

FILED

JAN 30 2012

**CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BY  **DEPUTY CLERK**

1 Ellen Willis
2 25468 Los Flores Dr.
3 San Bernardino, CA 92404
4 (909) 709-8600

5 In Pro Se

6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**

8 Camelot Distribution Group, a)
9 California Corporation)

Civil Action 2:11-CV -02432 GEB KJN

10 **PLAINTIFF**)

11 VS)

12 Does 1 thru 1210, inclusive)

13 **DEFENDANT**)
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NOTICE OF MOTION TO QUASH SERVICE OF SUBPOENA

TO: Camelot Distribution Group, A California Corporation, and its attorney of record.

PLEASE TAKE NOTICE that Defendant Ellen Willis has filed a Motion to Quash Subpoena to produce Documents.

The motion will be based on this Notice of Motion, on the attached memorandum of points and authorities and the declaration of Ellen Willis, and on all the papers, pleading, and records on file in this action.

Date: *1/25/12*


Ellen Willis

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PLAINTIFF
VS
Does 1 thru 1210, inclusive
DEFENDANT

20 **MOTION TO QUASH SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION,**
21 **OBJECTS TO PERMIT PRODUCTION OF DOCUMENTS**

22 On Friday January 20, 2012 Movant was served with a Subpoena to produce documents
23 (A Copy of the Subpoena is attached as Exhibit A.) Movant moves to quash the subpoena on the
24 following grounds; Under Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective
25 12/1/07 the subpoena fails to allow a reasonable time to comply; and also requires a person to
26 travel more than 100 miles from where the person resides. Requires disclosure of privileged or
27 other protected matter, if no exception or waiver applies; or subject a person to undue burden.
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A motion to quash request and the Defendants right to privacy to their personal documents notwithstanding the foregoing, the Camelot Distribution Group, must be quashed completely because it was issued in a untimely manner.

Dated: January 25, 2012



Ellen Willis

1
2 **DECLARATION OF ELLEN WILLIS**
3 **IN SUPPORT OF MOTION TO QUASH**

4 I, Ellen Willis declare I am one of the Defendants in the above caption case. I make this
5 declaration in support of my Motion to Quash Service of Subpoena. The facts below are
6 personal known to be and I know them to be true except for the statements which are based upon
7 information and belief and as for those facts I believe them also to be true. If I were to testify in
8 a court of law I could and would testify truthfully to the facts as stated.

9 Time Warner sent me a copy of the attached Subpoena through the United States postal service
10 mail and I received it on Friday January 20, 2012. In an attachment letter it stated that I had to
11 file a Motion to Quash by February 13, 2012 as not to have to produce the documents which was
12 requested in the Subpeona. I have no idea of why I was targeted regarding the Time Warner
13 Subpoena in regards to my Road Runner Account with Time Warner.

14 I live approximately 490 miles from the Sacramento Area in order to comply with production of
15 documents. Furthermore the information to fails to allow in a timely manner and I believe that
16 my person information would to compromise if this I had to produce the documents which would
17 require disclosure of privileged or other protected matter and also subjects me to an undue
18 burden.

19 Wherefore I request that the Subpoena relating to my Road Runner account be quashed.

20
21 I, declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23
24 Dated: January 25, 2012

25 
26 Ellen Willis
27
28

Exhibit "A"

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

Camelot Distribution Group, a
California Corporation
Plaintiff
v.
Does 1 through 1210, inclusive
Defendant

Civil Action No. 2:11-CV-02432 GEB KJN
(If the action is pending in another district, state where:
Eastern District of California)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: The Custodian of Records for TIME WARNER CABLE dba Road Runner
13820 Sunrise Valley Drive Herndon, VA 20171

[X] Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following
documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the
material:

Place: Time Warner Cable
13820 Sunrise Valley Drive, Herndon, VA 20171
Date and Time:
November 27, 2011

[] Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or
other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party
may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:
Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule
45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are
attached.

Date: 10-27-11

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR [Signature]
Attorney's signature
Scott Hervey

The name, address, e-mail, and telephone number of the attorney representing (name of party) Plaintiff, Camelot
Distribution Group, a California Corporation, who issues or requests this subpoena, are:
Scott Hervey, SBN 180188 400 Capitol Mall, 11th Floor, Sacramento, CA 95814,
shervey@weintraub.com (916) 558-6000

1 Ellen Willis
25468 Los Flores Dr.
2 San Bernardino, CA 92404
3 (909) 709-8600

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18 **ORDER ON MOTION TO QUASH SUBPOENA**

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21 It is ordered that the Subpoena to produce document information submitted by Camelot
22 Distribution Group, a California Corporation requesting the production of documents from Time
23 Warner and Ellen Willis be Quashed
24
25
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27 Date:

28 Judge of the Eastern District of California

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2 25468 Los Flores Dr.
3 San Bernardino, CA 92404
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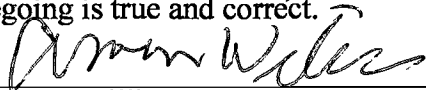
8	Camelot Distribution Group, a)	Civil Action 2:11-CV -02432 GEB KJN
9	California Corporation)	
)	
10	PLAINTIFF)	PROOF OF SERVICE
11	VS)	
)	
12	Does 1 thru 1210, inclusive)	
)	
13	DEFENDANT)	
14)	

15
16 I, The undersigned, certify and declare that I am over the age of 18 years, employed nor
17 reside in the County of San Bernardino, State of California, and not a party to the above-entitled
18 cause. On January 26, 2012. I, served a true copy of by personally delivering it to the person
19 indicted below.

20 Camelot Distribution Group, A California Corporation c/o Scott Hervey, Attorney
21 400 Capital Mall, 11th Floor
22 Sacramento, CA 95814

23 Place of mailing San Bernardino, California, executed on 1/26/12, at San Bernardino,
24 California.

25 I declare under penalty of perjury that the foregoing is true and correct.

26 
27 _____
28 Arvan Willis
25468 Los Flores Dr.
San Bernardino, CA 92404