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September 2, 2008

**VIA CERTIFIED MAIL ARTICLE
NO. 7004 0750 0000 2032 4073**

***** Police Department
Attn: FOIA Administrator
Address
City, State Zip

Re: My Client: Johnny Defendant
Date of Incident: *****
Location of Incident: *****
Arresting Officer: *****

Dear Sir or Madam:

Please consider this letter a request pursuant to Michigan's Freedom of Information Act, MCL 15.231, et. seq., as amended. Please send to my attention at the above address a copy of all records concerning my client, Johnny Defendant, listed below. I enclose for your attention a Freedom of Information Act release authorization form. I trust you will find this sufficient.

Mr. Defendant was stopped, detained, administered field sobriety and PBT testing, arrested, and transported to your lockup by Officer *****, badge number ***. Once at your lockup, Mr. Defendant was booked and administered a breathalyzer test.

Please send me copies of the following:

1. Copies of audio recordings, video recordings, or both, if any, from Officer Michael Wittrock's scout car showing Mr. Defendant's car being followed, stopped, or detained.
2. Copies of audio recordings, video recordings, or both, if any, from Officer *****scout car showing Mr. Defendant being administered the field sobriety and PBT tests, and being arrested at the scene.
3. Copies of audio recordings, video recordings, or both, if any, from Officer *****scout car while transporting Mr. Defendant to the *****

***** Police Department
Attn: FOIA Administrator
September 2, 2008
page 2

Police Department lockup, including any conversations between Mr. Defendant and Officer *****.

4. Copies of any audio or visual tapes of Mr. Defendant while at the lockup and proceeding through the booking process.
5. Copies of any audio or visual tapes of Mr. Defendant being administered the breathalyzer test at the ***** Police Department lockup.

As provided by §5(2) of the Act, I hope to receive these documents as soon as possible. Please therefore send copies of these tapes and documents to me within the time constraint allowed by that subsection. If you are unable to fulfil this request in that time limitation, please contact me at the above address in writing and inform me as to when I may expect to receive these requested items. If, however, you decide to deny this request in whole or in part, I expect to receive a written notification of this decision as provided in §5(4)(a) through §5(4)(d). If you charge a fee for this request, please advise and I will be happy to pay it.

If, however, you decline any part of this request, please ensure that you **PRESERVE ANY DOCUMENT, AUDIO OR VISUAL RECORDING, OR ANYTHING ELSE THAT YOU WITHHOLD**. Similarly, pursuant to *People v Rosborough*, 387 Mich 183 (1973), *People v Petrella*, 124 Mich App 745 (1983) and *Arizona v Youngblood*, 488 US 51 (1988), I am requesting that you preserve any and all audio or video recordings, or both, (either fragmentary or complete) generated in this case.

As always, if you have questions regarding this or anything else, please do not hesitate in contacting me.

Very truly yours,

Thomas M. Loeb
TML/mb
Enclosure

cc: Johnny Defendant (w/o enclosure)

FREEDOM OF INFORMATION ACT AUTHORIZATION

TO:

You and any person associated with you are hereby authorized and requested to furnish to this office or any representative of its office, with any and all information contained in my records and files that they may request. Photostatic copy of this authorization may serve in its stead.

Client

Date

Subscribed and sworn to before me this
_____ day of _____, 20__ .

Notary Public, _____ County, MI.
My commission expires: _____

AUTHORIZATION TO COPY MEDICAL RECORDS

TO:

Re: Name of Patient: _____

Date of Birth: _____ SS#: _____

Date of Treatment: _____

I, the undersigned, hereby authorize any physician or nurse who attended me, or any hospital at which I have been confined and designated above, to furnish attorney **Thomas M. Loeb, 32000 Northwestern Hwy, Ste 170, Farmington Hills, Michigan, 48334-1507**, with any and all information which may be requested regarding my past or present physical condition and treatment rendered, including but not limited to my consumption of alcohol or use of drugs, if applicable, and to allow them or any physician appointed by them to examine or copy any and all records or x-rays which you may have regarding my condition or treatment, including billings.

