

FILED

15 JAN 15 AM 9:00

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

BEEF PRODUCTS, INC.,)	NO.	CASE NUMBER: 15-2-00491-3 SEA
BPI TECHNOLOGY, INC. and)		
FREEZING MACHINES, INC.,)		
)		
Plaintiffs,)		
)	SUBPOENA DUCES TECUM	
vs.)		
)		
AMERICAN BROADCASTING)		
COMPANIES, INC., ABC NEWS, INC.,)		
DIANE SAWYER, JIM AVILA,)		
DAVID KERLEY, GERALD)		
ZIRNSTEIN, CARL CUSTER, and KIT)		
FOSHEE,)		
)		
Defendants.)		

The State of Washington to: **William Marler**
1301 Second Avenue, Suite 2800
Seattle, WA 98101

YOU ARE COMMANDED to produce by first-class mail, postage prepaid, and permit inspection and copying of the following documents or objects at the place, date and time specified below, including therein a statement for the reasonable cost of reproduction of such documents or objects:

DATE: February 27, 2015, 5:00 p.m. CDT

LOCATION: WINSTON & STRAWN LLP
c/o Lucas T Pendry
35 West Wacker Drive
Chicago, IL 60601


DOCUMENTS: All documents identified in the attached "Schedule A."
Barbara Miner, Clerk of the Superior Court
For King County, WA

Dated: JAN 15 2015

By A. GALLARDO Deputy
County Superior Court Clerk



Requested by:



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SCHEDULE A

I. DEFINITIONS

1. "ABC" shall mean American Broadcasting Companies, Inc. and ABC News, Inc., and their predecessors in interest, parents, subsidiaries, divisions, and affiliates, as well as any officers, directors, agents, or employees acting on behalf of these entities, including any reporters, producers, editors or news correspondents.

2. "Defendants" shall mean American Broadcasting Companies, Inc., ABC News, Inc., Diane Sawyer, Jim Avila, David Kerley, Gerald Zimstein, Carl Custer, and Kit Foshee.

3. "Document" or "documents" is intended to have the broadest possible meaning and shall mean any written, graphic, recorded, or illustrative material of any kind or description, however produced or reproduced, in your possession, custody, or control, regardless of whether approved, signed, sent, received, redrafted, or executed. The term "document" includes, but is not limited to, the following: correspondence, memoranda, drafts, computerized records, notes, jottings, books, records, reports, surveys, studies, analyses, things, videotapes, recordings, computer disks or discs, email, transcriptions of verbal conversations or statements (however made), business forms, labels, papers and films filed with courts or other governmental bodies, notices, messages, calendar and diary entries, appointment books, lab notebooks, minutes and other formal or informal memoranda of meetings, and copies of documents that are not identical duplicates of the originals (e.g., because handwritten or "blind" notes appear thereon or are attached thereto).

4. "Communication" shall mean the recording, conveyance, or exchange of information of any kind by or with any person or entity for any purpose by any written, verbal, or electronic means or method.

5. "BPI" shall mean Beef Products, Inc., BPI Technology, Inc., and Freezing Machines, Inc.

6. "LFTB" shall mean Lean Finely Textured Beef, a beef product made by BPI.

7. "And" and "or" shall mean "and/or."

8. "Any" and "all" shall mean "any and all."

9. "Relate to" or "relating to" shall mean consisting of, referring to, reflecting, or being in any way legally, logically, or factually connected with the matter discussed.

10. "You" or "Your" shall refer to William Marler.

II. INSTRUCTIONS

1. You are not required to produce documents protected from production by the attorney-client privilege or the work-product privilege. This subpoena only seeks non-privileged documents within Your possession, custody, or control.

III. DOCUMENT REQUESTS

1. All documents relating to any communications between you and ABC or any other Defendants between January 1, 2009 and September 13, 2012.

2. Any documents you relied upon as the basis for any communication between you and ABC or any other Defendants between January 1, 2009 and September 13, 2012.

3. All documents in your possession relating to BPI from January 1, 2009 to September 13, 2012.

4. All documents in your possession relating to LFTB from January 1, 2009 to September 13, 2012.

RCW § 5.51.020(3)(b) STATEMENT OF COUNSEL OF RECORD

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