

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VADIM MIKHLYN, INGA MIKHLYN, and
ABC ALL CONSULTING, INC.

Case No. CV 08 3367

Plaintiffs,

- against -

SUBPOENA DUCES TECUM

ANA BOVE, POLINA DOLGINOV,
ANNA BOVE COMPANY, LLC,
ANNA BOVE COLLECTIONS, INC., and
ANNA BOVE EMBROIDERY SUPPLIES, INC.,

Defendants.

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ANA BOVE, ANNA BOVE COMPANY, LLC,
and ANNA BOVE EMBROIDERY SUPPLIES,
INC.,

Counter-Plaintiffs,

- against -

VADIM MIKHLYN, INGA MIKHLYN, and
ABC ALL CONSULTING, INC.,

Counter-Defendants.

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TO: FuseMail Email Hosting
1100 Main Street, Suite 2330
Kansas City, MO 64105

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

DOCUMENTS

1. Any and all emails or internet chats in connection with the subscribers of the email address vadinga@fusemail.com.

2. Any and all emails or internet chats in connection with
the following names:

Full Name: VADIM MIKHLYN
Address: 2536 Harway Ave
Brooklyn, New York 11214

Full Name: VADIM MIKHLYN
Address: 6801 19th Ave, Suite #4P
Brooklyn, New York 11204

Full Name: INGA MIKHLYN
Address: 2536 Harway Ave
Brooklyn, New York 11214

Full Name: INGA MIKHLYN
Address: 6801 19th Ave, Suite #4P
Brooklyn, New York 11204

Full Name: ABC ALL CONSULTING, INC.
Address: 2536 Harway Ave
Brooklyn, New York 11214

Full Name: ABC ALL CONSULTING, INC.
Address: 6801 19th Ave, Suite #4P
Brooklyn, New York 11204
Tax ID No: 13-4282767

from January 1, 2002 through the date of your response, at
your institution.

PLACE: U. S. District Court
Eastern District of New York
225 Cadman Plaza East, Room 118 South
Brooklyn, New York 11201

DATE AND TIME: 10:00am on October 15, 2009

Dated: Brooklyn, New York
September ____, 2009

Ramon E. Reyes, Jr
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

I. INSTRUCTIONS

- a) In responding to this subpoena duces tecum, please furnish all documents in your possession, custody or control, regardless of where they may be located.
- b) To the extent that this request calls for what you believe to be documents subject to a claim of privilege, attorney work product, or material prepared for litigation, please provide a privilege log.
- c) Unless otherwise specified, the documents sought by this request are all those that were created or came into your possession, custody or control for the period of 2002 through the present.

II. DEFINITIONS

1. As used herein the terms "document" and "documents" mean any and all tangible things, whether handwritten, typed, printed, e-mailed, recorded, filmed, photostated, copied or reproduced in any way. The term "documents" shall also include any draft or version of a document and all copies which are not identical to the original; all modifications or additions to any document, whether or not such copies or drafts are specifically mentioned in particular requests; and any material recorded on verbal, graphic, computer, electronic, telecommunicative, or magnetic form, and any other form capable of being read, heard or otherwise understood.
2. The terms "you" and "your" means belonging to FuseMail Email Hosting, its affiliates, agents, servants, principals, partners, associates, employees, corporate officers, attorneys, representatives, investigators, experts, or consultants employed, retained or hired by or on their behalf, and all others who have acted, purported to act, or obtained information for or on their behalf.
3. The term "relating to" means referring to, concerning, describing, evidencing, or constituting.
4. The singular shall include the plural and the plural shall include the singular.
5. The words "and" and "or" shall be construed conjunctively to mean "and/or.". The word "any" shall be construed to mean "any and all" where the effect of such construction is to broaden the scope of the document request in question.
6. The term "including" shall not be construed to limit the scope of any document request; rather, it shall be construed as

meaning "including, without limitation."

7. The term "person(s)" includes any natural person or any business, legal or governmental entity or association, and any subdivisions, instrumentalities and agencies thereof.