Photostatic copy of this Authorization shall serve in its stead.

PATIENT'S SIGNATURE

Subscribed and sworn to before me,
this _____ day of _____, 200__.

Notary Public, _____ County, MI
My Commission Expires: _____

STATE OF MICHIGAN

IN THE THIRTY SIXTH DISTRICT COURT

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff, No. _____

vs. Hon. _____
_____, Date: _____
Defendant.

LEGAL AID AND DEFENDER'S ASSOC.
STATE DEFENDER'S OFFICE

Attorney for Defendant
613 Abbott, 4th Floor
Detroit, MI 48226

DISCOVERY ORDER

At a session held in the Wayne County
District Court, County of Wayne on:

ON: _____

PRESENT: Honorable _____

Upon Motion of the Defendant and the Court being fully advised in the premises;

IT IS ORDERED that the squad car video be preserved from the traffic stop on or
about _____ at or about _____ on or near _____ (District:
_____, Police Officers: _____ Squad Car: _____) and that
the Officer in Charge of this unit or precinct provide defense counsel with a copy of the
video.

IT IS FURTHER ORDERED that the police activity logs and run sheets be preserved from the traffic stop on or about _____ at or about _____ on or near _____ (District: _____, Police Officers: _____ Squad Car: _____) and that the Officer in Charge of this unit or precinct provide defense counsel with a copy of the logs and run sheets.

IT IS FURTHER ORDERED due to the indigency of the Defendant, all costs associated with this order be paid by the County of Wayne.

HONORABLE _____

Approved for entry:

Wayne County Prosecutor

Attorney for Defendant

Dated: _____

STATE OF MICHIGAN
IN THE ***** COUNTY CIRCUIT COURT
CRIMINAL DIVISION

State of Michigan Case No. 08-*****
Plaintiff, Judge *****
v
Johnny Defendant,
Defendant,

***** County Prosecutor's Office
APA ***** (P*****)
Attorney for Plaintiff
Address
City, State Zip
(***) ***_*****

Thomas M. Loeb (P25913)
Attorney for Defendant
32000 Northwestern Hwy.
Ste. 170
Farmington Hills, MI 48334
(248) 851-2020

MOTION TO COMPEL DISCOVERY -
MEDICAL AND EMS RECORDS OF COMPLAINANT

Defendant, by his attorney Thomas M. Loeb, moves this Honorable Court for an Order allowing supplemental discovery of the complainant's medical and EMS records, and in support, states as follows:

1. That he is presently charged by way of information with the offenses of assault with intent to commit murder and possession of a firearm during the commission of a felony, contrary to MCL 750.83 and MCL 750.227b, respectively.
2. That a preliminary examination was held in this case in the ***** Court on *****.
3. That at the time of the preliminary examination, the complainant, *****, testified that he was taken by an ambulance to *****, where he received medical treatment.
4. On a copy of the ***** Police Department's investigator's

report provided to defense counsel, the complainant's *****
medical records and chart number are listed and, upon information
and belief, these records are intended to be used as evidence
against Defendant.

5. That, at the preliminary examination, the complainant also testified that he used drugs, or alcohol, or both, on the day of the alleged offense.
6. That the information contained within the complainant's hospital and EMS records and sought by this discovery request is necessary for Defendant's attorney to properly prepare his defense and furthers the interest of a fair trial.
7. That unless the requested information is provided, defense counsel will be unable to effectively, competently, and properly represent his client in this case, contrary to his Defendant's rights under the state and federal constitutions. **See US Const, Am VI; Const 1963, art 1, § 20.**
8. That suppression of the information requested would violate defendant's due process rights under both the federal and state constitutions. **See US Const, Am XIV; Const 1963, art 1, § 17.**
9. That the physician patient privilege (MCL 600.2157) is inapplicable in this case, as the complainant has waived the privilege by providing the prosecutor with the information referred to in paragraph four above, and by testifying in detail to his treatment while at ***** during the preliminary examination.
10. Alternatively, if the privilege does apply, Defendant's need for the medical and EMS records outweighs the privilege and as such, the

material ought to be provided.

