

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

HOWARD ADELMAN and JUDITH
SCLAWY-ADELMAN, as Co-Personal
Representative of the Estate of
MICHAEL SCLAWY-ADELMAN,

CIRCUIT CIVIL DIVISION
CASE NO. 10-CV-22236-ASG

Plaintiffs,

v.

BOY SCOUTS OF AMERICA, THE
SOUTH FLORIDA COUNCIL, INC.;
BOY SCOUTS OF AMERICA;
PLANTATION UNITED METHODIST
CHURCH; HOWARD K.
CROMPTON, individually; and
ANDREW L. SCHMIDT, individually,

Defendants.

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that the undersigned attorneys will take the depositions

of:

NAME: Carter Conrad, Jr.

DATE AND TIME: Thursday, August 4, 2011 at 1:00 p.m.

**PLACE: U.S. Legal Support
444 W. Railroad Avenue, Suite 300
West Palm Beach, FL 33401**

upon oral examination before **U.S. Legal Support**, Notary Public, or any other Notary Public or other officer authorized by law to take depositions in the State of Florida. The oral examination will continue from day to day until completed. The depositions are being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Civil procedure in such cases.

Deponent is to bring with him/her the following:

1. Your entire file related to the involvement of you and Delivered Data, LLC., in the above-styled lawsuit, including, but not limited to: All letters, notes, communications, e-mails, logs, calculations, reports, screen shots, employee and/or agent involvement, involvement of independent contractors, data, processes, failed processes, and reference materials.

2. All evidence of communications of any nature, whether documentary, electronic and/or otherwise, with the parties, their counsel, the court, as well as with any and all non-parties, relating to the above-styled lawsuit.

3. All policies, procedures, guidelines, rules, protocols, systems, and/or processes, both internal and external, written, electronic or otherwise, that were consulted, relied upon, referenced, considered, used and/or followed applicable to the involvement of you and Delivered Data, LLC, in the above-styled lawsuit.

4. All software, devices, manuals, programs, instruments and/or materials used in your inspections and otherwise applicable to the involvement of you and Delivered Data, LLC., in the above-styled lawsuit.

5. A copy of your most current and up-to-date C.V., as well as the C.V. and/or educational and professional qualifications of any other individual(s) who participated in or who were involved in or who participated in the activities of you or Delivered Data, LLC., in the above-styled lawsuit.

CASE NO. 10-CV-22236-ASG

WE HEREBY CERTIFY that a true copy of the foregoing was mailed this 22nd
day of July, 2011 to all parties on the attached service list.

WICKER, SMITH, O'HARA, MCCOY &
FORD, P.A.
Attorney for Howard K. Crompton and
Andrew L. Schmidt
2800 Ponce de Leon Boulevard, Suite 800
Coral Gables, FL 33134
Phone: (305) 448-3939
Fax: (305) 441-1745

By: 

Frederick E. Hasty III
Florida Bar No. 260606

#48419

Service List

Ira H. Leesfield, Esquire
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

Robert D. Peltz, Esquire
Leesfield & Partners, P.A.
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Ubaldo J. Perez, Jr., Esquire
Law Office of Ubaldo J. Perez, Jr., P.A.
8181 N.W. 154 Street, Suite 210
Miami Lakes, FL 33016

Horace Clark, Esquire
U.S. Department of the Interior
Office of the Regional Solicitor
Southeast Region
75 Spring Street, S.W., Suite 304
Atlanta, GA 30303

Issued by the
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

66450-3/ea

HOWARD ADELMAN and JUDITH SCLAWY-ADELMAN, as Co-Personal
Representative of the Estate of MICHAEL SCLAWY-ADELMAN,

SUBPOENA IN A CIVIL CASE

CASE NO. 10-CV-22236-ASG

Plaintiffs,

v.

BOY SCOUTS OF AMERICA, THE SOUTH FLORIDA COUNCIL, INC.; BOY
SCOUTS OF AMERICA; PLANTATION UNITED METHODIST CHURCH;
HOWARD K. CROMPTON, individually; and ANDREW L. SCHMIDT,
individually,

Defendants.

TO: Carter Conrad, Jr.
Delivered DATA, LLC
301 Clematis Street, Ste. 3000
West Palm Beach, FL 33401

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

U.S. Legal Support
444 W. Railroad Avenue, Suite 300
West Palm Beach, FL 33401

Thursday, August 4, 2011 at
1:00 p.m.

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place,
date, and time specified below:

See Attached Exhibit "A"

PLACE

DATE AND TIME

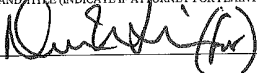
PREMISES

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)

DATE

Attorney for Defendant



July 22, 2011

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Frederick E. Hasty III, Esquire
260606
(305) 448-3939

Wicker, Smith, et al.
2800 Ponce de Leon Boulevard
Suite 800
Coral Gables, FL 33134

PROOF OF SERVICE

DATE

PLACE

SERVED

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 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.

(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 subpoena or before the time specified or 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 materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been 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.

EXHIBIT "A"

1. Your entire file related to the involvement of you and Delivered Data, LLC., in the above-styled lawsuit, including, but not limited to: All letters, notes, communications, e-mails, logs, calculations, reports, screen shots, employee and/or agent involvement, involvement of independent contractors, data, processes, failed processes, and reference materials.
2. All evidence of communications of any nature, whether documentary, electronic and/or otherwise, with the parties, their counsel, the court, as well as with any and all non-parties, relating to the above-styled lawsuit.
3. All policies, procedures, guidelines, rules, protocols, systems, and/or processes, both internal and external, written, electronic or otherwise, that were consulted, relied upon, referenced, considered, used and/or followed applicable to the involvement of you and Delivered Data, LLC, in the above-styled lawsuit.
4. All software, devices, manuals, programs, instruments and/or materials used in your inspections and otherwise applicable to the involvement of you and Delivered Data, LLC., in the above-styled lawsuit.
5. A copy of your most current and up-to-date C.V., as well as the C.V. and/or educational and professional qualifications of any other individual(s) who participated in or who were involved in or who participated in the activities of you or Delivered Data, LLC., in the above-styled lawsuit.