

UNITED STATES DISTRICT COURT

for the

Southern District of California

PERSIAN GULF INC.

Plaintiff

v.

BP WEST COAST PRODUCTS LLC, et al.

Defendant

3:15-cv-01749-L-AGS

and

Lead Case No. 18-cv-01374-L-AGS
(consolidated with No. 18-cv-01377-L-AGS)

Civil Action No.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

CONSUMER WATCHDOG

6330 San Vicente Blvd., Ste. 250, Los Angeles, CA 90048

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A

Place: First Records Retrieval (877.591.9979)
1511 W. Beverly Blvd.
Los Angeles, CA 90026

Date and Time:

08/12/2019 10:00 am

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

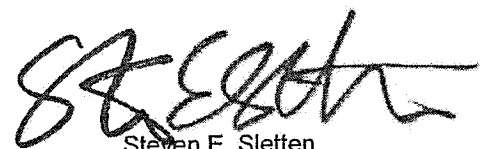
Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 07/24/2019

CLERK OF COURT

OR



Steven E. Sletten

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

CHEVRON U.S.A. INC., who issues or requests this subpoena, are:
listed on Attachment B.

Notice to the person who issues or requests this subpoena

A notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.: _____

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

ATTACHMENT "A"

INSTRUCTIONS

1. The Custodian of Records of Consumer Watchdog, 6330 San Vicente Blvd., Ste. 250, Los Angeles, CA 90048 ("Consumer Watchdog") is to produce the following documents at the time, date, and place indicated in the Subpoena Duces Tecum pursuant to the following instructions:

2. In producing DOCUMENTS responsive to these Requests, YOU must Bates stamp them in a manner that identifies the document was produced by Consumer Watchdog.

3. All documents shall be produced in the order they are kept in the ordinary course of business, and shall be produced in their original folders, binders, covers, or containers.

4. These requests relate to all documents (including those stored electronically) 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, officers, managing agents, agents, employees, attorneys, accountants, or other representatives. A document shall be deemed to be within your control if you have the right to secure the document or a copy of the document from another person having possession or custody of the document.

5. You are to produce each document requested herein in its entirety, without deletion or excision (except as qualified by below), regardless of whether you consider the entire document to be relevant or responsive to the Requests.

6. If YOU contend that any of the requested information is protected by the attorney-client privilege, work product doctrine, or any other privilege or doctrine on which YOU rely to limit disclosure, please provide a concise statement of the grounds upon which each such claim is asserted. Specifically, for each

DOCUMENT withheld on a claim of privilege or other doctrine, YOU must identify all of the following: (a) the date the DOCUMENT bears or the date it was prepared; (b) the author(s) of the DOCUMENT; (c) the recipient(s) and/or addressee(s) of the DOCUMENT; (d) the general subject matter of the DOCUMENT in a manner sufficient to support the claim of privilege or other grounds for non-disclosure; and (e) the factual and legal basis for each of the grounds for non-disclosure.

7. If there are no documents in YOUR possession, custody, or control responsive to a Request, please so state in your written response to the Request.

8. These document requests are deemed continuing and any documents or information secured after the service of your responses, which could have been included in the responses had they been known or available at the time of the response, must be supplied promptly in supplemental responses. The serving Defendants specifically reserve the right to seek supplementary responses and additional supplementary production of documents before trial.

9. Hard copy documents should be scanned as single-page images (i.e., TIFF). The documents should be logically unitized (i.e., distinct documents shall not be merged into a single record, and single documents shall not be split into multiple records) and be produced in the order in which they are kept in the usual course of business. If an original document contains color, and the color is necessary to understand the meaning or content of the document, the document shall be produced in color format such that the document is easily understandable. Hard copy documents shall also be OCR'd so they are searchable.

10. Electronically stored information ("ESI") should be produced in a high-quality, easy-to-view format such as a single page, black and white, Group IV, TIFF, with the exception of spreadsheet and presentation type files, audio and video files, which should be produced in native format. If an original document

contains color, the document should be produced in a format that does not degrade the original image. All ESI should be produced in a format such that its text is easily searchable.

