

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

_____ X

SUMMER ZERVOS,

Index No. 150522/2017

Plaintiff,

-against-

SUBPOENA DUCES TECUM

DONALD J. TRUMP,

Defendant.

_____ X

TO: **DONALD J. TRUMP PRESIDENT, INC.**
c/o Trump Tower
725 Fifth Avenue
New York, New York 10022

ATTENTION: LEGAL PAPERS SERVED

YOU ARE HEREBY COMMANDED, that all business and excuses being laid aside, you produce, at the offices of Cuti Hecker Wang LLP located at 305 Broadway, Suite 607, New York, New York, 10007, on or before April 21, 2017, any and all documents set forth in the attached Schedule A now in your custody.

Failure to comply with this subpoena is punishable as a contempt of Court and shall make you liable to the person on whose behalf this subpoena was issued for a penalty not to exceed fifty dollars and all damages sustained by reason of your failure to comply.

Dated: March 20, 2017
New York, New York


Mariann Wang
Cuti Hecker Wang
305 Broadway, Suite 607
Broadway, NY 10007
(212) 620-2603
Attorney for Plaintiff

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SCHEDULE A

DEFINITIONS

1. “You” or “Your” refers to Donald J. Trump President, Inc., its directors, officers, partners, shareholders, managers, attorneys, employees, agents, and representatives.
2. The terms “document” or “documents” is defined to include, without limitation, the original and copies, regardless of location, of any writings, notes, memoranda, photographs, sound recordings, communications, voicemails, correspondence (including e-mails, text messages, social media or other posts and instant messages), summaries of records of communications, receipts, images, drawings, graphs, charts, data compilations of any kind and in any medium, computer code, computer disks, any other electronic or computerized or digitized data compilations or files, and other tangible things on which words, phrases, symbols or information are recorded. A draft or non-identical copy is a separate document within the meaning of this term. The enumeration of various specific items as included in the definition of the term “document” shall not be taken to limit the generality of the term, and this subpoena is intended to identify all documents in the broadest and most comprehensive meaning of the term.
3. “Concerning” means related to, relating to, consisting of, referring to, pertaining to, concerning, constituting, describing, evidencing, substantiating, reflecting, supporting, prepared in connection with, used in preparation for, or being in any way legally or logically connected to the matter described or discussed.
4. The term “communication” refers to any transfer of information, ideas, opinions, or thoughts by any means, at any time or place, under any circumstances, and is not limited to written or oral transfers between natural persons, but includes all other transfers, including

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electronic or digital transfers, transfers of information stored on computer disk or in computer memory, and memoranda to file.

5. Words in the singular form include the plural and vice versa. Words in the past tense include the present and vice versa.

6. The words “and” as well as “or” shall be construed both conjunctively as well as disjunctively.

7. The word “each” shall be construed to include “every” and vice versa.

8. The word “any” shall mean “including but not limited to” and shall not indicate limitation to the examples or items mentioned.

INSTRUCTIONS

1. Upon receiving this subpoena, you shall preserve and maintain until further notice all responsive documents which are in your possession, custody, or control, or in the possession, custody, or control of your predecessors, successors, parents, subsidiaries, divisions or affiliates, or any of your respective directors, executives, officers, partners, managing agents, agents, employees, attorneys, accountants, or any other representative. A document shall be deemed to be within your control if you have the ability or right to secure the document or a copy of the document from another person having possession or custody of the document.

2. This subpoena is intended to cover all documents in your possession, custody, or control, whether located at any of your offices or at the offices of your attorneys, agents, representatives, or at any other place.

3. When an individual, partnership or other non-corporate entity is referred to herein, such reference shall be construed to include that individual, partnership, or other non-

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corporate entity in any capacity and all and any agents, employees, representatives, attorneys, members, family members, predecessors and successors in interest, affiliates, departments or divisions and all other persons or entities acting on his/her/its behalf or under his/her/its control, whether in the past or the present.

4. This subpoena is continuing in nature. If, after responding, you obtain or become aware of any further documents that are responsive to this subpoena, they should be preserved and maintained as described herein.

