5/3/16 1:25

Raines Feldman

Beverly Hills 9720 Wilshire Boulevard, 5th Floor Beverly Hills, California 90212

Irvine 18401 Von Karman Avenue, Suite 360 Irvine, California 92612

> Main: 310.440.4100 www.raineslaw.com Fax: 310.691.1238 esyverson@raineslaw.com

May 3, 2016

VIA PERSONAL DELIVERY

Custodian of Records CT Corporation System c/o Glassdoor, Inc. 818 W. 7th Street, Ste. 930 Los Angeles, CA 90017

Re: *Philip J. Layfield v. Does 1 through 25 et al.* Los Angeles Superior Court Case No. BC618139

Dear Custodian of Records:

Enclosed is a Deposition Subpoena for Production of Business Records regarding user information relevant to the above captioned case. The Subpoena is duly issued and is being served upon you pursuant to the California Discovery Act.

Because the records requested must be authenticated, I am also enclosing a form Declaration of Custodian of Records that you may use for that purpose, if your company does not have its own declaration that is compliant with California Evidence Code § 1561, which requires such declarations to include a description of the records produced and the mode of preparation.

Although the enclosed subpoena specifies production of records at our legal document reproduction company, you may instead make a direct production to our office. Also, I would be happy to provide you with electronic copies of any of the

Custodian of Records May 3, 2016 Page 2

documents served herein or otherwise assist you as necessary and appropriate to reduce any burden associated with your response to the subpoena.

Thank you for your anticipated cooperation in this matter. Please contact our office with any questions.

Sincerely,

Erik S. Syverson of RAINES FELDMAN LLP

Enclosed:

- Deposition Subpoena for Production of Business Records;
- Attachment "3" to Deposition Subpoena for Production of Business Records;
- Declaration of Custodian of Records

SUBP-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Erik S. Syverson (State Bar No. 221933)	FOR COURT USE ONLY
RAINES FELDMAN LLP	
9720 Wilshire Boulevard, 5 th Floor	
Beverly Hills, California 90212	
TELEPHONE NO.: (310) 440-4100 FAX NO.: (310) 765-7730	
E-MAIL ADDRESS: esyverson@raineslaw.com	
ATTORNEY FOR (Name): Plaintiffs Philip J. Layfield and Layfield & Barrett, APC.	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles	
STREET ADDRESS: 111 North Hill Street	
MAILING ADDRESS: 111 North Hill Street	
CITY AND ZIP CODE: Los Angeles, California 90012	
BRANCH NAME: Central District	
PLAINTIFF/PETITIONER: Philip J. Layfield; Layfield & Barrett, APC.	-
DEFENDANT/RESPONDENT: Does 1 through 25	
DEPOSITION SUBPOENA	CASE NUMBER:
FOR PRODUCTION OF BUSINESS RECORDS	BC618139
THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone nu CT Corporation System, c/o Glassdoor,Inc., 818 W. 7th Street, Ste. 930, Los Ange	<i>imber of deponent, if known):</i> les, California 90017
1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3	3, as follows:
To (name of deposition officer): ProLegal	
On (date): May 24, 2016 At (time)	: 10:00 a.m.
Location (address): 17921 Sky Park Circle, Suite C, Irvine, CA 92614	

		Do not release the requested records to the deposition officer prior to the date and time stated above.
a.	\boxtimes	by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner
		wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner

- r wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
- b. D by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
- c. D by making the original business records described in Item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
- 2. The records are to be produced by the date and time shown in item 1 (but not sconer than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them evailable or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
- 3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):
 - Continued on Attachment 3.

(TYPE OR PRINT NAME)

4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY	BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE
FOR THE SUM OF FIVE HUNDRED DO	LLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.
ate issued: May 2, 2016	14-

Date issued: May 2, 2016

Erik S. Syverson

125	\nearrow	2	7	
	(SIGNATURE	OF PERSO	N ISSUING S	SUBPOENA)

Attorney for Plaintiffs

(TITLE)

(Proof of service on reverse) **DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS**

Page 1 of 2 Code of Civil Procedure, §§ 2020.410-2020.440; Government Code, § 68097.1 www.courts.ca.gov

SUBP-010

_ PLAINTIFF/PETITIONER: Philip J. Layfield and Layfield & Barrett A	APC.	
---------------------------------------------------------------------	------	--

CASE NUMBER: BC618139

DEFENDANT/RESPONDENT: Does 1 through 25

PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS

1. I served this Deposition Subpoena for Production of Business Records by personally delivering a copy to the person served as follows:

a. Person served (name):

b. Address where served:

c. Date of delivery:

d. Time of delivery:

