person  
9 who received a copy of the document; (d) the date of the document, or if no date  
10 appears on the document, the approximate date when it was prepared; (e) the title  
11 of the document, or if it had no title, a description of the document sufficient to  
12 identify it; (f) the subject matter of the document; (g) the ground(s) claimed for  
13 withholding the document from discovery (i.e., attorney-client or work product  
14 privilege); (h) a full explanation of the factual and legal bases for not producing  
15 the document; (i) the identity of the present custodian of the document; (j) the  
16 identity of each person who was present when the document was prepared and  
17 who has seen the document; and (k) the identity of every other document which  
18 refers to or otherwise describes the content of the document.  
19  
20  
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23 6. This request is continuing in nature. You must produce all documents and  
24 Communications responsive to this request whenever you obtain or become aware  
25 of them.  
26  
27  
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- 1 7. Label "Correspondence" to correspond to the paragraph or subparagraph of this  
2 request to which they are responsive.
- 3
- 4 8. Each document produced by you must be produced as it is kept in the usual course  
5 of business as held by the Architecture Committee such as Minutes, Variances, By  
6 Laws, etc. (i.e., in the file folder or binder in which such documents were located  
7 when the request was served).
- 8
- 9 9. Produce each document that is stapled, clipped, or otherwise attached to a  
10 requested document attached in the same manner as the original, regardless of  
11 whether the production of that document is otherwise required by this request.  
12
- 13 10. If more than one copy of a requested document is in your possession, custody, or  
14 control, produce each copy that in any way differs from any other copy, including,  
15 without limitation, any difference caused by writings placed on the document by  
16 any person or resulting from the number of pages comprising the document or the  
17 attachment of documents by staple, clip, or otherwise.  
18

19 **SPECIAL INSTRUCTIONS REGARDING ELECTRONIC DATA**

20 This request includes all electronic data generated, stored or accessible by any  
21 computer system. Electronic data is an irreplaceable source of evidence in this  
22 matter.  
23

- 24 1. You must take the following steps for all personal computers used by you or  
25 anyone working at your direction: (a) For fixed drives attached to such computers  
26 or accessible by such computers through a network or otherwise: (i) a true and  
27

1 correct copy should be made available for inspection and possible forwarding to  
2 the Plaintiff's email of all electronic data on such fixed drives that is responsive to  
3 any of the requests enumerated below, including all active files and completely  
4 restored version of all deleted electronic files and file fragments; (ii) full  
5 directories and subdirectories (including hidden files) for all directories and  
6 subdirectories (including hidden directories) on such fixed drives should be  
7 written; and (iii) such copies and listing should be preserved pending resolution of  
8 this matter. (b) Storage devices, such as magnetic tapes and cartridges, magneto  
9 optical disks, floppy diskettes, CDs, flash ROM, and all other such media  
10 containing any electronic data that is responsive to any of the requests enumerated  
11 below, should be collected and put into storage for the duration of the lawsuit.

- 12  
13  
14  
15 2. Regarding electronic data that is responsive to any of the requests enumerated  
16 above, which exist on fixed drives attached to computers at the time this discovery  
17 request is served; Do not alter or erase such electronic state, and do not perform  
18 other procedures (such as data compression and disk de-fragmentation or  
19 optimization routines) which may affect such data, unless a true copy has been  
20 made of such data.  
21  
22

23  
24 **Your Duties in Responding To This Subpoena**

25 **Attendance at a Trial.** If this subpoena commands you to appear at a trial, you must  
26 appear at the place, date and time designated in the Subpoena unless you file a timely  
27 motion with the court and the court quashes or modifies the Subpoena. See Rule  
28 45(b)(5) and Rule 45(e)(2) of the Arizona Rules of Civil Procedure. See also "Your Right  
To Object To This Subpoena" section below. Unless a court orders otherwise, you are

1 required to travel to any part of the state to attend and give testimony at a trial. See  
2 Rule 45(b)(3)(A) of the Arizona Rules of Civil Procedure.