11. If an electronic document is produced in native, a single-page, Bates stamped image slip sheet stating the document has been produced in native format should also be provided. Each native file should be named according to the Bates number it has been assigned.

12. All ESI shall be produced with a delimited, database load file that contains the metadata fields listed in Table 1, attached hereto.

13. Compressed file types (e.g., .ZIP, .RAR, .CAB, .Z) should be decompressed so that the lowest level document or file is extracted.

Unless stated otherwise in any Request, the time period for which the Requests seek DOCUMENTS is January 1, 2012 to the present.

DEFINITIONS

1. "YOU" and "YOUR" shall mean and refer to Consumer Watchdog and each of its current or former owners, partners, employees, officers, agents, representatives, attorneys, investigators, accountants and any and all persons or entities acting or purporting to act on their behalf, INCLUDING but not limited to Jamie Court, Cody Rosenfield, and Liza Tucker.

2. "DOCUMENT" shall be given the broadest meaning possible under the Federal Rules of Evidence. By way of example, "DOCUMENT" means any written, recorded, or graphic material, whether prepared by YOU or by any other person, that is in YOUR possession, custody, or control, including memoranda, reports, letters, telegrams, facsimiles, electronic mail, other electronic correspondence, and any other COMMUNICATIONS or information recorded in any form or medium; notes, minutes, and transcripts of conferences, meetings and telephone or other COMMUNICATIONS; transparencies, view-graphs, foils,

slides, handouts, and multimedia presentations; contracts and other agreements; statements, ledgers, and other records of financial matters or commercial transactions; notebooks and diaries; plans and specifications; publications; photographs; diagrams, graphs, charts, and other drawings; photocopies, microfilm, and other copies or reproductions; audio and video recordings; tape, disk (including all forms of magnetic, magneto-optical, and optical disks), and other electronic recordings; financial models, statistical models and other data compilations; and computer printouts. The term includes all drafts of a document, the original document (or a copy thereof if the original is not available), and all copies that differ in any way from the original (including as to any notations, underlining, or other markings). The term also includes information stored in, or accessible through, computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret such data compilations.

3. "LAWSUIT" means *either*
 - a. the action entitled *Persian Gulf Inc. v. BP West Coast Products LLC, et al.*, currently pending in the United States District Court for the Southern District of California, Case No. 3:15-cv-01749-L-BGS;
 - b. the action entitled *Richard Bartlett, et al. v. B.P. West Coast Products LLC, et al.*, currently pending in the United States District Court for the Southern District of California, Case No. 18-cv-01374-L-AGS; AND/OR
 - c. the action entitled *David Rinaldi, et. al. v. B.P. West Coast Products LLC, et al.*, currently pending in the United States District Court for the Southern District of California, Case No. 18-cv-01377-L-AGS.

4. “PERSIAN GULF” means the California-based corporation Persian Gulf Inc., which is the Plaintiff in the action entitled *Persian Gulf Inc. v. BP West Coast Products LLC, et al.*, and each of its employees, officers, agents, representatives, attorneys, investigators, and any and all PERSONS acting or purporting to act on its behalf.

5. “RINALDI” means the individual David Rinaldi, who is a Plaintiff in the action entitled *David Rinaldi, et. al. v. B.P. West Coast Products LLC, et al.*, and each of his present or former agents, representatives, attorneys, investigators, accountants and any and all persons or entities acting or purporting to act on his behalf.

6. “EBRIGHT” means the individual Joshua Ebright, who is a Plaintiff in the action entitled *David Rinaldi, et. al. v. B.P. West Coast Products LLC, et al.*, and each of his present or former agents, representatives, attorneys, investigators, accountants and any and all persons or entities acting or purporting to act on his behalf.

