

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF \_\_\_\_\_

_____	)	
	)	
	)	
<b>Petitioner/Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>NO.</b> _____
	)	
_____	)	
<b>Respondent/Defendant</b>	)	
	)	

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**NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION  
PURSUANT TO DEPOSITION SUBPOENA DUCES TECUM**

TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE TAKE NOTICE that the pursuant to \_\_\_\_\_ R.Civ.P. \_\_\_\_\_, the  
defendants, \_\_\_\_\_ and \_\_\_\_\_ will take the deposition by  
stenographic means or may also video record said deposition on oral examination of the officer,  
official, or employee of \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, in the law offices of \_\_\_\_\_.

Pursuant to \_\_\_\_\_ R.Civ.P. \_\_\_\_\_, the officer, official, or employee of  
\_\_\_\_\_ shall designate a spokesman with knowledge and custody of the  
matters and documents contained in the attached deposition subpoena duces tecum.

PLEASE FURTHER NOTICE that, pursuant to Rule \_\_\_\_\_ of the \_\_\_\_\_ Rules of Civil Procedure, a Deposition Subpoena will be served upon the deponent to be examined and will request production of the following materials:

Deponent shall have knowledge of the following:

1. The name, address and telephone number of all persons associated with \_\_\_\_\_ as employee, agent, independent contractor or otherwise for the purpose of real estate sales during 20\_\_\_\_.

2. The name, address and telephone number of all persons associated with \_\_\_\_\_ as employee, agent, independent contractor or otherwise for the purpose of real estate sales during 20\_\_\_\_.

3. For each person identified in response to 1 and 2 above:

- a. identify those who took the \_\_\_\_\_ course with plaintiff \_\_\_\_\_ in 20\_\_\_\_;
- b. the initial date of affiliation of each with \_\_\_\_\_
- c. the prior sales experience of each;
- d. the date, total amount and agent commission of each real estate sale in 20\_\_\_\_ and 20\_\_\_\_ by each;
- e. the hours (weekly or monthly) worked on real estate sales by each in 20\_\_\_\_ and 20\_\_\_\_ (including open houses and caravans).

Deponent(s) shall bring with him/her/them the following:

1. All records evidencing hours worked by \_\_\_\_\_ on real estate sales in 20\_\_\_\_ and 20\_\_\_\_.

2. All records evidencing commissions earned \_\_\_\_\_ from real estate sales in 20\_\_\_\_.

3. All records evidencing hours worked on real estate sales by each person affiliated with \_\_\_\_\_ in 20\_\_\_\_ and 20\_\_\_\_\_.

4. All records evidencing commissions earned from real estate sales by each person affiliated with \_\_\_\_\_ in 20\_\_\_\_ and 20\_\_\_\_\_.

You are invited to attend said deposition to examine the deponent as you deem fit and proper in conformity with the \_\_\_\_\_ Rules of Civil Procedure.

Said deposition will continue from day to day until concluded.

Respectfully submitted,

Dated: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Attorney No.: \_\_\_\_\_

### **CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, do hereby certify that I have this day mailed, U.S. Mail, postage prepaid, a true and correct copy of the above and foregoing to \_\_\_\_\_, at the following address;

\_\_\_\_\_

THIS the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF \_\_\_\_\_

_____	)	
	)	
	)	
<b>Petitioner/Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>NO.</b> _____
	)	
_____	)	
<b>Respondent/Defendant</b>	)	
	)	

**DEPOSITION SUBPOENA DUCES TECUM**

To any Lawful Officer or Other persons Authorized to Serve Subpoenas:

YOU ARE HEREBY COMMANDED TO SUMMON the appointed officer, official or employee of \_\_\_\_\_ to appear and be deposed in the deposition commencing at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the law offices of \_\_\_\_\_.

Deponent shall have knowledge of the following:

1. The name, address and telephone number of all persons associated with \_\_\_\_\_ as employee, agent, independent contractor or otherwise for the purpose of real estate sales during 20\_\_\_\_.
2. The name, address and telephone number of all persons associated with \_\_\_\_\_ as employee, agent, independent contractor or otherwise for the purpose of real estate sales during 20\_\_\_\_.
3. For each person identified in response to 1 and 2 above:

- a. identify those who took the \_\_\_\_\_ course with plaintiff \_\_\_\_\_ in 20\_\_\_\_;
- b. the initial date of affiliation of each with \_\_\_\_\_
- c. the prior sales experience of each;
- d. the date, total amount and agent commission of each real estate sale in 20\_\_\_\_ and 20\_\_\_\_ by each;
- e. the hours (weekly or monthly) worked on real estate sales by each in 20\_\_\_\_ and 20\_\_\_\_ (including open houses and caravans).

Deponent(s) shall bring with him/her/them the following:

- 1. All records evidencing hours worked by \_\_\_\_\_ on real estate sales in 20\_\_\_\_ and 20\_\_\_\_.
- 2. All records evidencing commissions earned \_\_\_\_\_ from real estate sales in 20\_\_\_\_.
- 3. All records evidencing hours worked on real estate sales by each person affiliated with \_\_\_\_\_ in 20\_\_\_\_ and 20\_\_\_\_.
- 4. All records evidencing commissions earned from real estate sales by each person affiliated with \_\_\_\_\_ in 20\_\_\_\_ and 20\_\_\_\_.

You are invited to attend said deposition to examine the deponent as you deem fit and proper in conformity with the \_\_\_\_\_ Rules of Civil Procedure.

Herein, you shall not fail under penalty in such case provided and have there and then this writ.

Witness my signature and seal of office, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk

\_\_\_\_\_ County Circuit Court

**RETURN**

I, \_\_\_\_\_, a duly-authorized process server for \_\_\_\_\_  
County, \_\_\_\_\_, do hereby certify that I have this day personally served a true and  
correct copy of the above and foregoing Deposition Subpoena on \_\_\_\_\_ by  
personally delivering a copy of same to \_\_\_\_\_ within the geographical  
limits of \_\_\_\_\_ County, \_\_\_\_\_.

By: \_\_\_\_\_

Dated: \_\_\_\_\_