

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Old Hill Partners, Inc. and John C. Howe
Plaintiff
against
John Doe
Defendants

Index No.:

Calendar No.

**JUDICIAL SUBPOENA
DUCES TECUM**

The People of the State of New York

TO: Opinion Corporation (d/b/a www.pissedconsumer.com)
1732 1st Ave #25581
New York, NY 10128

GREETING:

WE COMMAND YOU, That all business and excuses being laid aside, you and each of you (*check one box*)

to appear and attend before

at

on 20 at M, and at any recessed or adjourned date to give testimony in this action on the part of the

and that you bring with you, and produce at the same time and place certain,

to produce by 20 original documents for inspection and copying at the place where such items are originally maintained, certain

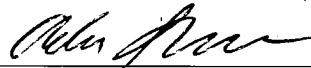
deliver by January 27, 2015 to Adam C. Sherman, 301 E. Fourth Street, Great American Tower, Suite 3500, Cincinnati, OH 45202

complete and accurate copies of certain:
See attached Exhibit A

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises.

Failure to comply with this subpoena is punishable as a contempt of Court and shall make you liable to the person on whose behalf this subpoena was issued for a penalty not to exceed fifty dollars and all damages sustained by reason of your failure to comply.

Dated: January 6, 2015



(The name signed must be printed beneath)

A copy of this subpoena must accompany all papers or other items delivered to the court.

Adam C. Sherman, Esq. (NY 4050639)
Attorney for Plaintiff
Office and Post Office Address
301 East Fourth Street, Suite 3500
Cincinnati, OH 45202

Unless the subpoena duces tecum directs the production of original documents for inspection and copying at the place where such items are usually maintained, it shall be sufficient to deliver complete and accurate copies of the items to be produced. The reasonable production expenses of a non-party witness shall be defrayed by the party seeking discovery. CPLR § 3122(d).

STATE OF NEW YORK, COUNTY OF
deponent is not a party herein, is over 18 years of age and resides at
That on _____ at _____ M., at
deponent served the within subpoena on _____

ss.: The undersigned, being duly sworn, deposes and says,

witness therein named,

- INDIVIDUAL by delivering a true copy to said witness personally, deponent knew the person so served to be the person described in said subpoena
- 1. CORPORATION a _____ corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporate witness and knew said individual to
- 2. SUITABLE AGE PERSON be _____ thereof by delivering thereat a true copy to _____ a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state
- 3. AFFIXING TO DOOR, ETC. by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state.
- 4. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness' last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

5A. MAILING TO BUSINESS USE WITH 3 OR 4 Within 20 days of such delivery or affixing, deponent enclosed a copy of the same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

- 5B. DESCRIPTION USE WITH 1,2 OR 3

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ _____

the authorized traveling expenses and one day's witness fee.

Sworn to before me on _____

Print name beneath signature

INDEX NO. _____

COURT _____

LICENSE NO. _____
COUNTY OF _____

Subpoena Duces Tecum

LAW OFFICES OF _____

Against _____

Plaintiff

Attorney(s) for
Office and Post Office Address

Defendant

It is stipulated that the undersigned witness is excused from attending at the time herein provided or at any adjourned date but agrees to remain subject to, and attend upon, the call of the undersigned attorney.

Dated: _____

Witness _____

Attorney(s) for _____

**IN THE CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT
IN AND FOR DUVAL COUNTY, FLORIDA**

**OLD HILL PARTNERS, INC.
and JOHN C. HOWE,**

CASE NO. 16-2014-CA- 008673
DIV: CV-D

Plaintiffs,

vs.

JOHN DOE,

Defendant

SUBPOENA DUCES TECUM

THE STATE OF FLORIDA


TO: Opinion Corp. Compliance Department
PissedConsumer.com
1732 1st Ave #25581
New York, NY 10128

YOU ARE HEREBY COMMANDED to produce the documents outlined in the attached **Exhibit A**, by either email or facsimile to Adam Sherman, Esq., Vorys, Sater, Seymour and Pease LLP, 301 E. Fourth Street, Suite 3500, Great American Tower, Cincinnati, Ohio 45202; acsherman@vorys.com; 513-852-8468 (facsimile) by **January 27, 2015**.

If you fail to:

- (1) Furnish the records instead of appearing as provided above; or
- (2) Object to this subpoena

you may be in contempt of court. You are subpoenaed by the attorney whose name appears on this subpoena and unless excused from this subpoena by this attorney or the Court, you shall respond to this subpoena as directed.


Edward L. Birk, Esquire
FOR THE COURT

Florida Bar No. 68462
MARKS GRAY, P.A.
1200 Riverplace Boulevard
Suite 800
Jacksonville, FL 32207

Telephone: (904) 398-0900
Facsimile : (904) 399-8440
Attorneys for Plaintiffs

DATED: this 7th day of January, 2015.

EXHIBIT A

INSTRUCTIONS:

As used in this subpoena, “personally-identifying information” includes, but is not limited to: name, address, telephone number and any email addresses associated with the author of the Internet posting. “Personally-identifying information” also includes the Internet Protocol (“IP”) Address from which the Internet posting was made and any IP Address log records associated with the account of the user that created the postings.

REQUESTS FOR PRODUCTION OF DOCUMENTS

Please produce all personally-identifying information related to the postings found at the followings URLs:

- <http://old-hill-partners.pissedconsumer.com/members-of-john-c-howe-s-patriot-group-and-old-hill-partners-may-be-complicit-in-mr-howe-s-alleged-tax-and-securities-frauds-20141102553226.html>
- <http://old-hill-partners.pissedconsumer.com/john-c-howe-and-old-hill-partners-block-truthful-web-content-about-their-alleged-irs-and-sec-frauds-20141112556850.html>
- <http://old-hill-partners.pissedconsumer.com/westport-sarah-y-howe-should-be-concerned-about-her-lifestyle-some-ask-whether-bankruptcy-is-imminent-20141216570569.html>

EXHIBIT B

Defendant, through his or her publication of false and defamatory statements regarding Plaintiffs on the Internet, has caused damage to the reputation of Plaintiffs.

In order to positively identify Defendant, the author of certain defamatory statements including, but not limited to, those posted on Pissed Consumer, Plaintiffs need to serve subpoenas upon non-party witnesses such as Opinion Corp which/who are the exclusive custodians of proprietary Internet log files, other digital artifacts, and personal and/or financial information which will point inexorably to the author(s) of the defamatory material.

Since the author of posts #553226, #556850 and #570569 used aliases to mask his or her true identity, disclosure of the requested information is necessary in order to identify the author of this post.