7. “LEE” means the individual Paul Lee, who is a Plaintiff in the action entitled *David Rinaldi, et. al. v. B.P. West Coast Products LLC, et al.*, and each of his present or former agents, representatives, attorneys, investigators, accountants and any and all persons or entities acting or purporting to act on his behalf.

8. “BARTLETT” means the individual Richard Bartlett, who is a Plaintiff in the action entitled *Richard Bartlett, et al. v. B.P. West Coast Products LLC, et al.*, and each of his present or former agents, representatives, attorneys, investigators, accountants and any and all persons or entities acting or purporting to act on his behalf.

9. “SNYDER” means the individual Kristine Snyder, who is a Plaintiff in the action entitled *Richard Bartlett, et al. v. B.P. West Coast Products LLC, et al.*, and each of her present or former agents, representatives, attorneys,

investigators, accountants and any and all persons or entities acting or purporting to act on her behalf.

10. "PLAINTIFFS" means PERSIAN GULF, RINALDI, EBRIGHT, LEE, BARTLETT, OR SNYDER.

11. "PLAINTIFFS' COUNSEL" shall mean the lawyers that represent the PLAINTIFFS in the LAWSUIT, including but not limited to the employees, agents, associates, partners, counsel, contractors, and others affiliated with Robbins Arroyo LLP and Robbins Geller Rudman and Dowd LLP.

12. "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 verbal transfers between natural persons, but includes all other transfers, including electronic transfers, transfers of information stored on computer disk or computer memory, and memoranda to file.

13. "PERSON" means any natural person, firm, partnership, association, trust, joint venture, corporation, governmental body or other entity, including any agent or representative of any of the foregoing.

14. "AND" shall also include "OR" and "OR" also shall include "AND."

15. "OR RELATE TO" or "RELATING TO" shall be interpreted to include pertaining to, referring to, reflecting, regarding, evidencing, constituting, concerning, supporting, contending, or having as its subject matter, in any manner whatsoever, directly or indirectly, expressly or implied, the subject matter of the specific request.

16. "INCLUDING" shall mean "including, but not limited to."

17. "IDENTIFY" shall mean the following, as applicable:

- a. When applicable to a real person, "IDENTIFY" means to state the name, address, last known telephone number, employer and job title for such real person(s).

- b. When applicable to a DOCUMENT, “IDENTIFY” means to identify the author, recipient, and date of the DOCUMENT, as well as its title, if any.
- c. When applicable to any business entity, “IDENTIFY” means to state the full name of the business, any fictitious names, parent company names or subsidiary names and the present business address, telephone number, facsimile number, e-mail address, and website address.
- d. When applicable to a COMMUNICATION, “IDENTIFY” means to state the date of the COMMUNICATION, the form of the COMMUNICATION, the person receiving the COMMUNICATION, the person making the COMMUNICATION, and the substance of the COMMUNICATION.

18. “REPORT” or “REPORTS” shall mean each and every one of the following:

- a. *Pump Jacking California’s Climate Protection: The Threat of Oil Industry Influence & Market Manipulation*, Consumer Watchdog (Dec. 15, 2014).
- b. Jamie Court & Cody Rosenfield, *Tesoro CEO Admits Refinery “Disruption” and Shutdowns = Big Profits, Echoing Chevron Statements About Pump Spike*, Consumer Watchdog (May 8, 2015)
- c. Letter from Jamie Court, Liza Tucker and Cody Rosenfield to Stephanie Yonekura, Melinda Haag, Laura E. Duffy, and Benjamin B. Wagner (May 21, 2015), available at

http://www.consumerwatchdog.org/resources/ltrusattorneyspricemanip5-21-15ltrhd2_0.pdf.