3 **Attendance at a Hearing or Deposition.** If this subpoena commands you to appear at  
4 a hearing or deposition, you must appear at the place, date and time designated in this  
5 subpoena unless either: (1) you file a timely motion with the court and the court quashes  
6 or modifies the subpoena; or (2) you are not a party or a party's officer and this  
7 subpoena commands you to travel to a place other than: (a) the county where you  
8 reside or you transact business in person; or (b) the county where you were served with  
9 the subpoena or within forty (40) miles from the place of service; or (c) such other  
10 convenient place fixed by a court order. See Rule 45(b)(3)(B) and Rule 45(e)(2)(A)(ii) of  
11 the Arizona Rules of Civil Procedure. See also "Your Right To Object To This  
12 Subpoena" section below.

13 **Production of Documentary Evidence.** If this subpoena commands you to produce  
14 and permit inspection, copying, testing, or sampling of designated documents,  
15 electronically stored information, or tangible things, you must make the items available  
16 at the place, date, and time designated in this subpoena, and in the case of  
17 electronically stored information, in the form or forms requested, unless you provide a  
18 good faith written objection to the party or attorney who served the subpoena. You may  
19 object to the production of electronically stored information from sources that you  
20 identify as not reasonably accessible because of undue burden or expense, including  
21 sources that are unduly burdensome or expensive to access because of the past good-  
22 faith operation of an electronic information system or good-faith and consistent  
23 application of a document retention policy. See Rule 45(c)(2)(D) of the Arizona Rules of  
24 Civil Procedure. Other grounds for objection are described in the "Your Right To Object  
25 To This Subpoena" section below. If this subpoena does not specify a form for  
26 producing electronically stored information, you may produce it in native form or in  
27 another reasonably usable form that will enable the receiving party to have the same  
28 ability to access, search, and display the information as the responding person, but you  
need not produce the same electronically stored information in more than one form. See  
Rule 45(c)(2)(B) and (C) of the Arizona Rules of Civil Procedure.

If the subpoena commands you to produce documents, you have the duty to produce  
the designated documents as they are kept by you in the usual course of business, or  
you may organize the documents and label them to correspond with the categories set  
forth in the Subpoena. See Rule 45(c)(4) of the Arizona Rules of Civil Procedure.

**Inspection of Premises.** If the Subpoena commands you to make certain premises  
available for inspection, you must make the designated premises available for  
inspection on the date and time designated in this subpoena unless you provide a good  
faith written objection to the party or attorney who served the subpoena. See Rule

1 45(c)(6) of the Arizona Rules of Civil Procedure. See also “Your Right to Object to This  
2 Subpoena” section below.

3 **Combined Subpoena.** You should note that a command to produce certain designated  
4 materials, or to permit the inspection of premises, *may* be combined with a command to  
5 appear at a trial, hearing, or deposition. See Rule 45(b)(2) of the Arizona Rules of Civil  
6 Procedure. You do not, however, need to appear in person at the place of production or  
7 inspection unless the subpoena *also* states that you must appear for and give testimony  
8 at a hearing, trial or deposition. See Rule 45(c)(3) of the Arizona Rules of Civil  
9 Procedure.

### 8 **Your Right To Object To This Subpoena**

9 **Generally.** If you have concerns or questions about this subpoena, you should first  
10 contact the party or attorney who served the subpoena. The party or attorney serving  
11 the subpoena has a duty to take reasonable steps to avoid imposing an undue burden  
12 or expense on you. The superior court enforces this duty and may impose sanctions  
13 upon the party or attorney serving the subpoena if this duty is breached. See Rule  
14 45(e)(1) of the Arizona Rules of Civil Procedure. Unless otherwise ordered by the court  
15 for good cause, the party seeking discovery from you must pay your reasonable  
16 expenses incurred in responding to a subpoena seeking the production of documents,  
17 electronically stored information, tangible things, or an inspection of premises. If you  
18 seek payment of expenses other than routine clerical and per-page copying costs as  
19 allowed by A.R.S. § 12-351, you must object on the grounds of undue burden to  
20 producing the materials without the subpoenaing party's payment, and send an advance  
21 estimate of those expenses to the subpoenaing party, before the time specified for  
22 compliance or within 14 days after the subpoena is served, whichever is earlier. You  
23 need not comply with those parts of the subpoena that are the subject of the objection,  
24 unless the court orders you to do so. The court may enter an order conditioning your  
25 response to the subpoena on payment of your additional expenses, including ordering  
26 payment of those expenses in advance. See Rule 45(e)(1)(B).

