

AO 88A (Rev. 01/09) Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

MAUREEN TOFFOLONI,
Plaintiff
v.
LFP PUBLISHING GROUP, LLC, d/b/a Hustler
Magazine, et al.,
Defendant

Civil Action No. 1:08-CV-0421-TWT
(If the action is pending in another district, state where:
NORTHERN DISTRICT OF GEORGIA)

SUBPOENA TO TESTIFY AT A DEPOSITION
AND TO PRODUCE DOCUMENTS IN A CIVIL ACTION

To: James Daus
2620 Pheasant Village, DeLand, FL 32720

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is not a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment.

Table with 2 columns: Place (DeLand Artisan Inn, 215 South Woodland Blvd, DeLand, FL 32720; (386) 736-3484) and Date and Time (April 2, 2010, 9:30 a.m.)

The deposition will be recorded by this method: Court reporter and videotape

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See "Exhibit A," attached hereto

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: March 3, 2010

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Handwritten signature of attorney

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Defendant LFP Publishing Group, LLC, d/b/a Hustler Magazine, who issues or requests this subpoena, are: S. Derek Bauer, McKenna Long & Aldridge LLP, 303 Peachtree Street, NE, Suite 5300, Atlanta, GA 30308, dbauer@mckennalong.com; (404) 527-4195

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

MAUREEN TOFFOLONI,)
as Administrator and Personal)
Representative of the ESTATE)
OF NANCY E. BENOIT,)

Plaintiff,)

vs.)

LFP PUBLISHING GROUP, LLC,)
d/b/a Hustler Magazine, et al,)

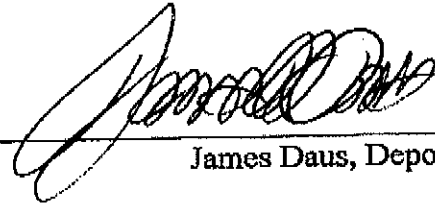
Defendant.)

CASE NO. 1:08-cv-00421-TWT

ACKNOWLEDGEMENT OF SERVICE AND WAIVER

I, James Daus, hereby acknowledge service of the Subpoena to Testify at a Deposition (the "Subpoena") issued by S. Derek Bauer on March 3, 2010, compelling my appearance at a deposition on April 2, 2010 at 9:30 a.m. at the DeLand Artisan Inn, 215 South Woodland Blvd., DeLand, Florida 32720. I further acknowledge having received the proper statutory witness fee in the amount of \$46.60. I hereby waive any objection to the sufficiency of service of the Subpoena and will not raise process or service of process in defense of the Subpoena.

This 4th day of MARCH 2010.



James Daus, Deponent