- d. *Consumer Watchdog's Analysis for the California Attorney General and California Energy Commission's Petroleum Market Advisory Committee*, Consumer Watchdog (June 30, 2015).
- e. Cody Rosenfield and Liza Tucker, *Golden State Gouge, the Summer of Record Refining Profits*, Consumer Watchdog (Aug. 5, 2015).
- f. *Tesoro Reports Record California Profits After California Price Spike*, Consumer Watchdog (Aug. 5, 2015).
- g. Jamie Court, *Labor Day CA Gouging Gap At Pump Rises To \$5.3 Billion Since February*, Consumer Watchdog (Sept. 3, 2015).
- h. Cody Rosenfield, *Tesoro Reports Record California Profits After California Price Spike*, Consumer Watchdog (Feb. 2, 2016).
- i. Jamie Court, *Consumer Watchdog Tells So Cal Drivers Fill Up Now, Gas Prices To Rise Quickly As Major Refiners Switch to Summer Blend And Raise Prices On Their Dealers By 37 Cents Over Night*, Consumer Watchdog (Feb. 2, 2016).
- j. Cody Rosenfield, *Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits*, Consumer Watchdog (Feb. 8, 2016).
- k. Cody Rosenfield, *Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits*, Consumer

Watchdog Presentation to Petroleum Market Advisory
Committee (Feb. 8, 2016).

- l. *Why Are You Paying \$.77 More for a Gallon of Gas*, Consumer Watchdog (Feb. 8, 2016).
- m. *Experts Tell Panel Why Gas Is So Expensive In California*, Consumer Watchdog (Feb. 8, 2016).
- n. Jamie Court & Cody Rosenfield, *Consumer Watchdog Calls for Sunlight On Big Oil Refiners to Avert CA Gasoline Price Spikes; State Energy Commission Panel to Make Recommendations on Transparency for Refiners*, Consumer Watchdog (Apr. 22, 2016).
- o. Jamie Court, Cody Rosenfield & Liza Tucker, *Refining Profits: How Californians Get Fleeced at the Pump*, Consumer Watchdog (May 5, 2015).
- p. Jamie Court and Liza Tucker, *New Report: Oil Refiners' Profits Spike with Gasoline Price Spikes*, Consumer Watchdog (May 5, 2015).
- q. Jamie Court, *CA Oil Refiners Pump Up Profits Through Lowest Wholesale Gasoline Price in USA and Highest Retail Prices; Refinery CEO Investor Comments Points To Market Rigging*, Consumer Watchdog (Aug. 4, 2016).
- r. Jamie Court, *Tesoro & Valero Report Best 3rd Quarter Ever for California Refining on Record Gasoline Price Spike*, Consumer Watchdog.
- s. Jamie Court, *Californians Overpay \$10 Billion for Gasoline in 2015*, Consumer Watchdog.

- t. Jamie Court, Cody Rosenfield and Liza Tucker, *Price Spiked: How Oil Refiners Gouge Californians on Their Gasoline and What it Costs*, Consumer Watchdog.

19. "DRAFT REPORTS" shall mean any versions, iterations, or outlines of the REPORTS created prior to the publication of the REPORTS.

REQUESTS

1. All DOCUMENTS that YOU sent to, or received from, Robert McCullough or McCullough Research before he was engaged by the plaintiffs as an expert witness in July 2015.

2. All DOCUMENTS not created by a PERSON employed by YOU that were considered, referred to or relied upon in connection with any presentation made to the Petroleum Market Advisory Committee by Jamie Court.

3. All DOCUMENTS not created by a PERSON employed by YOU that were considered, referred to or relied upon in connection with any presentation made to the California Energy Commission by Jamie Court.

4. All COMMUNICATIONS between YOU and any PERSON not employed by YOU RELATING TO the content of any presentation (draft or final) made to the Petroleum Market Advisory Committee by Jamie Court, including but not limited to COMMUNICATIONS with anyone affiliated with the California Energy Commission and/or the Petroleum Market Advisory Committee.

5. All COMMUNICATIONS between YOU and any PERSON not employed by YOU RELATING TO the content of any presentation (draft or final) made to the California Energy Commission by Jamie Court, including but not limited to COMMUNICATIONS with anyone affiliated with the California Energy Commission and/or the Petroleum Market Advisory Committee.

