

foiapa

From: Walters, Barry
Sent: Thursday, August 23, 2018 1:29 PM
To: foiapa
Cc: Livornese, John J.
Subject: FW: Sample SEC Subpoenas- Appendix KK
Attachments: SEC Subpoenas.pdf



From: Aimee M. Davis [<mailto:adavis@ablawyers.com>]
Sent: Thursday, August 23, 2018 1:17 PM
To: Walters, Barry
Subject: Sample SEC Subpoenas- Appendix KK

Dear Mr. Walters-

Our banking law firm presents a series of seminars for various commercial banks, savings associations and credit unions relating to the practice of legal process. I wanted to see if you would be able to assist me in verifying the use of certain sample SEC forms. As part of the seminar, we prepare a manual that includes, among other things, sample blank copies of certain forms, including SEC's "Subpoena to Produce Documents" and "Subpoena to Appear and Testify at a Hearing," a copy of which is attached. According to our copy which we got off the Internet there is no date to show when it was last revised or if it is still current.

I would appreciate if you would assist us in verifying that:

1. The form is still in use by the SEC;
2. We have the most current version of the form; and
3. If we do not have the correct or most current version, would you please provide us with a sample blank copy.

We understand that for security and authenticity purposes, it may be necessary to mark the form as "COPY," "SAMPLE," or "VOID."

Since the seminars will take place beginning October 2018, I would greatly appreciate if you would respond to this request at your earliest convenience.

Again, thank you for your assistance in this regard.

Sincerely,

Aimee M. Davis, Paralegal | Aldrich & Bonnefin, PLC
 18500 Von Karman Avenue, Suite 300, Irvine, California 92612
 T. (949) 474-1944 | F. (949) 474-0617 | ADavis@ABLawyers.com

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APPENDIX KK
SEC SUBPOENAS

 <p>SUBPOENA TO PRODUCE DOCUMENTS Issued Pursuant to U.S. Securities and Exchange Commission Rules of Practice 111(b) and 232, 17 C.F.R. §§ 201.111(b), 201.232.</p>	
1. TO	This subpoena requires you to produce documents or other tangible evidence described in Item 7, at the request of the Party described in Item 4, in the U.S. Securities and Exchange Commission Administrative Proceeding described in Item 6.
2. PLACE OF PRODUCTION	3. DATE AND TIME PRODUCTION IS DUE
4. PARTY AND COUNSEL REQUESTING ISSUANCE OF SUBPOENA	5. THE PRODUCTION OF DOCUMENTS OR OTHER TANGIBLE EVIDENCE IS ORDERED BY Administrative Law Judge U.S. Securities and Exchange Commission
6. TITLE OF THE MATTER AND ADMINISTRATIVE PROCEEDING NUMBER	
7. DOCUMENTS OR OTHER TANGIBLE EVIDENCE TO BE PRODUCED (ATTACH PAGES AS REQUIRED)	
DATE SIGNED	SIGNATURE OF ADMINISTRATIVE LAW JUDGE
GENERAL INSTRUCTIONS	
<p>MOTION TO QUASH The U.S. Securities and Exchange Commission's Rules of Practice require that any application to quash or modify a subpoena comply with Commission Rule of Practice 232(e)(1), 17 C.F.R. § 201.232(e)(1).</p>	
<p>U.S. Securities and Exchange Commission Office of Administrative Law Judges Form</p>	



SUBPOENA TO APPEAR AND TESTIFY AT A HEARING

Issued Pursuant to U.S. Securities and Exchange Commission Rules of Practice 111(b) and 232, 17 C.F.R. §§ 201.111(b), 201.232.

1. TO	This subpoena requires you to testify at a hearing, at the date and time specified in Item 4, at the request of the Party and/or Counsel described in Item 6, in this U.S. Securities and Exchange Commission Administrative Proceeding described in Item 5.
2. PLACE OF HEARING	3. YOUR TESTIMONY AT THE HEARING WILL BE BEFORE Administrative Law Judge U.S. Securities and Exchange Commission 4. DATE AND TIME OF TESTIMONY (testimony may also be required on subsequent dates of hearing)
5. TITLE OF THE MATTER AND ADMINISTRATIVE PROCEEDING NUMBER	6. PARTY AND COUNSEL REQUESTING ISSUANCE OF SUBPOENA

DATE SIGNED	SIGNATURE OF ADMINISTRATIVE LAW JUDGE
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GENERAL INSTRUCTIONS	
<p>MOTION TO QUASH</p> <p>The U.S. Securities and Exchange Commission's Rules of Practice require that any application to quash or modify a subpoena comply with Commission Rule of Practice 232(e)(1). 17 C.F.R. § 201.232(e)(1).</p> <p>U.S. Securities and Exchange Commission Office of Administrative Law Judges Form</p>	<p>TRAVEL EXPENSES</p> <p>Witness fees and mileage will be paid by the party at whose instance the witness appears. 17 C.F.R. § 201.232(f).</p>



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

August 27, 2018

Ms. Aimee M. Davis
Aldrich & Bonnefin, PLC
18500 Von Karman Avenue Suite 300
Irvine, CA 92612

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **18-02954-FOIA**

Dear Ms. Davis:

This letter is in response to your request, dated and received in this office on August 23, 2018 for information concerning sample copies of SEC's "Subpoena to Produce Documents" and "Subpoena to Appear and Testify at a Hearing."

The information you requested has been made publicly available. You may view the forms at <https://www.sec.gov/alj>.

Your request for expedited processing is moot because we were able to respond within ten days. If you have any questions, please contact me at reidk@sec.gov or (202) 551-3504. You may also contact me at foiapa@sec.gov or (202) 551-7900. You also have the right to seek assistance from a FOIA Public Liaison, Lizzette Katilius at (202) 551-7900.

Sincerely,

Kay Reid

Kay Reid
FOIA Lead Research Specialist