THEREFORE for all the above reasons we move this Honorable Court to grant Defendant's motion and allow his attorney to obtain the complainant's EMS and medical records.

Respectfully Submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy
Ste. 170
Farmington Hills, MI 48334-1507
248/851-2020

Dated:

MEMORANDUM IN SUPPORT

Defendant relies upon MCR 6.201, and the discretion of this court. As to the relevance of the requested material, it can hardly be argued that it is unimportant. Indeed, the officers investigating this case saw fit to list the complainant's doctor and chart number in the investigator's report. In this writer's experience the prosecution often obtains these records for its own purposes. Presumably, the prosecution will introduce some or all of these records in its case in chief.

As previously mentioned, Defendant is charged with assault with intent to commit murder, contrary to MCL 750.83. In instructing the jury this court will no doubt advise that jurors may consider the injury in determining whether there was an assault, and, if so, to what degree. **See CJI 2d 17.3 and 17.16.** In anticipation that the government may claim that the records requested are privileged, this writer would first like to point out that he has been unable to

find a statutory privilege that would govern the EMS or ambulance records. If the government asserts such a privilege as to those records, defense counsel respectfully request that it provide a statutory cite. In any event, the Defendant submits that medical-patient privilege was waived by the complainant's testimony concerning his medical treatment at the preliminary hearing, as well as by providing the information to the police. **People v Sayles, 200 Mich App 594 (1993); Cf Landelius v Sackellares, 453 Mich 470 (1996).**

It is important that this court understand what the Defendant is NOT requesting. This writer is not asking the prosecutor to do anything other than to aid in providing sufficient information to allow Defendant to obtain the EMS records. With respect to the medical records, if this court signs the Defendant's proposed order, this writer will execute it himself as the information is clearly relevant, necessary for proper cross examination, and for pursuing Defendant's defense, this writer can frankly see no reason why the records should not be provided.

If, however, this court feels that some or all of the records are privileged, then defendant requests that this court review the records in camera, pursuant to the procedure outlined in MCR 6.201 (C)(2). Defendant submits that the records will demonstrate that at the time of the complainant's transportation to the hospital and during the subsequent treatment, he was under the influence of alcohol, drugs or both.

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy
Ste. 170
Farmington Hills, MI 48334-1507
248/851-2020

Dated:

ORDER GRANTING SUPPLEMENTAL
DISCOVERY - MEDICAL RECORDS

At a session of said court, held in the
City of *, * County,
Michigan on _____

PRESENT: _____
Circuit Court Judge

Argument having been heard, and the court being fully advised;

IT IS ORDERED that photocopies of *'s medical records, (D.O.B. *; *Hospital case
no. *) be provided to defense counsel or his agent.

IT IS FURTHER ORDERED that this information be provided on or before
_____.

CIRCUIT COURT JUDGE

Notice & hearing on entry of
the above order is waived.

Approved as to form:

* County Assistant
Prosecuting Attorney

THOMAS M. LOEB
ATTORNEY AND COUNSELOR AT LAW

32000 NORTHWESTERN HWY • STE 170 • FARMINGTON HILLS, MI • 48334-1507
(248) 851-2020 Office
(248) 851-2525 Fax
E-mail: tmloeb@mich.com
Website: www.loebslaw.com

Date

Name of Hospital
* Director, Medical Records Department
Address
City, State Zip

VIA CERTIFIED MAIL ARTICLE NO. *****

Re: *People v **
Case No: *
Order for Supplemental Discovery - Medical Records

Dear *:

Please be advised that I represent * with respect to the above case. I am enclosing for your review and execution an order for supplemental discovery - medical records, requiring that you produce photocopies of *'s medical records to me at your earliest convenience.