27 **Procedure for Objecting to a Subpoena for Attendance at a Hearing, Trial or  
28 Deposition.** If you wish to object to a subpoena commanding your appearance at a  
hearing, trial or deposition, you must file a motion to quash or modify the subpoena with  
the court to obtain a court order excusing you from complying with this subpoena. See  
Rules 45(b)(5) and 45(e)(2) of the Arizona Rules of Civil Procedure. The motion must  
be filed in the superior court of the county in which the case is pending or in the superior  
court of the county from which the subpoena was issued. See Rule 45(e)(2)(A) and (B)  
of the Arizona Rules of Civil Procedure. The motion must be filed before the time  
specified for compliance or within 14 days after the subpoena is served, whichever is  
earlier. See Rule 45(e)(2)(D) of the Arizona Rules of Civil Procedure. You must send a  
copy of any motion to quash or modify the subpoena to the party or attorney who served  
the subpoena. See Rule 45(e)(2)(E) of the Arizona Rules of Civil Procedure. Even if you

1 file such a motion, you must still attend and testify at the date, time, and place specified  
2 in the subpoena, unless excused from doing so--by the party or attorney serving the  
3 subpoena or by a court order--before the date and time specified for your appearance.  
See Rule 45(b)(5) of the Arizona Rules of Civil Procedure.

4 **The court *must* quash or modify a subpoena:**

- 5 (1) if the subpoena does not provide a reasonable time for compliance;  
6 (2) unless the subpoena commands your attendance at a trial, if you are not a party or a  
7 party's officer and if the subpoena commands you to travel to a place other than: (a) the  
8 county where you reside or transact business in person; (b) the county where you were  
9 served with a subpoena, or within forty (40) miles from the place of service; or (c) such  
10 other convenient place fixed by a court order; or  
11 (3) if the subpoena requires disclosure of privileged or other protected matter, if no  
exception or waiver applies; or  
12 (4) if the subpoena subjects you to undue burden.

13 See Rule 45(e)(2)(A) of the Arizona Rules of Civil Procedure.

14 **The court *may* quash or modify a subpoena:**

- 15 (1) if the subpoena requires you to disclose a trade secret or other confidential  
16 research, development or commercial information;  
17 (2) if you are an unretained expert and the subpoena requires you to disclose your  
18 opinion or information resulting from your study that you have not been requested by  
19 any party to give on matters that are specific to the dispute;  
20 (3) if you are not a party or a party's officer and the subpoena would require you to incur  
21 substantial travel expense; or  
22 (4) if the court determines that justice requires the subpoena to be quashed or modified.

23 See Rule 45(e)(2)(B) of the Arizona Rules of Civil Procedure.

24 In these last four circumstances, a court may, instead of quashing or modifying a  
25 subpoena, order your appearance or order the production of material under specified  
26 conditions if: (1) the serving party or attorney shows a substantial need for the testimony  
27 or material that cannot be otherwise met without undue hardship; and (2) if your travel  
28 expenses or the expenses resulting from the production are at issue, the court ensures  
that you will be reasonably compensated. See Rule 45(e)(2)(C) of the Arizona Rules of  
Civil Procedure.

***Procedure for Objecting to Subpoena for Production of Documentary Evidence.*** If  
you wish to object to a subpoena commanding you to produce documents, electronically  
stored information or tangible items, or to permit the inspection of premises, you may  
send a good faith written objection to the party or attorney serving the subpoena that  
objects to: (1) producing, inspecting, copying, testing, or sampling any or all of the  
materials designated in the subpoena; (2) inspecting the premises; or (3) producing  
electronically stored information in the form or forms requested or from sources that are  
not reasonably accessible because of undue burden or expense, the good-faith routine

1 operation of an electronic information system, or the good-faith and consistent  
2 application of a document retention policy. You also may object on the ground that the  
3 subpoena seeks the production of materials that that have already been produced in the  
4 action or that are available from parties to the action. See Rule 45(e)(1)(A). If you seek  
5 payment of expenses other than routine clerical and per-page copying costs as allowed  
6 by A.R.S. § 12-351, you must object on the grounds of undue burden to producing the  
7 materials without the subpoenaing party's payment, and provide an advance estimate of  
8 those additional expenses. You must send your written objection to the party or attorney  
9 who served the subpoena before the time specified for compliance or within 14 days  
10 after the subpoena is served, whichever is earlier. See Rule 45(c)(6)(A)(i) and (ii) of the  
11 Arizona Rules of Civil Procedure.