REQUESTS

1. All documents concerning Summer Zervos.
2. All documents concerning any communications with or about Summer Zervos.
3. All documents concerning any statements by Summer Zervos that Donald J. Trump engaged in sexually inappropriate behavior towards her.
4. All documents concerning John Barry, including any and all documents with or about John Barry.
5. All documents concerning anyone connected to Summer Zervos, including without limitation her attorney, Gloria Allred, and/or any of Ms. Zervos's relatives or friends.
6. All documents concerning Jessica Leeds, Mindy McGillivray, Rachel Crooks, Natasha Stoyanoff, Temple Taggart, Kristin Anderson, Cathy Heller, Jill Harth, Jessica Drake, or any woman alleging that Donald J. Trump touched her inappropriately.
7. All documents concerning any of Donald J. Trump's statements about or concerning Summer Zervos including any basis for Donald J. Trump's statements that Summer Zervos fabricated, created, or lied about her interactions with him, or was motivated

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to come forward by fame, money, politics or pressure from the Clinton campaign, or his statement that he never met Ms. Zervos at a hotel or greeted her inappropriately.

8. All documents concerning where Donald J. Trump ate dinner the night that Summer Zervos claims she dined with him in his suite at the Beverly Hills Hotel.

9. All documents concerning Donald J. Trump's travel or trips to California when he stayed at the Beverly Hills Hotel in or around December 2007, including any receipts, invoices, communications, schedules or itinerary, and any documents concerning his meetings with or intended meetings with Summer Zervos.

10. All documents concerning any woman who asserted that Donald J. Trump touched her inappropriately, including any basis for Donald J. Trump's statements that any such woman or women fabricated, created, or lied about her/their interactions with him, or were motivated to come forward by fame, or "ten minutes of fame," money, politics or pressure from the Clinton campaign.

11. All documents concerning David Bossie's statement to Jake Tapper of CNN that there "is not one shred of evidence" of any of the women's allegations that Donald J. Trump touched them inappropriately or his statement that these women are "people who are put up by Gloria Allred and the DNC and the Clinton campaign."

12. All documents concerning David Bossie's knowledge of or communications with or about Summer Zervos, Jessica Leeds, Mindy McGillivray, Rachel Crooks, Natasha Stoyanoff, Temple Taggart, Kristin Anderson, Cathy Heller, Jill Harth, Jessica Drake, or any woman alleging that Donald J. Trump touched her inappropriately.

13. All documents concerning Rudolph Giuliani's statement(s) to the media about Summer Zervos, Jessica Leeds, Mindy McGillivray, Rachel Crooks, Natasha Stoyanoff,

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Temple Taggart, Kristin Anderson, Cathy Heller, Jill Harth, Jessica Drake, or any woman alleging that Donald J. Trump touched her inappropriately.

14. All documents concerning any accusations that were made during Donald J. Trump's election campaign for president, that he subjected any woman to unwanted sexual touching and/or sexually inappropriate behavior.

15. All documents concerning the *Access Hollywood* tapes, recorded in 2005, in which Donald J. Trump states, "And when you're a star, they let you do it. You can do anything. Grab them by the pussy. You can do anything."

16. All documents concerning Donald J. Trump's presence, in and around December 2007, at his office in New York, at the Beverly Hills Hotel, and/or at the golf course in Palos Verdes, California, including all documents concerning his interactions or intended interactions with Summer Zervos at any of those locations at that time.

17. All documents concerning Summer Zervos's efforts to obtain employment with Donald J. Trump or any entity or business related to him in any way.

18. All documents concerning internal communications about how to respond to Summer Zervos's statements of October 14, 2016.

19. All documents concerning Donald J. Trump's statement on or about October 14, 2016 in sum or substance: "That is not who I am as a person, and it is not how I've conducted my life."

20. All documents concerning any payments in any form made to or for the benefit of, whether directly or indirectly, John Barry.

