

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re: Subpoena in a Civil Case

STATIC CONTROL COMPONENTS, INC.,
Plaintiff/Counterclaim Defendant,

v.

LEXMARK INTERNATIONAL, INC.,
Defendant/Counterclaim Plaintiff,

v.

WAZANA BROTHERS INTERNATIONAL, INC.
d/b/a MICRO SOLUTIONS ENTERPRISES,
Counterclaim Defendant,

v.

PENDL COMPANIES, INC.,
Counterclaim Defendant,

v.

NER DATA PRODUCTS, INC.,
Counterclaim Defendant.

**06CV1254
JUDGE GOTTSCHALL
MAGISTRATE DENLOW**

) Pending in the Eastern District
) of Kentucky as Case No. 04-84-
) KSF before the Honorable Karl
) Forester

FILED
MAR 08 2006 **NF**

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

**LEXMARK INTERNATIONAL INC.'S PETITION
TO ENFORCE SUBPOENA DUCES TECUM**

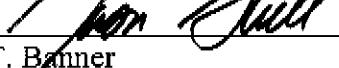
Lexmark International, Inc. ("Lexmark") through undersigned counsel, respectfully petitions this Court for an order compelling T.T.I. International d/b/a Toner Time ("Toner Time") to comply with the subpoena that Lexmark properly issued pursuant to Fed. R. Civ. P. 45, Fed. R. Civ. P. 34(c), and Fed. R. Civ. P. 30(b)(6).

In support of the Petition, Lexmark submits the attached Memorandum of Law and the associated exhibits attached thereto. For the reasons discussed in the Lexmark's Memorandum

of Law, Lexmark requests that the Court grant Lexmark's Petition and enter the Order attached as Exhibit E to Lexmark's supporting Memorandum of Law.

Dated: March 8, 2006

Respectfully Submitted,

By: 
Mark T. Banner
Christopher J. Renk
Timothy C. Mcccc
Binal J. Patel
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Attorneys for Lexmark International, Inc.

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CLERK, U.S. DISTRICT COURT


**NOTICE OF LEXMARK INTERNATIONAL INC.'S PETITION
TO ENFORCE SUBPOENA *DUCES TECUM***

To: David H. Levitt
Hinshaw & Culbertson LLP
222 North LaSalle Street
Suite 300
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on a date and time to be specified by a district court judge or magistrate judge of the Northern District of Illinois, Eastern Division, we shall appear and then present **Lexmark International, Inc.'s Petition to Enforce Subpoena *Duces Tecum***.

Dated: March 8, 2006

Respectfully submitted,


By: 
Mark T. Banner
Christopher J. Renk
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Attorneys for Lexmark International, Inc.

PROOF OF SERVICE

I hereby certify that true copies of the notice of petition, petition, and supporting memorandum was served via First Class Mail on the following individuals:

David H. Levitt
Hinshaw & Culbertson LLP
222 North LaSalle Street
Suite 300
Chicago, Illinois 60601

By: 
One of Lexmark's attorneys