



PLAINTIFF/PETITIONER: dfcu Bank Limited	CASE NUMBER: 19STCV35240
DEFENDANT/RESPONDENT: John Does	

**PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR  
PRODUCTION OF BUSINESS RECORDS**

1. I served this *Deposition Subpoena for Production of Business Records* 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. (1) ☐ Witness fees were paid.

Amount: ..... \$ \_\_\_\_\_

(2) ☐ Copying fees were paid.

Amount: ..... \$ \_\_\_\_\_

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.

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

Date:

Date:



(SIGNATURE)



(SIGNATURE)

ATTACHMENT 3 TO  
DEPOSITION  
SUBPOENA TO  
TWITTER, INC.

### ATTACHMENT 3

#### Instructions and Definitions

1. Please immediately preserve any potentially responsive records in your possession, custody, or control, including by suspending routine deletion procedures that might result in the deletion or overwriting of records that may be responsive to this Subpoena.
2. This Subpoena requires you to produce all Documents and things that are in your possession, custody, or control that are responsive to the Requests herein, and that are not privileged.
3. Electronic records and computerized information must be produced in an intelligible format, together with a description of the system from which they were derived sufficient to permit rendering the records and information intelligible. Further, electronic records and computerized information must be produced pursuant to any agreement or agreements between the parties as reflected in the correspondence between the parties.
4. If you object or disagree with any of the definitions set forth herein, or if you do not understand any term used in these Requests, explain in detail the nature of your disagreement with the definition, or lack of understanding of the term, and provide your definition of the term in responding to the Request.
5. Any Request that refers to a specific Document, group of Documents, or types of Documents within the Request, and asks for production of Documents "relating to," "referring to" or "discussing," or otherwise related to such Document or Documents is to be construed to require production of the specific Document or Documents so referenced in the Request except as otherwise noted.
6. All Documents that respond, in whole or in part, to any portion of the Requests below are to be produced in their entirety, including all attachments and enclosures.
7. These Requests are ongoing so as to require you to provide additional Documents as they are discovered or become available.
8. "Twitter" means Twitter, Inc., the subpoenaed party.

9. "Document" shall have the broadest meaning defined in Federal Rule of Civil Procedure 34(a), including all of the items defined in Rule 1001 of the Federal Rules of Evidence, and all preliminary and final drafts of any such item.

10. "Communication" means all written, oral, telephone, or other inquires, dialogues, discussions, conversations, interviews, correspondence, consultations, negotiations, agreements, understandings, meetings, letters, notes, telegrams, advertisements, computer mail, email, and all other Documents evidencing any verbal or nonverbal interaction between persons or entities.

11. "Person" means an individual, proprietorship, partnership, firm, corporation, association, governmental agency, or other organization or entity.

12. "Concern," "concerning," "evidence," "evidencing," "relating to," "relate to," "relates to," "related to," "referring or relating to," "referring to," "regarding," and "refer or relate to" shall be construed broadly to mean in whole or in part alluding to, responding to, concerning, relating to, connected with, involving, commenting on, in respect of, about, associated with, discussing, evidencing, showing describing, reflecting, analyzing, summarizing, memorializing, consisting of, constituting, identifying, stating, tending to support, tending to discredit, referring to, or be in any way logically or factually connected with the matter discussed or identified.

13. The terms "include" or "including" shall mean "including without limitation."

14. The term "Twitter Accounts" include each of the following 19 accounts:

<u>Twitter Name</u>	<u>Date Created</u>	<u>Total Tweets</u>	<u>Total Followers</u>
@mayanja_jonah	November 2018	609	300
@Jasper_TheKing	September 2018	3,834	684
@Fauz1998	May 2018	14,200	2,459
@Cin_thie	April 2018	1,562	1,408
@legendary_qt_	July 2013	41.3k	17.7k
@makwasicris	December 2012	3,604	1,767

@mutepts	April 2011	2,038	225
@mercy_ary	December 2018	782	433
@369Khalak	January 2019	1,475	209
@kalalaka14	April 2019	1,367	833
@Estherqizzy	January 2019	918	1,107
@Lkabami	December 2018	757	988
@CommandPostUG	April 2016	5,817	1,463
@gad_rogers	June 2013	78.9k	18.2k
@paulwebs1	April 2013	110.3k	22.9k
@TravelMambo	Account Suspended	Account Suspended	Account Suspended
@DerrickJaheim_	December 2012	62.9k	3,505
@jimmy_oryema	August 2015	2,632	2,773
@Jssebwami1	August 2014	5,542	732

### Requests

#### REQUEST FOR PRODUCTION NO. 1:

Any and all documents relating to any of the accounts listed in the Twitter Accounts from January 1, 2018, to the present.