For your convenience, kindly treat this order as a subpoena pursuant to Michigan's Court Rules (MCR 2.506(I)) and provide your standard sworn certificate verifying that you are sending me a complete and accurate reproduction of the original record. *(use this sentence only if we are not retained) Please note that these records are to be produced at county expense as the defendant is indigent.

I trust this meets with your approval. As always, if you have questions regarding this or anything else, please do not hesitate in contacting me.

Very truly yours,

Thomas M. Loeb
TML/mb
Enclosures

ORDER FOR SUPPLEMENTAL
DISCOVERY--MEDICAL RECORDS

At a session of said court, held in the *, on

PRESENT: _____
Circuit Court Judge

Argument having been heard, and the court being fully advised;

IT IS ORDERED that photocopies of *'s medical records, (D.O.B. *; *Hospital case no. *) be provided to defense counsel or his agent.

IT IS FURTHER ORDERED that this information be provided to defense counsel at county expense, as defendant is indigent.

CIRCUIT COURT JUDGE

Notice & hearing on entry of
the above order is waived.

Approved as to form:

* County Assistant
Prosecuting Attorney

***ORDER FOR SUPPLEMENTAL DISCOVERY--
* COUNTY MEDICAL EXAMINER'S RECORDS,
REPORTS, AND PHOTOGRAPHS***

At a session of said Court, held in
the *, * County,
Michigan on _____

PRESENT: _____
Circuit Court Judge

Argument having been heard, and the court being fully advised, **IT IS ORDERED** that photocopies of the * County Medical Examiner's records, reports, and photographs concerning Autopsy Case No. * of decedent * be provided to defense counsel or his agent.

IT IS FURTHER ORDERED that this information be provided to defense counsel at county expense, as defendant is indigent.

Circuit Court Judge

**Approved as to form.
Notice of entry waived.**

Attorney for

ORDER FOR THE APPOINTMENT OF
BALLISTICS EXPERT AT COUNTY EXPENSE

At a session of said court, held in the
***** , on

PRESENT: _____
Circuit Court Judge

Argument having been heard, and the court being fully advised;

IT IS ORDERED that the following person shall be appointed as defendant's independent ballistics expert at county expense as defendant is indigent:

IT IS FURTHER ORDERED that * shall have an opportunity to examine the handgun presently held by the ***** Police Department on ***** and if he so desires, the bullets and fragments held on ***** and *****.

CIRCUIT COURT JUDGE

Notice & hearing on entry of the above order is waived.

Approved as to form:

Attorney for

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT
CRIMINAL DIVISION

People of the State of Michigan
Plaintiff,

Case No.
Judge

v

***** ,

Defendant,

_____ /

* County Prosecutor's Office
APA *(P*****)
Attorney for Plaintiff
Address
City, State Zip
(313) 224-5777

Thomas M. Loeb (P25913)
Attorney for Defendant
32000 Northwestern Hwy., Ste. 170
Farmington Hills, MI 48334-1507
(248) 851-2020

_____ /

**MOTION TO ALLOW INSPECTION OF TANGIBLE PHYSICAL
EVIDENCE -POLAROID PICTURES AND VIDEO SURVEILLANCE**

Defendant, by his attorney Thomas M. Loeb, moves this Honorable Court for an Order allowing him to examine tangible physical evidence, and in support, states as follows:

1. That he is presently charged by way of information with the offenses of assault with intent to commit murder and possession of a firearm during the commission of a felony, contrary to MCL 750.83 and MCL 750.227b, respectively.
2. That, according to the investigator's report and supplement in this case, among the items taken into evidence are * Polaroid pictures (*) and a

video surveillance cassette (*).

3. In order to properly represent his client, defense counsel needs an opportunity to examine this evidence in advance of trial.

THEREFORE, for all the above reasons we move this Honorable Court to issue an order allowing Defendant's attorney to examine the evidence in the government's possession.