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21. All documents concerning the statement you issued on or about October 15, 2016, that, in sum and substance: “Summer’s actions today are nothing more than an attempt to regain the spotlight at Mr. Trump’s expense.”

22. All documents concerning Donald J. Trump’s tweet, on or about October 15, 2016 that: “Nothing ever happened with any of these women. Totally made up nonsense to steal the election.”

23. All documents concerning Donald J. Trump’s statement, on or about October 15, 2016 at a rally in Portsmouth, New Hampshire: “[T]oday, the cousin of one of these people, very close to her, wrote a letter that what she said is a lie. That she was a huge fan of Donald Trump. That she invited Donald Trump to her restaurant to have dinner, which by the way I didn’t go to, didn’t even know who the heck we’re talking about here. But these allegations have been, many of them already proven so false” Later he said: “Total lies, and you’ve been seeing total lies . . . you have phony people coming up with phony allegations”

24. All documents concerning Donald J. Trump’s statement, on or about October 15, 2016, at a rally in Bangor, Maine, that these were “false allegations and outright lies, in an effort to elect Hillary Clinton President . . . False stories, all made-up. Lies. Lies. No witnesses, no nothing. All big lies.”

25. All documents concerning Donald J. Trump’s tweet and/or re-tweet, on or about October 17, 2016 that included Summer Zervos’s photograph and the comments: “This is all yet another hoax.” . . . “Terrible”

26. All documents concerning Donald J. Trump’s statement during the presidential debate on October 19, 2016 in Las Vegas, Nevada, that the reports of all the women who had

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come forward since the last debate reporting that he sexually assaulted them were “totally false.”

27. All documents concerning Donald J. Trump’s statement on or about October 22, 2016, at a rally at Gettysburg, Pennsylvania in which he stated, in sum or substance: “Every woman lied when they came forward to hurt my campaign, total fabrication. The events never happened. Never. All of these liars will be sued after the election is over.”

28. All documents concerning Summer Zervos v. Donald J. Trump, Index No. 150522/2017, including without limitation all documents concerning communications with Donald J. Trump’s attorneys or Donald J. Trump concerning this lawsuit, this subpoena and/or any coordinated response to either.

Supreme Court of the State of New York

County of New York

Summer Zervos,

Plaintiff,

AFFIDAVIT OF SERVICE

Index No. 150522/2017

-against-

Donald J. Trump,

Defendant.

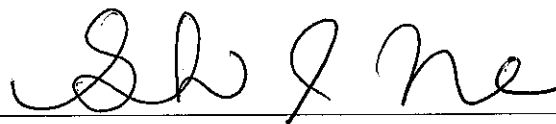
State of New York)

ss:

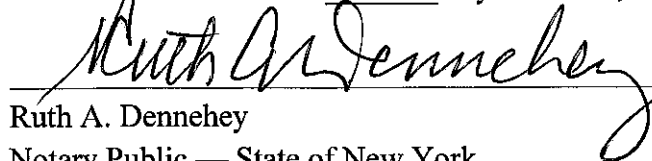
County of Albany)

Sarah J. Horne, being duly sworn, deposes and says:

Deponent is over the age of eighteen and is a resident of New York State and is not a party to this action. That on March 21, 2017 at approximately 3:05 PM deponent served the following specific papers pursuant to Section 306 of the Not for Profit Corporation Law: Subpoena Duces Tecum with Schedule A, that the party served was Donald J. Trump for President, Inc., a foreign not-for-profit corporation referred to herein as Donald J. Trump President, Inc., by personally serving two copies of the aforesaid papers at the office of the New York State Secretary of State located at 99 Washington Avenue, 6th Floor, in the City of Albany, New York by delivering to and leaving the papers with Nancy Dougherty, a white female with black hair, being approximately 56 years of age; height of 5'3", weight of 135 lbs., being an authorized person in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid the fee prescribed by Law in the amount of \$40.00.



Sarah J. Horne

Sworn to before me this 21st day of March, 2017

Ruth A. Dennehey

Notary Public — State of New York

Qualified in Albany County

Registration No. 01DE4729775

Commission Expires: 11-30-2018