

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

Ryan Allor

Plaintiff

against

Retirement Strategies, Inc., et al.

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](http://www.pissedconsumer.com))  
1732 1<sup>st</sup> 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 February 23, 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: February 2, 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 \_\_\_\_\_

Approved, SCAO

|   |  |   |
|---|--|---|
| <b>STATE OF MICHIGAN</b><br>JUDICIAL DISTRICT<br>3rd JUDICIAL CIRCUIT<br>Wayne COUNTY PROBATE | <b>SUBPOENA</b><br><b>Order to Appear and/or Produce</b> | <b>CASE NO.</b><br>15-000818-CZ<br>Hon. Sheila Gibson |
|---|--|---|

Police Report No. (if applicable) 2 Woodward Ave Rm 1719, Detroit, MI 48226 Court address Court telephone no. (313) 224-5207

|  |   |   |
|--|---|---|
| Plaintiff(s)/Petitioner(s)<br><input type="checkbox"/> People of the State of Michigan<br><input checked="" type="checkbox"/> Ryan Allor | v | Defendant(s)/Respondent(s)<br>Retirement Strategies, Inc. et al |
| <input checked="" type="checkbox"/> Civil <input type="checkbox"/> Criminal  |   | Charge  |
| <input type="checkbox"/> Probate In the matter of _____  |   |   |

In the Name of the People of the State of Michigan. TO:

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

**YOU ARE ORDERED:**

1. to appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.

The court address above  Other: 30445 Northwestern Highway, Farmington Hills, MI Ste 250

|               |                           |                 |
|---------------|---------------------------|-----------------|
| Day<br>Monday | Date<br>February 23, 2015 | Time<br>9:00 AM |
|---------------|---------------------------|-----------------|

2. Testify at trial / examination / hearing.

3. Produce/permit inspection or copying of the following items: \_\_\_\_\_  
Those items set forth in Exhibit A, attached

You may elect to appear at 30445 Northwestern Highway at the date and time set forth above; produce the records by U.S. Mail on or before that date; or submit them electronically to [jts@sslawpc.com](mailto:jts@sslawpc.com), on or before the due date.

4. Testify as to your assets, and bring with you the items listed in line 3 above.

5. Testify at deposition.

6. MCL 600.6104(2), 600.6116, or 600.6119 prohibition against transferring or disposing of property is attached.

7. Other: \_\_\_\_\_

|    |  |                                 |              |
|----|--|---------------------------------|--------------|
| 8. | Person requesting subpoena<br>Jeffrey T. Stewart, attorney for Plaintiff | Telephone no.<br>(248) 419-3572 |              |
|    | Address<br>30445 Northwestern Highway, Ste. 250                          |                                 |              |
|    | City<br>Farmington Hills   | State<br>MI                     | Zip<br>48334 |
|    |  |                                 |              |



**NOTE:** If requesting a debtor's examination under MCL 600.6110, or an injunction under Item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

**FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.**

01/30/2015 Jeffrey T. Stewart P24138  
 Date Judge/Clerk/Attorney Bar no.

|                                 |                                     |
|---------------------------------|-------------------------------------|
| Court use only                  |                                     |
| <input type="checkbox"/> Served | <input type="checkbox"/> Not served |

**SUBPOENA**

Case No. 15-000818-CZ

**PROOF OF SERVICE**

**TO PROCESS SERVER:** You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

**OFFICER CERTIFICATE**

OR

**AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served a copy of the subpoena, together with \_\_\_\_\_ (including any required fees) by \_\_\_\_\_ Attachment

personal service  registered or certified mail (copy of return receipt attached) on:

|         |                                 |                 |
|---------|---------------------------------|-----------------|
| Name(s) | Complete address(es) of service | Day, date, time |
|         |                                 |                 |

I have personally attempted to serve the subpoena and required fees, if any, together with \_\_\_\_\_ on the following person and have been unable to complete service. Attachment

|         |                                 |                 |
|---------|---------------------------------|-----------------|
| Name(s) | Complete address(es) of service | Day, date, time |
|         |                                 |                 |

|                       |                |     |                  |
|-----------------------|----------------|-----|------------------|
| Service fee           | Miles traveled | Fee |                  |
| \$                    |                | \$  |                  |
| Incorrect address fee | Miles traveled | Fee | <b>TOTAL FEE</b> |
| \$                    |                | \$  | \$               |

Signature \_\_\_\_\_

Name (type or print) \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Date Signature: \_\_\_\_\_  
Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the subpoena and required fees, if any, together with \_\_\_\_\_ Attachment

\_\_\_\_\_ on \_\_\_\_\_  
Day, date, time

Signature: \_\_\_\_\_ on behalf of \_\_\_\_\_

**AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION**

I request that the court issue a subpoena which orders the party named on this form to be examined under oath before a judge concerning the money or property of:  
for the following reasons:

Signature \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Date Signature: \_\_\_\_\_  
Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**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**

1. Please produce all personally-identifying information related to the posting Review #409866 found at the following URL:

<http://michigan-asset-preservation.pissedconsumer.com/ryan-allor-michigan-asset-preservation-20130518409866.html> ("original review").

2. Please produce all personally-identifying information related to the comment on the original review by "writer of complain," dated May 18, 2013.
3. Please produce all personally-identifying information related to the comment on the original review by "Sorry Senior Citizen" dated May 18, 2013.

## **EXHIBIT B**

The anonymous poster(s), through his or her publication of false and defamatory statements regarding Plaintiff on the Internet, has caused damage to the reputation of Plaintiff.

In order to positively identify the anonymous poster(s), the author(s) of certain defamatory statements including, but not limited to, those posted on Pissed Consumer, Plaintiff needs 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(s) of post #409866, and the related May 18, 2013 comments, used aliases to mask his or her true identity, disclosure of the requested information is necessary in order to the identify the author of this post.