6. DOCUMENTS sufficient to IDENTIFY any PERSON who participated in researching, drafting, editing, and/or preparing each of the REPORTS.

7. All DOCUMENTS and COMMUNICATIONS RELATING TO any REPORTS that were authored in whole or in part by Cody Rosenfield, INCLUDING RELATING TO any research undertaken by Cody Rosenfield concerning the REPORTS. This request applies to, but is not limited to, the following REPORTS: (1) Letter from Jamie Court, Liza Tucker and Cody Rosenfield to Stephanie Yonekura, Melinda Haag, Laura E. Duffy, and Benjamin B. Wagner (May 21, 2015), available at http://www.consumerwatchdog.org/resources/ltrusattorneyspricemanip5-21-15ltrhd2_0.pdf; (2) the source for Cody Rosenfield's comment that "[o]il companies created a shortage by selling abroad, and then shutting down refineries, and have made billions at the expense of Californians who are paying a huge premium due to the state's low inventories"; (3) Jamie Court & Cody Rosenfield, *Consumer Watchdog Calls for Sunlight On Big Oil Refiners to Avert CA Gasoline Price Spikes; State Energy Commission Panel to Make Recommendations on Transparency for Refiners*, Consumer Watchdog (Apr. 22, 2016); (4) Cody Rosenfield, *Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits*, Consumer Watchdog (Feb. 8, 2016); (5) Cody Rosenfield, *Against the Tide: How Missing Tankers Pumped Up Gas Prices and Refiner Profits*, Consumer Watchdog Presentation to Petroleum Market Advisory Committee (Feb. 8, 2016); (6) Jamie Court, Cody Rosenfield and Liza Tucker, *Price Spiked: How Oil Refiners Gouge Californians on Their Gasoline and What it Costs*, Consumer Watchdog; and (7) Cody Rosenfield and Liza Tucker, *Golden State Gouge, the Summer of Record Refining Profits*, Consumer Watchdog (Aug. 5, 2015).

8. All COMMUNICATIONS with Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

9. All DOCUMENTS provided to Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

10. All DOCUMENTS received from Cody Rosenfield after he ceased to be employed by YOU RELATING TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

11. All DOCUMENTS RELATING TO the opinions and conclusions contained in the REPORTS, including but not limited to any documents that were relied upon in developing the opinions and conclusions in the REPORTS.

12. All COMMUNICATIONS with ANY governmental agency, including but not limited to the California Energy Commission AND/OR the California Attorney General's Office RELATED TO the oil and gas, oil manufacturing, refinery, OR gasoline industry.

TABLE 1: METADATA FIELDS

Field Name	Example / Format	Description
BEGNO	ABC0000001 (Unique ID)	The Document ID number associated with the first page of a document.
ENDNO	ABC0000003 (Unique ID)	The Document ID number associated with the last page of a document.
BEGATTACH	ABC0000001 (Unique ID Parent-Child Relationships)	The Document ID number associated with the first page of the parent document.
ENDATTACH	ABC0000008 (Unique ID Parent-Child Relationships)	The Document associated with the last page of the last attachment.
VOLUME	VOL001	The name of CD, DVD or Hard Drive.
RECORDTYPE	Options: eMail, Attachment, Scanned Doc, eFile	The record type of a document.
SENTDATE	MM/DD/YYYY	The date the e-mail or calendar entry was sent.
SENTTIME	HH:MM	The time the e-mail or calendar entry was sent.
RECEIVEDDATE	MM/DD/YYYY	The date the document was received.
RECEIVEDTIME	HH:MM	The time the document was received.
CREATEDATE	MM/DD/YYYY	The date the document was created.
CREATETIME	HH:MM	The time the document was created.
LASTMODDATE	MM/DD/YYYY	The date the document was last modified.
LASTMODTIME	HH:MM	The time the document was last modified.
MEETING START DATE	MM/DD/YYYY	Start date of calendar entry
MEETING START TIME	HH:MM	Start time of calendar entry
MEETING END DATE	MM/DD/YYYY	End date of calendar entry
MEETING END TIME	HH:MM	End time of calendar entry
AUTHOR	jsmith	The author of a document from extracted metadata.
FROM	Joe Smith <jsmith@email.com>	The display name and e-mail address of the author of an e-mail/calendar item. An e-mail address should always be provided.
TO	Joe Smith <jsmith@email.com>; tjones@email.com	The display name and e-mail address of the recipient(s) of an e-mail/calendar item. An e-mail address should always be provided for every e-mail if a recipient existed.
CC	Joe Smith <jsmith@email.com>; tjones@email.com	The display name and e-mail of the copyee(s) of an e-mail/calendar item. An e-mail address should always be provided for every e-mail if a copyee existed.
BCC	Joe Smith <jsmith@email.com>; tjones@email.com	The display name and e-mail of the blind copyee(s) of an e-mail or calendar item. An e-mail address should always be provided for every e-mail if a blind copyee existed.
SUBJECT		The subject line of the e-mail/calendar item.
TITLE		The extracted document title of a document.

