

SUBPOENA
COMMON PLEAS COURT

STATE OF OHIO, COUNTY OF PORTAGE

CASE NO. _____

Plaintiff

-v-

Defendant

SUBPOENA

Issued by:

Attorney

TO: _____

Phone: _____

YOU ARE BY THIS WRIT COMMANDED

*To appear before the COMMON PLEAS COURT, COURTHOUSE, 203 W. MAIN ST.,
RAVENNA, OHIO, to testify in captioned case:

DATE _____, 20____ COURTROOM _____
TIME _____ o'clock _____ M.

*You are required to remain there in attendance until dismissed by the Court.

*You are to report to the office of Clerk of Courts each day.

*Your attendance has been required by the: _____.

*You are to bring with you the following items:

*Failure to appear at the time and place stated herein and/or failure to produce the articles
specified herein may be deemed a contempt of court.

JILL FANKHAUSER, CLERK OF COURTS
PORTAGE COUNTY COMMON PLEAS COURT
BY _____

Seal

Deputy Clerk

On _____, 20____, I
received this subpoena. On
_____, 20____, I
served _____
with a copy hereof by:

_____ delivered copy to him/her
_____ leaving it at his/her place
_____ of residence
_____ by reading it to him/her
Fees for one day's attendance
and mileage allowed by law
were tendered upon request.

(Server) _____
(Title) _____

White: Return of Service
White: To Clerk

RETURN

FEES	
Fees-Service and	
return- \$	_____
Mileage:	
_____ miles at	
_____ Mi \$	_____
	\$ _____
TOTAL \$	_____

On _____, 20____.

I received this subpoena. I
attempted to serve this subpoena
but was unable to for the
reason that _____

(Server) _____

(Title) _____

Canary: Issuer's copy
Pink: Witness copy

(C) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) 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.

(2)(a) 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.

(b) Subject to division (D)(2) of this rule, a person commanded to produce and permit inspection and copying may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to inspection and 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, upon notice to the person commanded to produce, may move at any time for an order to compel the production. 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.

(3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:

(a) Fails to allow reasonable time to comply;

(b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;

(c) 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;

(d) Subjects a person to undue burden.

(4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.

(5) In cases under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless 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.

(d) Duties in responding to a 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. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(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, communication, or things not produced that is sufficient to enable the demanding party to contest the claim.