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6 Attorneys for Plaintiffs

7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 (SAN FRANCISCO DIVISION)

11 AUTOMOTIVE INDUSTRIES PENSION
 TRUST FUND, JAMES H. BENO, Trustee,
 12 BILL BRUNELLI, Trustee, STEPHEN J.
 MACK, Trustee, CHRIS CHRISTOPHERSEN,
 13 Trustee, DON CROSATTO, Trustee, MARK
 HOLLIBUSH, Trustee, JON ROSELLE,
 14 Trustee, DOUGLAS CORNFORD, Trustee,
 and JAMES V. CANTERBURY, Trustee,

15 Plaintiffs,

16 vs.

17 BRIDGES TIRE AND WHEEL SERVICE,
 18 INC., a California corporation,

19 Defendant.

CASE NO.: CV 11-4538 LB

**~~Proposed~~ ORDER RE DOCUMENT
 PRODUCTION AND CONTINUED
 JUDGMENT DEBTOR EXAM**

20
 21 On July 22, 2014, the Judgment Debtor Bridges Tire and Wheel Service, Inc. appeared through
 22 Timothy Bridges, its person designated most knowledgeable of the corporate property and debts, in
 23 Courtroom C of the above-entitled Court located at 450 Golden Gate Avenue, 15th Floor, San
 24 Francisco, CA, for the Debtor Exam as ordered by the Court (Dkt. 16). Because Judgment Debtor
 25 failed to produce at the Exam documents as subpoenaed by Plaintiffs, Plaintiffs agreed to a
 26 continuance of the Debtor Exam. Accordingly, IT IS HEREBY ORDERED as follows:

27 (1) Judgment Debtor shall appear for the continued Judgment Debtor Exam on **Tuesday**,
 28

1 **September 30, 2014 at 9:00 a.m** in Courtroom C of the above-entitled Court located at 450 Golden
2 Gate Avenue, 15th Floor, San Francisco, CA.

3 (2) Judgment Debtor shall produce all documents in its possession as requested in the Civil
4 Subpoena (Duces Tecum) for Personal Appearance and Production of Documents and Things at Trial
5 or Hearing and Declaration and attachment thereto dated June 3, 2014 (“Subpoena”). The Subpoena
6 was personally served on Timothy Bridges on June 9, 2014. (Dkt. 17). Timothy Bridges shall hand
7 deliver, or cause to be hand delivered, all documents responsive to the Subpoena to Saltzman &
8 Johnson Law Corporation, 44 Montgomery Street, Suite 44, San Francisco, CA 94104, by **5:00 pm on**
9 **Friday, August 29, 2014.** Attached hereto as “Exhibit A” is a true and correct copy of said
10 Subpoena.
11

12 IT IS SO ORDERED.
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14 Date: July 31, 2014

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16 _____
17 Honorable Magistrate Laurel Beeler
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EXHIBIT A

*AUTOMOTIVE INDUSTRIES PENSION TRUST FUND, et al. vs.
BRIDGES TIRE AND WHEEL SERVICE, INC., a California corporation*

U.S.D.C., Northern District of California, Case No. CV 11-4538 LB

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Kimberly A. Hancock SBN 205567 Saltzman & Johnson Law Corporation 44 Montgomery Street, Suite 2110 San Francisco, CA 94104 TELEPHONE NO.: 415-882-7900 FAX NO.: 415-882-9287 E-MAIL ADDRESS: khancock@sjlawcorp.com ATTORNEY FOR (Name) Automotive Industries Pension Trust, et	FOR COURT USE ONLY
NAME OF COURT: United States District Court STREET ADDRESS: Northern District of California MAILING ADDRESS: 450 Golden Gate Avenue CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: San Francisco Division	
PLAINTIFF/PETITIONER: Automotive Industries Pension Trust Fund, et al.	
DEFENDANT/RESPONDENT: Bridges Tire and Wheel Service, Inc.	
CIVIL SUBPOENA (DUCES TECUM) for Personal Appearance and Production of Documents, Electronically Stored Information, and Things at Trial or Hearing and DECLARATION	CASE NUMBER: CV 11-4538 LB

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):

Bridges Tire and Wheel Service, Inc., 1099 California Drive, Burlingame, CA 94010. Telephone (650) 344-5253 Pursuant to CCP 708.150, a designated person most knowledgeable of corporate property and debts.

