

**SERVE**

**CLIPPER ESTATES MASTER  
HOMEOWNERS' ASSOCIATION**

**22<sup>nd</sup> Judicial District Court**

**VS: 2007-10186 "I"**

**Parish of St. Tammany**

**JOHN B. HARKINS**

**State of Louisiana**

RECEIVED  
DUNN-SHERIFF'S  
OFFICE  
2015 FEB 20 P 4: 15  
DUNN-SHERIFF, JR.

**SUBPOENA DUCES TECUM**

**TO: RECORDS CUSTODIAN  
DAMMON ENGINEERING**

**554 OLD SPANISH TRAIL**

**SLIDELL, LA 70458**

**You are commanded** by the 22<sup>nd</sup> Judicial District Court for the Parish of St. Tammany, Louisiana,  
to appear at: OFFICE OF PORTEOUS, HAINKEL AND JOHNSON, LLP, 704 CARONDELET  
STREET, NEW ORLEANS, LA 70130

on the 25<sup>TH</sup> day of FEBRUARY, 2015, at 9:00 a.m.,  
to produce before said Court, the following documents, papers and/or records:

**AS PER ATTACHED INSTRUCTIONS FOR PRODUCTION, CERTIFIED COPY OF THE  
NOTICE OF DEPOSITION ATTACHED TO THE SERVICE COPY OF THIS SUBPOENA  
ONLY.**

**YOU MUST APPEAR OR RISK PENALTY OF LAW.**

By order of said Court, this 20<sup>TH</sup> day of FEBRUARY, 2015.

*Malise Prieto*, Clerk of Court

**Attorney: (P) or (D)  
GLENN B. ADAMS P1  
704 CARONDELET STREET  
NEW ORLEANS, LA 70130**

By:

  
TRACEY GRAHAM Deputy Clerk

Issued: 2/20/15

**Please see the attached La. C.C.P. Art. 1354, Subpoena duces tecum (attached to the Service copy only).**

**PORTEOUS, HAINKEL AND JOHNSON, L.L.P.**

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FACSIMILE 985-447-3004

343 THIRD STREET, SUITE 302  
BATON ROUGE, LOUISIANA 70801-1309  
TELEPHONE 225-383-8900  
FACSIMILE 225-383-7900

February 16, 2015

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JOHN J. HAINKEL, JR. (1938-2005)  
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KRISTOPHER M. GOULD\*  
KELSEY L. JARRETT

\*Also Licensed in North Carolina

PLEASE REPLY TO:  
**NEW ORLEANS**

2007-10186 I  
**FILED**  
20 PM  
FEB 19 2015

**MALISE PRIETO - CLERK**  
Deputy *Tracy Hahn*

Ms. Malise Prieto  
22nd Judicial District Court  
701 N. Columbia St.  
P. O. Box 1090  
Covington, LA 70434-1090

Re: Clipper Estates Master Homeowners' Assoc. v. John B. Harkins  
22<sup>nd</sup> JDC No: 2007-10186 "I"  
Our File No.: 104.0081

Dear Madam:

Enclosed please find the original and four copies of a Notice of Records Deposition and Subpoena Duces Tecum regarding the above-captioned matter. Please file same into the record, issue service as listed below and return a stamped copy for my records.

In connection with the Notice, please issue the following Subpoena Duces Tecums to:

Dammon Engineering  
554 Old Spanish Trail  
Slidell, LA 704585  
Records Custodian

*C. ADAMS @ PITH LAW.COM*  
FILED  
2015 FEB 20 AM 10 32  
ST. TAMMANY PARISH

*tdo*

I have enclosed our firm check to cover the cost of filing a serving same.

Thank you for your courtesies in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Adams", written in a cursive style.

GLENN B. ADAMS

GBA/pld

cc: Mr. Ryan P. Reece  
Mr. Lloyd T. Bourgeois  
Ms. Judith Otero

22<sup>ND</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY

STATE OF LOUISIANA

NO. 2007-10186

DIVISION: "T"

CLIPPER ESTATES MASTER HOMEOWNERS' ASSOCIATION, INC.

versus

JOHN B. HARKINS, ET AL

S/TRACEY GRAHAM

FILED: FEB 20 2015

DEPUTY CLERK

NOTICE OF DEPOSITION

TO: Dammon Engineering  
554 Old Spanish Trail  
Slidell, LA 70458  
Records Custodian

PLEASE TAKE NOTICE that on February 25, 2015, undersigned counsel for Clipper Estates Master Homeowners' Association, Inc. will take the records deposition of the Records Custodian of Dammon Engineering Inc. for any and all documents/photographs pertaining to the property located at 1165 Clipper Drive Slidell, Louisiana; at the Office of Porteous, Hainkel and Johnson, L.L.P., 704 Carondelet Street, New Orleans, LA 70130 on February 25, 2015 beginning at 9:00 a.m., before a Notary Public, or any other officer authorized by law to take depositions, pursuant to the provisions of Article 1421 *et seq* of the Louisiana Code of Civil Procedure.

The examination will continue from day to day until completed. The deposition is taken for purposes of discovery, for use at trial, or for such other purposes as are permitted under the Code of Civil Procedure.