θ.	(1)	Witness fees were paid.	
		Amount:\$	
	(2) 🔲	Copying fees were paid.	
		Amount:\$	

f. Fee for service: \$ _____

2. I received this subpoena for service on (date):

3. Person serving:

Date:

- a. 🔲 Not a registered California process server.
- b. 🔲 California sheriff or marshal.
- c. 🔲 Registered California process server.
- d. 🔲 Employee or independent contractor of a registered California process server.
- e. 🔲 Exempt from registration under Business and Professions Code section 22350(b).
- f.
 Registered professional photocopier.
- g. 🔲 Exempt from registration under Business and Professions Code section 22451.
- h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws	of the	State o	þf
California that the foregoing is true and correct.			

(For California sheriff or marshal use only) I certify that the foregoing is true and correct.

(SIGNATURE) (SIGNATURE) SUBP-010 (Rev. January 1, 2012) DEPOSITION SUBPOENA FOR PRODUCTION Page 2 of 2

OF BUSINESS RECORDS

American LegalNet, Inc.

1	ATTACHMENT "3"
2	TO DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS
3	DEFINITIONS AND INSTRUCTIONS
4	1. "DOCUMENT" or "DOCUMENTS" refers to writings as defined by California
5	Evidence Code § 250 and includes, but is not limited to, the original and all drafts of all written or
6	graphic matter, however produced or reproduced, of any kind of description, and all copies thereof
7	which are different from the original (whether different by interlineation, receipt stamp, notation,
8	indication of copies sent or received, or otherwise), whether printed or recorded electronically or
9	magnetically or reproduced by hand.
10	2. The term "PERSON" shall mean and include all natural persons, as well as
11	corporations, partnerships, and other business entities.
12	3. The phrases "RELATE TO," "RELATING TO," or "RELATED TO" as used
13	herein, shall mean, in whole or in part, constituting, containing, embodying, reflecting, regarding
14	referring to, concerning, identifying, stating, implying, evidencing, supporting, documenting,
15	memorializing, mentioning, or in any way relating or pertaining to, the subject designated.
16	4. The terms "ANY," "EACH," or "ALL" shall be read to be all inclusive and to
17	require the production of each and every DOCUMENT responsive to a particular request for
18	production in which such term appears.
19	5. The terms "YOU" AND "YOUR" as used herein, shall mean and refer to
20	Glassdoor, Inc., the entity that owns the website www.glassdoor.com, and YOUR present and
21	former agents, representatives, employees, attorneys, accountants, auditors, investigators, and all
22	other person(s) acting or purporting to act on YOUR behalf.
23	6. The phrase "IDENTIFYING INFORMATION" as used herein, shall mean any
24	information that can be used to identify individuals, including, but not limited to, names,
25	addresses, telephone numbers, email addresses, usernames, Internet Protocol ("IP") addresses,
26	server log entries, methods of payment, credit card information, billing records, and any Internet
27	Service Providers ("ISP") associated with these individuals.
28	

ATTACHMENT "3"

7. As used herein, the connectives "and" and "or" shall be construed conjunctively or 1 2 disjunctively, as necessary, to make the requests inclusive rather than exclusive to bring within the 3 scope of the discovery request all responses that might otherwise be construed to be outside of its scope. 4

8. As used herein, any and all references to the singular in any of these requests shall 5 also include a reference to the plural, and any and all references to the plural shall include a 6 7 reference to the singular.

8

DOCUMENT REQUESTS

9 **REQUEST FOR PRODUCTION NO. 1:**

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list, 10 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who 11 12 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review dated March 28, 2016 and entitled "Bad place to work (this company just changed its name) 13 Research Layfield & Wallace", that appeared at https://www.glassdoor.com/Reviews/Layfield-14 and-Barrett-Reviews-E1150756.htm. 15

REQUEST FOR PRODUCTION NO. 2: 16

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list, 17 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who 18 19 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review 20 dated December 4, 2015 and entitled "Deceptive, Unethical, Poorly Managed, No Sense of 21 Direction", that appeared at https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews-E1004618.htm. 22

23

REQUEST FOR PRODUCTION NO. 3:

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list, 24 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who 25 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review 26 dated December 3, 2015 and entitled "You will HATE working here - Please read all the 27

reviews", that appeared at https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews E1004618.htm.