ATTACHMENT "B"
LIST OF PARTIES REQUESTING THIS SUBPOENA

WILSON TURNER KOSMO LLP

ROBIN A. WOFFORD (137919)

FREDERICK W. KOSMO, JR. (138036)

HUBERT KIM (204957)

KATHERINE M. MCCRAY (243500)

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Telephone: (619) 236-9600

Facsimile: (619) 236-9669

E-mail: rwofford@wilsonturnerkosmo.com

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E-mail: kmccray@wilsonturnerkosmo.com Attorneys for Defendants

EXXONMOBIL REFINING & SUPPLY

COMPANY & EXXON MOBIL CORPORATION

O'MELVENY & MYERS LLP

CHARLES C. LIFLAND (108950)

DAWN SESTITO (214011)

400 South Hope Street

Los Angeles, California 90071-2899

Telephone: (213) 430-6000

Facsimile: (213) 430-6407

E-mail: clifland@omm.com

E-mail: dsestito@omm.com

Co-Counsel for Defendant

EXXONMOBIL REFINING & SUPPLY COMPANY

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103406726.1

DECLARATION OF CUSTODIAN OF RECORDS

Regarding: _____

SS# _____

DOB or other ID# _____ Our File # _____

I am duly authorized as Custodian of Records (or other qualified witness) with the authority to certify records for:

CERTIFICATION OF RECORDS COPIED (Custodian's initials _____)

Including this declaration, all documents, records, and other things called for in the Subpoena Duces Tecum or Authorization which are in my custody have been photocopied (on microfilm) at my office, in my presence, under my direction and control: and the copy submitted with declaration is a true copy thereof.

To the best of my knowledge all records referred to above were prepared or compiled by the personnel of the above named business, in the ordinary course of business, at or near the time of the acts, conditions, or events recorded.

No documents, records, or other things have been withheld in order to avoid their being photocopied.

Certain records were omitted because _____

CERTIFICATION OF NO RECORDS (Custodian's initials _____)

A thorough search of the business revealed no records described in the attached subpoena or authorization for the following reason(s):

- ☐ Patient was never treated at this facility
- ☐ Records were destroyed
- ☐ Records were lost/misplaced
- ☐ Records purged/nothing found
- ☐ Storage facilities were searched and no records found
- ☐ Radiological Film/Images were: ☐ lost ☐ destroyed ☐ not taken at this facility ☐ patient has them
- ☐ Billing records were: ☐ purged ☐ not kept because this is a prepaid health plan
- ☐ This person was never employed at this facility
- ☐ Other comments: _____

This certification is limited to the information supplied to me in the attached document: records may exist under another name, another spelling, or other identifying data.

CUSTODIAN SIGNATURE

I DECLARE under penalty of perjury the foregoing is true and correct.

Executed on _____ at _____, California

Print Name _____ Signed _____

Phone # _____