12 If you object because you claim the information requested is privileged, protected, or  
13 subject to protection as trial preparation material, you must express the objection  
14 clearly, and identify in writing the information, document, or electronically stored  
15 information withheld and describe the nature of that information, document, or  
16 electronically stored information in a manner that--without revealing information that is  
17 itself privileged or protected--will enable the demanding party to assess the claim. See  
18 Rules 26(b)(6)(A) and 45(c)(5)(A) of the Arizona Rules of Civil Procedure. You may  
19 object to providing the information required by Rule 26(b)(6)(A) if providing the  
20 information would impose an undue burden or expense.

21 If you object to the subpoena in writing, you do not need to comply with the subpoena  
22 until a court orders you to do so. It will be up to the party or attorney serving the  
23 subpoena to first personally consult with you and engage in good faith efforts to resolve  
24 your objection and, if the objection cannot be resolved, to seek an order from the court  
25 to compel you to provide the documents or inspection requested, after providing notice  
26 to you. See Rule 45(c)(6)(B) and (C) of the Arizona Rules of Civil Procedure.

27 If you are not a party to the litigation, or a party's officer, the court will issue an order to  
28 protect you from any significant expense resulting from the inspection and copying  
commanded. See Rule 45(c)(6)(B) of the Arizona Rules of Civil Procedure.

Instead of sending a written objection to the party or attorney who served the subpoena,  
you also have the option of raising your objections in a motion to quash or modify the  
subpoena, or through a motion for protective order. See Rule 45(c)(6)(B) and (e)(2) of  
the Arizona Rules for Civil Procedure. The procedure and grounds for doing so are  
described in the section above entitled "Procedure for Objecting to a Subpoena for  
Attendance at a Hearing, Trial or Deposition."

If the subpoena *also* commands your attendance at a hearing, trial or deposition,  
sending a written objection to the party or attorney who served the subpoena does not  
suspend or modify your obligation to attend and give testimony at the date, time and

1 place specified in the subpoena. See Rule 45(c)(6)(A)(iii) of the Arizona Rules of Civil  
2 Procedure.

3 If you wish to object to the portion of this subpoena requiring your attendance at a  
4 hearing, trial or deposition, you must file a motion to quash or modify the subpoena as  
5 described in the section above entitled "Procedure for Objecting to a Subpoena for  
6 Attendance at a Hearing, Trial or Deposition." See Rule 45(b)(5) and 45(c)(6)(A)(iii) of  
7 the Arizona Rules of Civil Procedure. Even if you file such a motion, you must still  
8 attend and testify at the date, time, and place specified in the subpoena, unless  
excused from doing so--by the party or attorney serving the subpoena or by a court  
order--before the date and time specified for your appearance. See Rule 45(b)(5) of the  
Arizona Rules of Civil Procedure.

9 **ADA Notification**

10 Requests for reasonable accommodation for persons with disabilities must be made to  
11 the court by parties at least 3 working days in advance of a scheduled court proceeding.

12 **YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA**  
13 **WITHOUT ADEQUATE EXCUSE MAY BE DEEMED CONTEMPT OF THIS COURT,**  
14 **AND A CIVIL ARREST WARRANT MAY BE ISSUED. A CIVIL ARREST IS AN**  
15 **ORDER DIRECTING ANY POLICE OFFICER IN ARIZONA TO ARREST YOU AND**  
**BRING YOU BEFORE THIS COURT FOR FUTURE PROCEEDINGS. See Rule 45 (f)**

16 SIGNED AND SEALED this 12<sup>th</sup> day of April, 2019

17 By: \_\_\_\_\_

D. YELLOWHAIR

18 Deputy Clerk

19 **Certificate of Service**

20 Via Certified and Restricted mail to:  
21 Angelo Rinaldi  
22 P.O. Box 8858  
23 Fort Mohave, AZ 86427