Respectfully Submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
248/851-2020

Dated:

MEMORANDUM IN SUPPORT

Defendant relies upon MCR 6.201(A)(6). The request made by this motion is, according to the court rule subject to mandatory disclosure upon request.

THEREFORE, for all the above reasons, we move this Honorable Court to grant Defendant's motion and to allow his attorney to examine the photographs and video

cassette tape placed in evidence in this case.

Respectfully Submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
248/851-2020

Dated:

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT
CRIMINAL DIVISION

People of the State of Michigan

Plaintiff,

v

*****,

Defendant,

Case No.

Judge

* County Prosecutor's Office
APA ***** (P*****)
Attorney for Plaintiff
1441 St. Antoine, Room 1200
Detroit, MI 48226
(313) 224-5777

Thomas M. Loeb (P25913)
Attorney for Defendant
32000 Northwestern Hwy., Ste. 170
Farmington Hills, MI 48334-1507
(248) 851-2020

**MOTION IN LIMINE -TO PRECLUDE EVIDENCE, ARGUMENT,
OR TESTIMONY OF OTHER WEAPONS, AMMUNITION, AND
THINGS SEIZED FROM DEFENDANT'S PLACE OF BUSINESS**

Defendant, by his attorney Thomas M. Loeb, moves this Honorable Court in limine for an Order precluding the government from introducing evidence, argument, or testimony of other items seized from Defendant's place of business and in support states as follows:

1. That the government's theory in this case is that Defendant used a shot gun to shoot complainant without legal justification or excuse.
2. That a preliminary examination was held in this case was held in the * Court on *
3. That an examination of the investigator's report supplement,

provided to this attorney as part of the government's basic discovery, demonstrates that, among other things, the following items were seized:

4. That, except for arguably the shotgun and spent shells, the other items listed are irrelevant, immaterial, and if introduced against Defendant in this case, unfairly prejudicial.

THEREFORE, for all the above reasons, we move this Honorable Court to grant Defendant's motion in limine and preclude the government from introducing evidence, argument, or testimony surrounding the above-listed items seized from Defendant's place of business.

Dated:

Respectfully submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
248-851-2020

MEMORANDUM IN SUPPORT

Defendant brings this motion pursuant to MRE 103(c) which states:

"(c) Hearing of Jury. In jury cases, proceedings shall be conducted, to the extent practicable, so as to prevent inadmissible evidence from being suggested to the jury by any means, such as making statements or offers of proof or asking questions in the hearing of the jury."

Defendant submits that MRE 401, 402, and 403, require that evidence, argument or testimony concerning these items be excluded from trial. Nowhere

in the facts of this case is it even suggested that the Defendant, or anyone else, used these additional items (except the shotgun and spent shells) items illegally, improperly, or against the complainant. MRE 401 defines "relevant evidence" as ...

"evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence."

MRE 402 states, in pertinent part that...

"Evidence which is not relevant is not admissible."

As the additional items seized were not used by anyone in general, or Defendant in particular, their introduction into evidence or argument and testimony concerning these items would be improper

MRE 403 states...

" Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence."

If the government somehow comes up with an argument that can convince this court that the introduction of these additional items is relevant to this case, then Defendant submits that introduction of these additional weapons found in Defendant's store is substantially outweighed by the unfair prejudice it would create.

THEREFORE, for all the above reasons we move this Honorable Court to grant Defendant's motion in limine and preclude the government from introducing evidence, argument, or testimony of concerning the existence of

these additional weapons and other items found in his store.

