

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

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ATTORNEY FOR (Name): Defendant Trang Reed

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

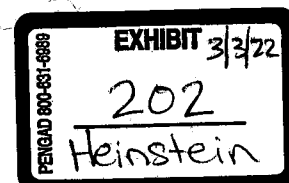
STREET ADDRESS: 330 West Broadway

MAILING ADDRESS:

CITY AND ZIP CODE: San Diego, CA 92101

BRANCH NAME: HALL OF JUSTICE

FOR COURT USE ONLY



PLAINTIFF/ PETITIONER: RODERICK HAMBY; TRACY REED

DEFENDANT/ RESPONDENT: TRANG REED

DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS

CASE NUMBER:

37-2020-00023341-CU-BC-CTL

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
 Dave Heinstein, Profitwise Accounting, 3268 Governor Drive, #220, San Diego, CA 92122; (619) 819-0253

1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following date, time, and place:

Date: February 15, 2022 Time: 9:30 a.m. Address: Peterson Reporting, 530 B Street, Suite 350, San Diego, CA

- ☐ As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 4. (Code Civ. Proc., § 2025.230.)
 - ☒ You are ordered to produce the documents and things described in item 3.
 - ☒ This deposition will be recorded stenographically ☒ through the instant visual display of testimony and by ☒ audiotape ☒ videotape.
 - ☒ This videotape deposition is intended for possible use at trial under Code of Civil Procedure section 2025.620(d).
- The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
 - The documents and things to be produced and any testing or sampling being sought are described as follows:
SEE ATTACHMENT 3
☒ Continued on Attachment 3.
 - If the witness is a representative of a business or other entity, the matters upon which the witness is to be examined are described as follows:
☒ Continued on Attachment 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.
 - At the deposition, you will be asked questions under oath. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. You may read the written record and change any incorrect answers before you sign the deposition. You are entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition. Unless the court orders or you agree otherwise, if you are being deposed as an individual, the deposition must take place within 75 miles of your residence or within 150 miles of your residence if the deposition will be taken within the county of the court where the action is pending. The location of the deposition for all deponents is governed by Code of Civil Procedure section 2025.250.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT; YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: January 14, 2022

Robert P. Otille

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for Defendant TRANG REED

(TITLE)

(Proof of service on reverse)

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PLAINTIFF/PETITIONER: RODERICK HAMBY; TRACY REED
 DEFENDANT/RESPONDENT: TRANG REED

CASE NUMBER:
 37-2020-00023341-CU-BC-CTL

**PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE
 AND PRODUCTION OF DOCUMENTS AND THINGS**

1. I served this *Deposition Subpoena for Personal Appearance and Production of Documents and Things* 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:
 - e. Witness fees and mileage both ways (*check one*):
 - (1) ☐ were paid. Amount:\$ _____
 - (2) ☐ were not paid.
 - (3) ☐ were tendered to the witness's public entity employer as required by Government Code section 68097.2. The amount tendered was (*specify*): \$ _____
 - f. Fee for service: \$ _____
2. I received this subpoena for service on (*date*):
3. Person serving:
 - 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 of California that the foregoing is true and correct.

Date:

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

Date:

(SIGNATURE)

(SIGNATURE)

ATTACHMENT 3

To Deposition Subpoena for Personal Appearance
And Production of Things
to Dave Heisten, Profitwise Accounting

3. The documents and things to be produced are described as follows:

A. For each of the tax years 2010 through 2018 (9 years total), please produce the following documents:

1. Signed e-File Authorizations to your firm from Tracy and Trang Reed allowing you to file federal income tax returns on their behalf;
2. Signed e-File Authorizations to your firm from Tracy and Trang Reed allowing you to file state income tax returns on their behalf;
3. e-File Authorizations signed by Tracy and Trang Reed for your firm to file all appropriate reporting for the Limited Liability Company, Copilotco, to include, but not be limited to, filing of a Form 1065 or a Form 568;
4. Proof that the federal, state and LLC returns were accepted by the IRS and Franchise Tax Board in each of the eight years.

B. For each of the tax years 2010 through 2018 (9 total years), please produce the following:

1. The entire US Individual Income Tax Return and all supporting documents that you filed on behalf of Trang Reed;
2. The entire California Resident Income Tax Return and all supporting documents that you filed on behalf of Trang Reed;
3. All documents filed with the federal or state government regarding the Copilotco, LLC, to include all Form 1065s, Form 568 and all K-1s that you prepared on behalf of Copilotco, LLC.

ATTACHMENT 3

To Deposition Subpoena for Personal Appearance
And Production of Things
to Dave Heisten, Profitwise Accounting

(Continued)

- C. For each of the tax years 2010 through 2018 (9 years total), please produce the following:
1. All documentation of communications to or from Roderick Hamby;
 2. All documentation showing the members of Copilotco, LLC;
 3. All documentation provided to you showing the members of Copilotco, LLC;
 4. All documentation of communications, if any, of thefts of funds from Copilotco, LLC.

ATTACHMENT 4

To Deposition Subpoena for Personal Appearance
And Production of Things
to Dave Heisten, Profitwise Accounting

4. If the witness is a representative of a business or other entity, the matters upon which the witness is to be examined are described as follows:
- A. Authentication of tax related documents as set forth on Attachment 3;
 - B. Information known to the witness with respect to the ownership of Copilotco, LLC and treatment of the entity for tax reporting purposes;
 - C. Communications from TRACY REED regarding who were members of Copilotco, LLC;
 - D. Why tax forms were not prepared and filed with tax authorities for Copilotco, LLC;
 - E. Any communications from, or claims made by RODERICK HAMBY as it relates to his ownership interest, if any, in Copilotco, LLC;
 - F. Admissions made by TRACY REED with respect to ownership interests in Copilotco, LLC;
 - G. Claims made by TRACY REED with respect to profits generated by Copilotco, LLC and who was entitled to those profits;
 - H. Information regarding any identified thefts from Copilotco, LLC;
 - I. The reporting obligations of Copilotco, LLC with respect to profits, income, taxing authorities and K-1s to members.