

1 Code: 4055

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN AND FOR THE COUNTY OF WASHOE

7

8

Plaintiff(s),

9

vs.

Case No. _____.

10

Defendant(s)

Dept. No. _____.

11

_____ /

12

SUBPOENA

13

To: _____.

14

(Name)

15

YOU ARE COMMANDED to appear before the Second Judicial District Court, State

16

of Nevada, Washoe County, at the courtroom of said court, Department _____ at Reno,

17

Nevada, on the _____ day of _____, 20____, at

18

_____ m., to testify on the part of _____.

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Failure by any person without adequate excuse to obey a subpoena served on that person may be deemed in contempt of the court from which the subpoena issued [Nevada Rules of Civil Procedure, Rule 45(e)].

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Dated this _____ day of _____, 20_____.

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ALICIA L. LERUD

CLERK OF THE COURT

23

24

By: _____

Deputy Clerk

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1 NEVADA RULES OF CIVIL PROCEDURE, RULE 45(c), 45(d) and 45(e)

2 (c) PROTECTION OF PERSONS SUBJECT TO SUBPOENA

3 (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable
4 steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of
5 which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty
6 an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

7 (2)(A) A person commanded to produce and permit inspection and copying of designated books, papers,
8 documents or tangible things, or inspection of premises need not appear in person at the place of production or
9 inspection unless commanded to appear for deposition, hearing or trial.

10 (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and
11 copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time
12 is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to
13 inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party
14 serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to
15 compel the production. Such an order to compel production shall protect any person who is not a party or an office
16 of a party from significant expense resulting from the inspection and copying commanded.

17 (3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if
18 it:

19 (i) fails to allow reasonable time for compliance;

20 (ii) requires a person who is not a party or an office of a party to travel to a place more than 100
21 miles from the place where that person resides, is employed or regularly transacts
22 business in person, except that such a person may in order to attend trial be commanded
23 to travel from any such place within the state in which the trial held, or

24 (iii) Requires disclosure of privileged or other protected matter and no exception or waiver
25 applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or
commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific
events or occurrences in dispute and resulting from the expert's study made not at the
request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the
party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be
otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be
reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the
usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to
protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description
of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding
party to contest the claim.

(e) CONTEMPT

Failure by any person without adequate excuse to obey a subpoena served upon that person may be
deemed a contempt of the court from which the subpoena issued.

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AFFIDAVIT OF SERVICE

STATE OF _____)

: ss

COUNTY OF _____)

I, _____, being first duly sworn, deposes and says:

That affiant is a citizen of the United States, over 18 years of age, and that affiant received the
within Subpoena on the _____ day of _____, 20____, and personally
served a copy of the same upon _____
on the _____ day of _____, 20_____.

Signature of Person Making Service

Subscribed and Sworn to before me this
_____ day of _____, 20_____.

Notary Public