1. **YOU ARE ORDERED TO APPEAR AS A WITNESS** in this action at the date, time, and place shown in the box below **UNLESS** your appearance is excused as indicated in box 3b below or you make an agreement with the person named in item 4 below.

a. Date: **July 22, 2014** Time: **9:00 a.m.** Dept.: Div.: Room:
 b. Address: **U.S. District Court, 450 Golden Gate Avenue, San Francisco, CA 94102 - Courtroom C, 15th Floor**

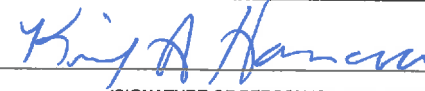
2. **IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.**
3. **YOU ARE (item a or b must be checked):**
- a. Ordered to appear in person and to produce the records described in the declaration on page two or the attached declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
- b. Not required to appear in person if you produce (i) the records described in the declaration on page two or the attached declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.
4. **IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**
- a. Name of subpoenaing party or attorney: **Kimberly A. Hancock** b. Telephone number: **415-882-7900**
5. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 4.

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: June 3, 2014

Kimberly A. Hancock

(TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ISSUING SUBPOENA)
Attorney for Plaintiffs, Automotive Industries, et al.
 (TITLE)

(Declaration in support of subpoena on reverse)

Page 1 of 3

PLAINTIFF/PETITIONER: Automotive Industries Pension Trust Fund, et al.	CASE NUMBER: CV 11-4538 LB
DEFENDANT/RESPONDENT: Bridges Tire and Wheel Service, Inc.	

The production of the documents, electronically stored information, or other things sought by the subpoena on page one is supported by check one:

the attached affidavit or the following declaration:

DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS AT TRIAL OR HEARING
(Code Civ. Proc., §§ 1985, 1987.5)

1. I, the undersigned, declare I am the plaintiff defendant petitioner respondent
 attorney for (specify): Plaintiffs other (specify):
in the above-entitled action.

2. The witness has possession or control of the documents, electronically stored information, or other things listed below, and shall produce them at the time and place specified in the Civil Subpoena for Personal Appearance and Production of Records at Trial or Hearing on page one of this form (specify the exact documents or other things to be produced; if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):

Continued on Attachment 2.

3. Good cause exists for the production of the documents, electronically stored information, or other things described in paragraph 2 for the following reasons:
Plaintiffs obtained a Judgment totaling \$61,145.14 against Defendant Bridges Tire and Wheel Service, Inc., that remains largely unsatisfied to date. Plaintiffs are entitled to conduct an examination under F.R.C.P. 69 and C.C.P. 708.150 of the Judgment Debtor as well as subpoena records under C.C.P. 1985. Pursuant to F.R.C.P. 69 and C.C.P. Sections 708.150 and 1985, the Judgment Debtor is required to designate a person most knowledgeable of corporate property and debts to appear at the examination and produce the subpoenaed records.

Continued on Attachment 3.

4. The documents, electronically stored information, or other things described in paragraph 2 are material to the issues involved in this case for the following reasons:
It is necessary for Plaintiffs to ascertain the assets of the Judgment Debtor, Bridges Tire and Wheel Service, Inc., in order to satisfy the Judgment.

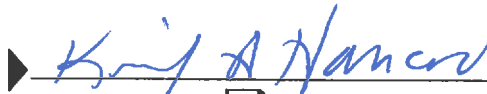
Continued on Attachment 4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 3, 2014

Kimberly A. Hancock

(TYPE OR PRINT NAME)



(SIGNATURE OF

SUBPOENAING PARTY

ATTORNEY FOR SUBPOENAING PARTY)

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the date on which you are to appear. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)



(Proof of service on page 3)

ATTACHMENT 2

TO SUBPOENA DUCES TECUM

ATTACHMENT 2 – SUBPOENA DUCES TECUM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CA
CASE NO. CV 11-4538 LB

**ATTACHMENT 2
TO CIVIL SUBPOENA (DUCES TECUM) FOR
PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS**

Bridges Tire and Wheel Service, Inc., through its designated person most knowledgeable of corporate property and debts, will be questioned regarding all information necessary in any way to aid in the recovery of the Judgment entered in the instant action, including but not limited to, the following:

DEFINITIONS

1. "Communication(s)" as used herein shall mean, without limitation, any transfer of information, written, oral, or by any means, or any record or recording of any such transfer.
2. "Person(s)" as used herein shall mean, without limitation, a natural person, corporation, limited liability company, partnership, trust, association, joint venture, firm, tenancy-in-common, or other business enterprise or legal entity and includes both the singular and plural.
3. Each of the words "discussing," "reflecting," "concerning," "pertaining," "relating," "involving," "evidencing," or "referring" shall be defined to include the common meanings of all those terms, and shall include indirect as well as direct references to the subject matter set forth herein.
5. "Business(es)" as used herein shall mean, without limitation, corporation, limited liability company, partnership, sole proprietorship, trust, estate, association, joint venture, firm, tenancy-in-common, or other business enterprise or legal entity and includes both the singular and plural.
6. The terms "identify" and "describe:"
 - (a) When used with reference to a natural person, shall mean, without limitation, to state the person's full name (including current and all former names), present or last

**ATTACHMENT 2
TO CIVIL SUBPOENA (DUCES TECUM) FOR
PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS**

known address, present or last known position or business affiliation, position or business affiliation at the time in question, and a general description of the business in which the person is engaged.