#### REQUEST FOR PRODUCTION NO. 2:

Any records/data that provides any of the following *specific* information:

- The browser type that the holder of the Twitter Accounts, and each of them, used to access Twitter (e.g. Safari or Chrome);
- The operating system that the holder of the Twitter Accounts, and each of them, used when they sent their tweets (e.g. OSX or Windows 7);
- The referring web page related to any tweets from the holder of the Twitter Accounts, or the Twitter Accounts themselves
- What pages on Twitter has the holder of the Twitter Accounts, and each of them, visited (e.g. what other users has @gad\_rogers looked at);
- Any location data extracted by Twitter related to the Twitter Accounts (e.g. GPS data from @gad\_rogers's device to allow for contextual tagging);

- (f) If Twitter is being used by any of the Twitter Accounts on a mobile device, the network that device is on (e.g. Vodafone);
- (g) Device information for the Twitter Accounts, and each of them, including device and application IDs (i.e., what device @gad\_rogers is using when he or she tweets (e.g. an iPhone X or Google Pixel II));
- (h) Any searches any of the Twitter Accounts has put into Twitter;
- (i) Any cookie information (i.e., Twitter will deploy cookies on the Twitter Accounts that will track some of their activity around the internet);
- (j) Any logs of clicks on, viewed or interacts with links on Twitter's Services; and
- (k) Any links to third-party applications, such as when an account holder chooses to install another application through Twitter.
- (l) The reasoning why and how the account held by @TravelMambo was suspended

## DECLARATION OF CUSTODIAN OF RECORDS

Records pertain to: **dfcu Bank Limited vs. John Does**

Description of Records: **See Attachment 3**

I, the undersigned, am duly authorized custodian of records for **Twitter, Inc. c/o CT Corporation**, whose business address is **1355 Market Street, Suite 900, San Francisco, CA, 94103**, and have authority to certify records. I am qualified to testify as to the preparation and maintenance of the records sought by the subpoena or authorization attached hereto and, if called as a witness, could testify competently thereto. Further, I hereby certify to the following (check appropriate boxes):

### **[ ] CERTIFICATION OF RECORDS COPIED**

1. The accompanying copies are true copies of all records in my custody or control described in the subpoena or authorization.

**[ ] If applicable, When Only Partial Records are Produced** The following records described in the subpoena or authorization are not in my custody for the following reasons.

---

2. (a) the record was made at or near the time by or from information transmitted by someone with knowledge; (b) the record was kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, whether or not for profit; (c) making the record was a regular practice of that activity;
3. The accompanying records were prepared in the following manner. **(check all applicable boxes)**  
[ ] from microfilm/microfiche; [ ] from computer stored data; [ ] by photocopying the original paper record; [ ] by electronic duplication process; [ ] by photographic duplication process; [ ] other (describe):
- 

### **[ ] CERTIFICATION OF NO RECORDS**

**[ ] CERTIFICATION OF NO XRAY'S/MRI'S/ RADIOLOGICAL FILMS [ ] CERTIFICATION OF NO BILLING RECORDS**

**[ ] CERTIFICATION OF NO COLORED PHOTOS**

1. A thorough search has been made for the documents, records and things called for in the subpoena or authorization and, based upon the information provided, no such items were found.
2. No copies or records are transmitted because we do not have said records.
3. If Items 1. and 2. above do not apply please Explain the reason why you have NO RECORDS:
- 

I DECLARE under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California

Print Name \_\_\_\_\_ Signed \_\_\_\_\_

Phone \_\_\_\_\_

\*\*\*\* DO NOT WRITE BELOW THIS LINE, FOR TITAN USE ONLY \*\*\*\*

### **DECLARATION OF PROFESSIONAL PHOTOCOPIER**

(California Evidence Codes 1400, 1560; Code of Civil Procedure 1985.3, 2020(e) and Business and Professions Code 22462)

As a representative of "Titan Legal Services, Inc.", I hereby declare that the attached are true and complete copies of all records which were provided to me on this date.

Said records will be delivered only to the party or entity issuing this request.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California

Print Name \_\_\_\_\_ Signed \_\_\_\_\_

Order#: SU325743-01/Cproof7