

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

_____)	
<i>Plaintiff</i>)	
v.)	Civil Action No.
_____)	
<i>Defendant</i>)	

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

To:

(Name of person to whom this subpoena is directed)

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

Place:	Date and Time: Central Standard Time
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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:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case. It is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



EXHIBIT A

To Subpoena To Produce Documents
issued to Commerce Bank, N.A.

Documents and Things to be Produced:

Regarding ANY of the following Target Entities:

Target Entities: BF Labs, Inc. d/b/a Butterfly Labs, its affiliates, agents or employees, which may include Eclipse Mining Consortium, Sonny Vleisides, Jeff Ownby, Josh Zerlan, Bruce Bourne, Nasser Ghoseiri, and any person using an email address from the domain “butterflylabs.com”.

Target Accounts:

Target Date: July 25, 2011 through the present

All documents, files and records, electronic or otherwise, showing:

- 1) Signature cards, account applications, or other documents showing account identification numbers, “signers,” contact or identification information for the entities or “signers” on the Target Accounts or any accounts held by Target Entities.
- 2) Transaction records, account statements, records of payments or refunds, electronic transactions, transfers of money, or other records of financial transactions, including checks, deposits, and incoming or outgoing wire transfers, with the Target Entities or customers of the Target Entities and Target Accounts.
- 3) Monthly account statements or other statements showing all credits and debits for the Target Entities for the Target Accounts or any accounts held by the Target Entities.
- 4) Electronic mails, memorandums, correspondence, notes of communications, notes of meetings, faxes, or other communications or records of communications, either from, to, or concerning the Target Entities.
- 5) Electronic mails, memorandums, correspondence, notes of communications, notes of meetings, faxes, or other communications or records of communications, either from or to, customers of the Target Entities, concerning or relating to the Target Entities.
- 6) Customer complaints, fraud reports, or refunds requests regarding the Target Entities.