(b) When used with reference to a corporation, partnership, association, joint venture, firm or other enterprise or entity other than a natural person, shall mean, without limitation, to state its full name and/or trade name, address, organization form, and a brief description of the functions and activities in which such entity is engaged.

7. In addition to definitions otherwise applicable, the following definitions also apply to these requests:

(a) Any reference to a party shall include, where applicable, its corporate parents, subsidiaries, predecessors and affiliates, and its and their officers, directors, agents and employees.

(b) "Bridges Tire" shall mean Defendant and Judgment Debtor, Bridges Tire and Wheel Service, Inc., a California corporation.

REQUESTS

1. Identification by entity name and all dbas of all shareholders of Bridges Tire. Provide copies of all stock certificates, stock registries, membership certificates, and/or operating agreements. Shareholders include without limitation:

- Alvin Bridges
- Timothy L. Bridges
- Mark A. Bridges

**ATTACHMENT 2
TO CIVIL SUBPOENA (DUCES TECUM) FOR
PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS**

2. Identification by entity name and all dbas of all trades or businesses and all real property, in which Bridges Tire has an interest. Provide copies of all stock certificates, stock registries, membership certificates, operating agreements, and/or deeds of trust.
3. Title documents to all equipment and vehicles of Bridges Tire.
4. Title documents to all equipment and vehicles of any and all trades or businesses identified in response to Request No. 2, above.
5. All purchase orders, change orders, accepted bids and contracts which relate in any way to work performed by the Bridges Tire from November 1, 2013 to the present.
6. All purchase orders, change orders, accepted bids and contracts which relate in any way to work performed by any and all trades or businesses identified in response to Request No. 2, above, from November 1, 2013 to the present.
7. Bridges Tire's federal and state income tax returns, including all supporting schedules, statements, forms and attachments filed therewith (e.g. Form 8594, Asset Acquisition Statement) for the years 2011 to the present.
8. All federal and state income tax returns, including all supporting schedules, statements, forms and attachments filed therewith (e.g. Form 8594, Asset Acquisition Statement) for the years 2011 to the present, for any and all trades or businesses identified in response to Request No. 2, above.
9. Bridges Tire's annual financial statements, both audited and unaudited, prepared on or after January 1, 2012.
10. Annual financial statements, both audited and unaudited, of any and all trades or businesses identified in response to Request No. 2, above, prepared on or after January 1, 2012.

**ATTACHMENT 2
TO CIVIL SUBPOENA (DUCES TECUM) FOR
PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS**

11. Bridges Tire's monthly financial statements, both audited and unaudited, prepared on or after January 1, 2013.
12. Monthly financial statements, both audited and unaudited, of any and all trades or businesses identified in response to Request No. 2, above, prepared on or after January 1, 2013.
13. All bank statements, deposit slips and canceled checks for all accounts held by Bridges Tire for the period November 1, 2013 to the present.
14. All bank statements, deposit slips and canceled checks for all accounts held by any and all trades or businesses identified in response to Request No. 2, above, for the period November 1, 2013 to the present.
15. All accounts receivable lists generated by Bridges Tire since November 1, 2013 to the present.
16. All accounts receivable lists generated by any and all trades or businesses identified in response to Request No. 2, above, since November 1, 2013 to the present.
17. All accounts payable lists generated by Bridges Tire since November 1, 2013 to the present.
18. All accounts payable lists generated by any and all trades or businesses identified in response to Request No. 2, above, since November 1, 2013 to the present.
19. All accounts payable lists generated by any and all trades or businesses identified in response to Request No. 2, above, since November 1, 2013 to the present.
20. All cash disbursement journals for Bridges Tire since January 1, 2012 to the present.

**ATTACHMENT 2
TO CIVIL SUBPOENA (DUCES TECUM) FOR
PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS**

21. All cash disbursement journals for any and all trades or businesses identified in response to Request No. 2, above, since January 1, 2012 to the present.

22. All notes or loans made by Bridges Tire to any of its shareholders identified in response to Request No. 1, above, at any time during the years 2012 to the present.