

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO,

RETURN

Plaintiff,

vs.

No. D-101-CR-202400013
The Honorable Mary Marlowe Sommer

ALEXANDER RAE BALDWIN,

Defendant.

SUBPOENA DUCES TECUM

SUBPOENA FOR

PRODUCTION OF RECORDS

TAKING OF STATEMENT

TO: Melinda Zamora
c/o Jason Bowles
Bowles Law Firm
4811 Hardware Drive NE, Building D, Suite 5, Albuquerque, NM 87109

YOU ARE HEREBY COMMANDED TO APPEAR and give a statement on May 9, 2024 at 1:00 p.m.

Join Zoom Meeting

<https://zoom.us/> [REDACTED]

(Shortened version of above URL: <https://tinyurl.com/> [REDACTED])

Meeting ID: [REDACTED]

Passcode: [REDACTED]

YOU ARE HEREBY COMMANDED TO produce to the Special Prosecutor, Kari T. Morrissey, 1303 Rio Grande NW, Suite 5, Albuquerque, NM 87104 by May 3, 2024 at 5:00 p.m. mountain time:

[X] All documentation regarding communications between any employee or contract employee or agent of the Bowles Law Firm and Alexander Rae Baldwin, any attorneys or other employees of the Quinn, Emanuel, Urquhart & Sullivan Law Firm, any attorneys acting on behalf of Mr. Baldwin, and any representatives of Mr. Baldwin or Mr. Baldwin's counsel. This documentation includes but is not limited to any notes, messages, emails, text messages, recordings, and any other forms of correspondence.

IF YOU DO NOT COMPLY WITH THIS SUBPOENA, you may be held in contempt of court and punished by fine or imprisonment.

04/24/2024

Date signed

/s/ Kari T. Morrissey

Kari T. Morrissey, Special Prosecutor
1303 Rio Grande Blvd., Suite 5
Albuquerque, New Mexico 87104-2698

RETURN FOR COMPLETION BY SHERIFF OR DEPUTY

I certify that on the ____ day of _____, _____, in _____ County, I served this subpoena on _____ by delivering to the person named a copy of the subpoena.
_____ Deputy Sheriff

**RETURN FOR COMPLETION BY OTHER PERSON
MAKING SERVICE**

I, being duly sworn, on oath say that I am over the age of eighteen (18) years and not a part to this lawsuit, and that on the ____ day of _____, _____, in _____ County, I served this subpoena on _____ by delivering to the person named a copy of the subpoena.
_____ Person making service

SUBSCRIBED AND SWORN to before me this ____ day of _____, _____ .
_____ Judge, notary or other officer

THIS SUBPOENA issued by or at request of:
Kari T. Morrissey
Special Prosecutor
First Judicial District Attorney’s Office
PO Box 2041
Santa Fe, New Mexico 87504
(505) 827-5000

CERTIFICATE OF SERVICE BY ATTORNEY

I Certify that I caused a copy of this subpoena to be served on the following persons or entities by (delivery) (email) on this 24th day of April, 2024:

- | | |
|--|------------------------------|
| (1) <u>Melinda Zamora</u>
(Name of party) | (2) _____
(Name of party) |
| <u>m [REDACTED] m.com</u>
(Address) | _____
(Address) |

Kari T. Morrissey
Attorney
/s/ Kari T. Morrissey
Signature
04/24/2024
Date of signature

TO BE PRINTED ON EACH SUBPOENA

1. A command to produce evidence or to permit inspection may be joined with a command to appear for a deposition or trial.
2. A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
3. If a person's attendance is commanded one full day's per diem must be tendered with the subpoena, unless the subpoena is issued on behalf of the state or an officer or agency thereof. Mileage must also be tendered at the time of service of the subpoena as provided by the Per Diem and Mileage Act. Payment of per diem and mileage for subpoenas issued by the state is made pursuant to regulations of the Administrative Office of the Courts.

4. To be completed only if the subpoena is commanding production of documents and things or inspection of premises before trial. If the subpoena is commanding production of documents and things or inspection of premises before trial, it must be served on each party in the manner provided by Rule 1-005. If service is by a party, an affidavit of service must be used instead of a certificate of service.

(Person Served:) (Defendant:) (Div.)

PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

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

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

Subject to Subparagraph (2) of Paragraph D below, a person commanded to produce and permit inspection and copying may, within fourteen (14) days after service of the subpoena or before the time specified for compliance if such time is less than fourteen (14) days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (1) fails to allow reasonable time for compliance;
- (2) requires a person who is not a party or an officer of a party to travel to a place more than one hundred miles from the place where that person resides, is employed or regularly transacts business in person, except as provided below, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or
- (3) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (4) subjects a person to undue burden.

If a subpoena:

- (1) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (2) 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, or
- (3) requires a person who is not a party or an officer of a party to incur substantial expense to travel, 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.

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.

(Person Served:) (Defendant:) (Div.)