Dated:

Respectfully submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
248-851-2020

Approved, SCAO

STATE OF MICHIGAN JUDICIAL DISTRICT 3rd JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 08-12345-DM
--	--	------------------------------------

Police Report No. (if applicable) _____ Court Address _____ Court telephone no. _____

Plaintiff(s) Petitioner(s) <input checked="" type="checkbox"/> People of the State of Michigan <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> Civil <input checked="" type="checkbox"/> Criminal <input type="checkbox"/> Probate In the matter of _____	V	Defendant(s) Respondent(s) Your client Charge _____
--	----------	---

In the Name of the People of the State of Michigan. TO: Sprint United Management Company
 c/o Corporation Service Co.
 601 Abbott Road
 East Lansing, MI 48823 (888) 690-2882

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

<input checked="" type="checkbox"/> 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. <input type="checkbox"/> The court address above <input checked="" type="checkbox"/> Other: <u>32000 Northwestern Hwy, Ste. 170, Farmington Hills, MI 48334-1507</u>		
Day Sunday	Date September 28, 2008	Time 9:00 a.m.

- 2. Testify at trial / examination / hearing.
- 3. Produce/permit inspection or copying of the following items: Any and all records, including but not limited to telephone call records, for the account containing telephone number (248) 555-5555, from January 01, 2008 to the present.

- 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 attached.
- 7. Other: The deposition is solely for producing documents, and the undersigned does not intend to examine deponent.

<input checked="" type="checkbox"/> 8.	Person requesting subpoena Thomas M. Loeb, Esq.	Telephone no. (248) 851-2020
	Address 32000 Northwestern Hwy, Ste. 170	
	City Farmington Hills	State MI
		Zip 48334-1507



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.

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

Date _____ Judge/Clerk/Attorney _____ Bar no. _____

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 / NON-SERVICE

<input type="checkbox"/> OFFICER CERTIFICATE	OR	<input type="checkbox"/> 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: (notary 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: (notary required)

I served a copy of the subpoena, together with _____ 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 _____ Attachment

on the following person and have been unable to complete service.

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

Service fee	Miles Traveled	Mileage fee	Total fee	Signature
\$		\$	\$	

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

_____ on behalf of _____

Signature _____

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:

_____ Date _____ Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.

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

Notary public, State of Michigan, County of _____

**STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT
CRIMINAL DIVISION**

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v

Case No.:
Judge

YOUR CLIENT,

Defendant.

_____ /

County Prosecuting Attorney, Esq. (P00000)
Attorney for Plaintiff
12345 Anywhere Street, Ste. 6
Detroit, MI 48226
(313) 555-1212

Thomas M. Loeb, Esq. (P25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
(248) 851-2020

_____ /

NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that Defendant , Your Client, will take the deposition duces tecum of the Keeper of Records, Sprint United Management Company, c/o Corporation Service Company, pursuant to MCR 2.305, on (day), (date), at (time) at the offices of Thomas M. Loeb, 32000 Northwestern Hwy, Ste. 170, Farmington Hills, MI 48334-1507. This deposition is solely for producing documents, and the undersigned does not intend to examine the deponent.

Respectfully submitted,

Thomas M. Loeb (P-25913)
Attorney for Defendant

Dated:

**STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT
CRIMINAL DIVISION**

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v

Case No.: 08-12345-DM
Hon. Judge Jones

YOUR CLIENT,

Defendant.

_____ /

County Prosecuting Attorney, Esq. (P00000)
Attorney for Plaintiff
12345 Anywhere Street, Ste. 6
Detroit, MI 48226
(313) 555-1212

Thomas M. Loeb, Esq. (P25913)
Attorney for Defendant
32000 Northwestern Hwy, Ste. 170
Farmington Hills, MI 48334-1507
(248) 851-2020

_____ /

PROOF OF SERVICE

STATE OF MICHIGAN)
)SS
COUNTY OF WAYNE)

TOM'S PARALEGAL, being first duly sworn, deposes and states that on Some Date, 2008, he/she did mail a postage paid envelope a true and correct copy of the Notice of Taking Deposition Duces Tecum and Subpoena (Sprint United Management Company) upon: County Prosecuting Attorney, Esq., 12345 Anywhere Street, Detroit, MI 48226

TOM'S PARALEGAL

Subscribed and sworn to before me
this ___ day of _____, 2008

Ms. Public Notary, Notary Public
Oakland County, Michigan
My commission expires: