

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): James P. Kelly, Matuszewich & Kelly, LLP, ARDC# 6208284 101 N. Virginia St., Suite 150 Crystal Lake, Illinois 60014 TELEPHONE NO.: 815-459-3120 FAX NO.: 815-459-3123 E-MAIL ADDRESS: ipkelly@mkm-law.com ATTORNEY FOR (Name): Algonquin Township	FOR COURT USE ONLY
Court for county in which discovery is to be conducted: SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: 400 McAllister Street CITY, STATE, AND ZIP CODE: San Francisco, CA 94102-4514 BRANCH NAME: Civic Center Courthouse	
Court in which action is pending: Name of Court: McHenry County Government Center STREET ADDRESS: 2200 N. Seminary Avenue MAILING ADDRESS: 2200 N. Seminary Avenue CITY, STATE, AND ZIP CODE: Woodstock, IL 60098 COUNTRY: USA	
PLAINTIFF/PETITIONER: Kirk Allen, et al. DEFENDANT/RESPONDENT: Algonquin Township, et al.	CALIFORNIA CASE NUMBER (if any assigned by court):
SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS IN ACTION PENDING OUTSIDE CALIFORNIA	CASE NUMBER (of action pending outside California): 18 CH 238

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
Dropbox, Inc., c/o CSC Corp. Service Co., 2710 Gateway Oaks Dr., St. 150N, Sacramento, CA 95833

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): On (date): April 8, 2019 At (time): by 5:00 p.m. Location (address): 101 N. Virginia St., Suite 150, Crystal Lake, IL
Do not release the requested records to the deposition officer prior to the date and time stated above.

- a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
- b. by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
- c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records must be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (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 3 (use form MC-025).

4. Attorneys of record in this action or parties without attorneys are (name, address, telephone number, and name of party represented):

Continued on Attachment 4 (use form MC-025).

PLAINTIFF/PETITIONER: Kirk Allen, et al.	CASE NUMBER (of action pending outside California):
DEFENDANT/RESPONDENT: Algonquin Township, et al.	18 CH 238

5. If you have been served with this subpoena as a custodian of consumer or employee records under Code of Civil Procedure section 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.

6. Other terms or provisions from out-of-state subpoena, if any (specify):

Continued on Attachment 6 (use form MC-025).

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued:

_____	▶	_____
(TYPE OR PRINT NAME)		(SIGNATURE OF PERSON ISSUING SUBPOENA)

		(TITLE)

PROOF OF SERVICE OF SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

1. I served this Subpoena for Production of Business Records In Action Pending Outside California by personally delivering a copy to the person served as follows:

- a. Person served (name):
- b. Address where served:

c. Date of delivery:

d. Time of delivery:

e. Witness fees and mileage both ways (check one):

(1) were paid. Amount: \$ _____

(2) were not paid.

(3) were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (specify): \$ _____

f. Fee for service: \$ _____

2. I received this subpoena for service on (date):

3. I also served a completed Proof of Service of Notice to Consumer or Employee and Objection (form SUBP-025) by personally delivering a copy to the person served as described in 1 above.

4. Person serving:

- a. Not a registered California process server
- b. California sheriff or marshal
- c. Registered California process server
- d. Employee or independent contractor of a registered California process server
- e. Exempt from registration under Business and Professions Code section 22350(b)
- f. Registered professional photocopier
- g. Exempt from registration under Business and Professions Code section 22451
- h. Name, address, telephone number, and, if applicable, county of registration and number:

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

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date:

Date:

▶ _____

▶ _____

(SIGNATURE)

(SIGNATURE)

Attachment 3

All documents must be provided in Word or PDF format, further all data should be in a format which can be converted to Word or PDF format.

All requests pertain to the account at Dropbox URL

<https://www.dropbox.com/sh/eaco25hbi2ruty5/AABZZNJjPxhtsTC9bfRzsBZNa?dl=0>

All information showing the date the Dropbox was created, to include the name/username of the creator of the Dropbox with, the creators IP address, the account number of the Dropbox with, all information pertaining to payment for the Dropbox.

All information of how payments were made for the Dropbox with, including the dates payments were made, the amount of the payment, how the payment was made ie. check, credit card, debit card, any billing statements for this account.

All information of every individual given access to the Dropbox, to include their email address, IP address, name, username and any other identifying information.

All data showing the history and content of the Dropbox.

All information showing the access to the, IP address, username, and email, of each and every person or entity, who accessed the Dropbox with, the date, time, and material accessed, deposited or deleted.

The identity of all members of the Dropbox.

All comments made to the Dropbox.

All information identifying who could edit and view material in the Dropbox.

Information and data showing the date, time, and user who deposited, deleted, or modified any documents, PDF's photographs, data in the Dropbox.

Copies of any deleted documents, or any data which can identify the deleted documents. Any and all backup files for the Dropbox.

Attachment 4

Kirk Allen, et al. v. Algonquin Township, et al.

Case No. 18 CH 238

Ms. Denise Ambroziak
550 W. Woodstock Street
Crystal Lake, Illinois 60014
Via E-Mail - ambroziaklaw@comcast.net

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 22nd JUDICIAL CIRCUIT
MCHENRY COUNTY, ILLINOIS

KIRK ALLEN, et al.

vs.

Case Number **18 CH 238**

ALGONQUIN TOWNSHIP, et al.

**SUBPOENA FOR PRODUCTION OF SPECIFIED DOCUMENTS,
OBJECTS OR TANGIBLE THINGS**

TO: **Dropbox, Inc., c/o CSC Corporation Service Company**

ADDRESS: **2710 Gateway Oaks Drive, Suite 150N, Sacramento, CA 95833**

You are directed to produce the following documents, objects or tangible things: **See Attached Addendum**

on the following time and date: **April 8, 2019 by 5:00 p.m.**

**YOUR FAILURE TO RESPOND TO THIS SUBPOENA OR TO COMPLY WITH COURT RULES MAY
SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF COURT.**

**YOU MAY COMPLY WITH THIS SUBPOENA BY MAILING LEGIBLE AND COMPLETE COPIES
OF ALL SPECIFIED DOCUMENTS, OBJECTS OR TANGIBLE THINGS REQUESTED IN THIS SUBPOENA
TO THE PARTY OR LAW FIRM WHOSE ADDRESS APPEARS BELOW. COMPLIANCE BY MAIL
REQUIRES A CERTIFICATION THAT THE DOCUMENTS, OBJECTS OR TANGIBLE THINGS MAILED ARE
COMPLETE AND ACCURATE AND CONSTITUTE GOOD FAITH COMPLIANCE WITH THE MATERIALS
REQUESTED BY SAID SUBPOENA. DO NOT FORWARD MATERIALS BEFORE DATE STATED ON
SUBPOENA.**

Items to be delivered to the following party of law firm at the following address: **Matuszewich &
Kelly, LLP, 101 N. Virginia St., Suite 150, Crystal Lake, Illinois 60014**



WITNESS **February 22**, 20 **19**

Katherine M. Keefe

CLERK OF THE CIRCUIT COURT

Name **James P. Kelly**

Attorney for **Defendant**

Address **101 N. Virginia St., Suite 150**

City, State Zip **Crystal Lake, Illinois 60014**

Telephone **(815) 459-3120**

Addendum

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<https://www.dropbox.com/sh/eaco25hbi2ruty5/AABZZNJjPxhtsTC9bfRzsBZNa?dl=0>

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All information of how payments were made for the Dropbox with, including the dates payments were made, the amount of the payment, how the payment was made ie. check, credit card, debit card, any billing statements for this account.

All information of every individual given access to the Dropbox, to include their email address, IP address, name, username and any other identifying information.

All data showing the history and content of the Dropbox.

All information showing the access to the, IP address, username, and email, of each and every person or entity, who accessed the Dropbox with, the date, time, and material accessed, deposited or deleted.

The identity of all members of the Dropbox.

All comments made to the Dropbox.

All information identifying who could edit and view material in the Dropbox.

Information and data showing the date, time, and user who deposited, deleted, or modified any documents, PDF's photographs, data in the Dropbox.

Copies of any deleted documents, or any data which can identify the deleted documents. Any and all backup files for the Dropbox.