3 **REQUEST FOR PRODUCTION NO. 4**:

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
dated October 9, 2015 and entitled "Working Here is Psychological Torture", that appeared at
https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews-E1004618.htm

9 **REQUEST FOR PRODUCTION NO. 5:**

10 ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
11 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
12 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
13 dated September 27, 2015 and entitled "New Admitees Beware", that appeared at
14 https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews-E1004618.htm

15 **REQUEST FOR PRODUCTION NO. 6**:

16 ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
17 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
18 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
19 dated September 7, 2015 and entitled "For the love of God, do NOT work here", that appeared at
20 https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews-E1004618_P2.htm.

21 **REQUEST FOR PRODUCTION NO. 7:**

22

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,

- 23 describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
- 24 authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
- 25 dated August 3, 2015 and entitled "Anyone who give this place a full rating has literally just started
- 26 working there", that appeared at https://www.glassdoor.com/Reviews/Layfield-and-Wallace-

27 Reviews-E1004618_P2.htm.

28

ATTACHMENT "3"

1 **REQUEST FOR PRODUCTION NO. 8:**

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
dated August 1, 2015 and entitled "Working for Philip J. Layfield (a.k.a Philip S. Pesin) was pure
misery", that appeared at https://www.glassdoor.com/Reviews/Layfield-and-Wallace-ReviewsE1004618_P2.htm.

8 **REQUEST FOR PRODUCTION NO. 9**:

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
dated May 28, 2015 and entitled "Horrible place to work. Unreasonably Cruel", that appeared at
https://www.glassdoor.com/Reviews/Layfield-and-Wallace-Reviews-E1004618_P2.htm.

14 **REQUEST FOR PRODUCTION NO. 10:**

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
dated October 7, 2015 and entitled "Phil Layfield Changed His Name from Phil Pesin for a
Reason", that appeared at https://www.glassdoor.co.uk/Reviews/Employee-Review-Layfield-andWallace-RVW8216896.htm.

21 **REQUEST FOR PRODUCTION NO. 11:**

ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
dated March 21, 2016 and entitled "Layfield & Barrett, wallace or pesin STAY AWAY!!! BAD

26 BOSS", that appeared at https://www.glassdoor.com/Reviews/Layfield-and-Barrett-Reviews-

27 E1150756.htm.

28

ATTACHMENT "3"

1	REQUEST FOR PRODUCTION NO. 12:
2	ANY and ALL DOCUMENTS in YOUR possession, custody, or control, that state, list,
3	describe, or refer to IDENTIFYING INFORMATION RELATED TO the PERSON(S) who
4	authored, submitted for publication or posted to YOUR website, www.glassdoor.com, the review
5	dated April 2, 2016 and entitled "Don't let the name change fool you, read the reviews for
6	Layfield & Wallace. This is Phil Pesin's way of 'starting fresh'", that appeared at
7	https://www.glassdoor.com/Reviews/Layfield-and-Barrett-Reviews-E1150756.htm.
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	ATTACHMENT "3"

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9	COUNTY OF I	LOS ANGELES
10		
11	PHILIP J. LAYFIELD, an individual and LAYFIELD & BARRETT, APC., a California	CASE NO. BC618139
12	LAYFIELD & BARRETT, APC., a California professional corporation,	[Unlimited Jurisdiction]
13	Plaintiffs,	DECLADATION OF CHICTORY IN OF
14	v .	DECLARATION OF CUSTODIAN OF RECORDS FOR AUTOMATTIC, INC., PURSUANT TO CALIFORNIA EVIDENCE
15	DOES 1 through 25, inclusive,	CODE § 1561
16	Defendants.	
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	DECLARATION OF CU	STODIAN OF RECORDS

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1	т	DECLARATION OF CUSTODIAN OF RECORDS
2		, declare and state as follows:
3	1.	I am the duly authorized custodian of records for Glassdoor, Inc., and I have
4	authority to c	certify such records.
5	2.	My business address is
6		· · · · · · · · · · · · · · · · · · ·
7	3.	I was served with a civil subpoena duces tecum in the above-captioned proceeding
8	(the "Subpoe	ma").
9	4.	The copies produced in response to the Subpoena are true and correct copies of all
10	records reque	ested in the Subpoena, which are in my possession as custodian of records.
11	5.	The original records from which the accompanying copies were made have been
12	prepared by	in the ordinary course of business at or
13	near the time	s of the acts, conditions or events recorded therein.
14	6.	The records are identified as follows:
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17		
18	7.	The following is a description of the mode of preparation:
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23	I decl	are under penalty of perjury under the laws of the State of California that the
24		true and correct and that this declaration was executed on, 2016, at
25	88	, 2010, at
26		
20		Destaur
27		Declarant
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		2 DECLARATION OF CUSTODIAN OF RECORDS

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