

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): C. JAY HOLLANDER Attorney at Law 501 CLIFFSIDE COURT ST. RICHMOND, CA 94801 (415) 233-7788	TELEPHONE NO.	FOR COURT USE ONLY
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA 725 Court Street P.O. Box 911 Martinez, California 94553 BRANCH NAME		
PLAINTIFF/PETITIONER: JOHN W. Bacon, et al & Cross- XXXXXXXXXX Defendant DEFENDANT/RESPONDENT: HOLLANDER & ASSOCIATES, et al, Cross- Complainants		
CIVIL SUBPENA <input checked="" type="checkbox"/> Duces Tecum		CASE NUMBER: C 91-05172

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME): **ARIU LEVI of Dept. of Environmental Health Hazardouse Materials Division.**

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS you make a special agreement with the person named in item 3:

a. Date: JUNE 9, 1993	Time: 10:00 a.m.	<input checked="" type="checkbox"/> Dept.: 6	<input type="checkbox"/> Div.:	<input type="checkbox"/> Room:
b. Address: 725 Court Street (the Court House) Martinez, Calif.				

2. AND YOU ARE

- a. ordered to appear in person.
- b. not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ordered to appear in person and to produce the records described in the accompanying affidavit. The **personal attendance** of the custodian or other qualified witness and the production of the original records is **required** by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.

3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

- a. Name: **C. JAY HOLLANDER**
- b. Telephone number: **(510) 233-7788**

4. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 3.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: **8-12-92**

..... **L. ALVARADO**

(TYPE OR PRINT NAME)

▶ **S/L. ALVARADO**

(SIGNATURE OF PERSON ISSUING SUBPENA)

Deputy Clerk

(TITLE)

(See reverse for proof of service)

C. JAY HOLLANDER State Bar No. 20778
Attorney at Law
501 Cliffside Court
Pt. Richmond, CA 94801
(415) 233-7788

Attorney for Defendants
and Cross Complainants

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA

JOHN W. BACON, an individual, and)
LYNN J. BACON, an individual,) No. C 91 - 05172
Plaintiffs,)

vs.

HOLLANDER & ASSOCIATES, a)
California General Partnership,)
C. JAY HOLLANDER, PHIROZE DeVITRE)
RON STEIN,)
Defendants.)

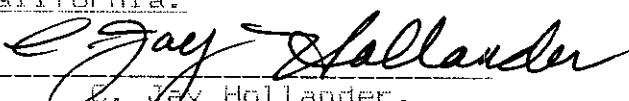
DECLARATION OF C. JAY HOLLANDER
IN SUPPORT OF SUBPOENA DUCES
TECUM
TO ARIU LEVI

Trial Date: May 5, 1993
Dept: 6
Time: 2 p.m.

I, C. Jay Hollander, declare that I am the attorney for the
Defendants and Cross-complainants herein. The documents and
things to be produced by you are the entire file of Alameda
County Environmental Health Dept. concerning 750 (formerly 752)
High Street, Oakland, and the entire file of Alameda County
Environmental Health Dept. concerning 744, 758, and (formerly
774) High Street, Oakland and all documents, writings, about, to
or from your offices and anyone else, with all memoranda and
correspondence contained in each said file and be prepared to
testify to such matters in court.

I declare under penalty of perjury that the foregoing is
true and correct and that this declaration was executed on April
24, 1993 at Point Richmond, California.

Dated: April 24, 1993


C. Jay Hollander,
Attorney for Defendants and Cross-complainants.