You are invited to attend and participate as the law permits. **The witness is hereby notified that in the event the records referenced herein are supplied with certification, the subpoena and notice will be satisfied and no appearance will be necessary.**

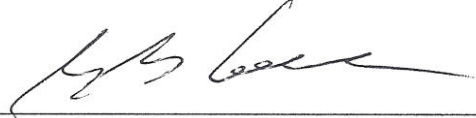
Respectfully submitted,



GLENN B. ADAMS (2316)  
Porteous, Hainkel & Johnson, L.L.P.  
704 Carondelet Street  
New Orleans, LA 70130  
Telephone: (504) 581-3838  
*Attorney for Clipper Estates  
Master Homeowners' Association*

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the above and foregoing pleading on all counsel of record herein by electronic mail, facsimile or mailing same by United States Mail, properly addressed and first class postage prepaid, on this 13<sup>th</sup> day of February 2015.



---

GLENN B. ADAMS

Clipper Estates Master Homeowners' Assoc.

VS:

John B. Harkins

No: 2007-10186 "I"

22<sup>nd</sup> Judicial District Court

Parish of St. Tammany

State of Louisiana

FILED

FEB 20 2015

S/ MALISE PRIETO GRAHAM  
DEPUTY

SUBPOENA DUCES TECUM

TO: Dammon Engineering  
554 Old Spanish Trail  
Slidell, LA 70458  
Records Custodian

You are commanded by the 22<sup>nd</sup> Judicial District Court for the Parish of St. Tammany, Louisiana,

to appear at: Porteous, Hainkel and Johnson  
704 Carondelet St., New Orleans, LA 70130

on the 25<sup>th</sup> day of February, 2015 at 9:00 a.m.,

to produce before said Court, the following documents, papers and/or records:

any and all documents / photographs pertaining to the property located at 1165 Clipper Dr. Slidell, LA

A CERTIFIED COPY OF THE NOTICE OF DEPOSITION AND AFFIDAVIT IS ATTACHED TO THE SERVICE COPY OF THIS SUBPOENA ONLY.

YOU MUST APPEAR OR RISK PENALTY OF LAW.

By order of said Court, this \_\_\_\_\_ day of \_\_\_\_\_, 2015

*Malise Prieto*, Clerk of Court

Attorney: (P) or (D)

By: \_\_\_\_\_

Deputy Clerk

Issued: 12/12/14

Please see the attached La. C.C.P. Art. 1354, Subpoena duces tecum (attached to the Service copy only).

204A-Subpoena Duces Tecum  
Rev 12/13

## ATTACHMENT TO SERVICE COPY OF SUBPOENA DUCES TECUM

Louisiana Code of Civil Procedure, Article 1354, Subpoena duces tecum

- A. A subpoena may order a person to appear and produce at the trial, deposition, or hearing, books, papers, documents, any other tangible things, or electronically stored information, in his possession or under his control, if a reasonably accurate description thereof is given. A subpoena may specify the form or forms in which electronically stored information is to be produced. A party or an attorney requesting the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or cost on a person subject to that subpoena. The court in which the action is pending in its discretion may vacate or modify the subpoena if it is unreasonable or oppressive. Except when otherwise required by order of the court, certified copies, extracts, or copies of books, papers, and documents may be produced in obedience to the subpoena duces tecum instead of the originals thereof. If the party or attorney requesting the subpoena does not specify that the named person shall be ordered to appear, the person may designate another person having knowledge of the contents of the books, papers, documents, other things, or electronically stored information, to appear as his representative.
- B. A person commanded to respond to a subpoena duces tecum may within fifteen days after service of the subpoena or before the time specified for compliance, if such time is less than fifteen days after service, send to the party or attorney designated in the subpoena written objections, with supporting reasons, to any or all of the requests, including objection to the production of electronically stored information in the form or forms requested. If objection is so made, the party serving the subpoena may file a motion to compel compliance with the subpoena and may move for sanctions for failure to reasonably comply.
- C. A person responding to a subpoena to produce books, papers, or documents shall produce them as they are kept in the usual course of business or may organize and label them to correspond with the categories in the demand.
- D. If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably useable.
- E. A person responding to a subpoena need not produce the same electronically stored information in more than one form.
- F. A person responding to a subpoena need not produce books, papers, documents, or electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel production or to quash, the person from whom production is sought shall show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order production from such sources if the requesting party shows good cause. The court may specify conditions, including an allocation of the costs, for the production.
- G. When the person subpoenaed is an adverse party, the party requesting the subpoena duces tecum may accompany his request with a written request under oath as to what facts he believes the books, papers, documents, electronically stored information, or tangible things will prove, and a copy of such statement shall be attached to the subpoena. If the party subpoenaed fails to comply with the subpoena, the facts set forth in the written statement shall be taken as confessed, and in addition the party subpoenaed shall be subject to the penalties set forth in Article 1357.
- H. Subpoenas duces tecum shall reproduce in full the provisions of this Article.

Amended by Acts 1978, No. 593, §1; Acts 2008, No. 824, §2, eff. Jan. 1, 2009.