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8 *Attorney for Business Leaders for Arizona*

9 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

10 In the Matter Of,

Case No. 14F-001-AAG

11 TOM HORNE, Tom Horne for Attorney
12 General Committee (SOS Filer ID 2010
13 00003); KATHLEEN WINN, Business
14 Leaders for Arizona (SOS Filer ID 2010
15 00375)

**BUSINESS LEADERS FOR
ARIZONA'S SECOND REQUEST
FOR SUBPOENA**

Tammy L. Eigenheer
Administrative Law Judge

16 Business Leaders for Arizona requests a subpoena for records relating to the actual
17 purchases of television time by the media buyer for Business Leaders for Arizona during the
18 2010 general election. These records are pertinent to the actual amount of money expended
19 by Business Leaders for Arizona which is relevant to this action. Attempts by Business
20 Leaders for Arizona to secure these documents from Lincoln Strategy Group in Tempe,
21 Arizona have been unavailing.

22 RESPECTFULLY SUBMITTED this 23rd day of January 2014.

23 /s/ Timothy A. La Sota

24 Timothy A La Sota, (Bar #020539)

TIFFANY & BOSCO, P.A.

2525 East Camelback Road

Third Floor

Phoenix, Arizona 85016-4237

Attorney for Business Leaders for Arizona and Kathleen Winn

1 ORIGINAL OF THE FOREGOING e-filed
this 23rd day of January, 2014, to:

2
3 Honorable Tammy Eigenheer
4 Administrative Law Judge
5 ARIZONA OFFICE OF ADMINISTRATIVE
6 HEARINGS
7 1400 West Washington Street, Suite 101
8 Phoenix, Arizona 85007
9 casemanagement@azoah.com

10 COPIES of the foregoing emailed (through OAH electronic filing)
11 this 23rd day of January, 2014, to:

12 Jack Fields
13 Benjamin Kreutzberg
14 Deputy County Attorneys
15 Yavapai County Attorney's Office
16 255 E. Gurley St., Suite 300
17 Prescott, AZ 86301

18 Michael D. Kimerer
19 KIMERER & DERRICK, P.C.
20 221 East Indianola Avenue
21 Phoenix, Arizona 85012
22
23
24

1 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

2
3 In the Matter Of,

4 TOM HORNE, Tom Horne for Attorney
5 General Committee (SOS Filer ID 2010
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7 leaders for Arizona (SOS Filer ID 2010
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Case No. 14F-001-AAG

**SUBPOENA DUCES TECUM
UNDER THE AUTHORITY OF
ARIZONA REVISED STATUTES
A.R.S. § 41-1092.07(C)**

Tammy L. Eigenheer
Administrative Law Judge

9 **To:** Custodian of Records, SRCP Media

10 **Address:** 201 North Union Street, Suite 200, Alexandria, VA 22314

11 **YOU ARE COMMANDED**, to produce and permit inspection, copying, testing, or sampling of the
12 following designated documents, electronically stored information or tangible things, or to permit the
13 inspection of premises:

14 All documents related to you or your company's purchase of any television, radio, telephone, or other
15 media time or services on behalf of Business Leaders for Arizona during or after the 2010 general
16 election, including certified run records.

These documents may be produced by e-mail or facsimile (tal@tblaw.com, 602-255-0103), or

17 **AT THE PLACE, DATE AND TIME SPECIFIED BELOW:**

18 **Place of Production or Inspection:** The Law Firm of Tiffany and Bosco, P.A.

19 **Address:** 2525 East Camelback Road, 3rd Floor, Phoenix AZ 85016

20 **Date:** On or before February 5, 2014

21 **Time:** 10 a.m.

22 The Office of Administrative Hearings endeavors to ensure the accessibility of its hearings to all
23 persons with disabilities. Should you need special accommodations, please contact the Office of
24 Administrative Hearings at (602)-542-9826 at least three working days prior to the hearing.

1 **RIGHT TO OBJECT**

2 A party, or the person served with a subpoena who objects to the subpoena, or any portion of it, may
3 file an objection with the administrative law judge. The objection shall be filed within five (5) days
4 after service of the subpoena, or at the outset of the hearing if the subpoena is served fewer than five
5 (5) days before the hearing.

6 The administrative law judge shall quash or modify the subpoena if:

- 7 1. It is unreasonable or oppressive, or
- 8 2. The desired testimony or evidence may be obtained by an alternative method.

9 DATED this _____ day of _____ 2014.

10 _____
11 TAMMY L. EIGENHEER
12 Administrative Law Judge

13 AT THE REQUEST OF: Timothy La Sota, 602-515-2649, attorney for Appellant Kathleen Winn and
14 Business Leaders for Arizona

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