

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

JOHN FRESHWATER, et al.,

Plaintiff

v.

MOUNT VERNON CITY SCHOOL DISTRICT
BOARD OF EDUCATION, et al.

Defendant

Civil Action No. 2:09 CV 464

(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Pass the Salt Ministries, Inc.
c/o Dave Daubenmire, Statutory Agent, 50 Woody Knoll, Thornville, OH 43076

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: * See attached Exhibit 1.

Table with 2 columns: Place (Mount Vernon City School District Board of Education, 300 Newark Road, Mount Vernon, OH 43050 - 4510) and Date and Time (10/11/2010 12:00 pm)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (both empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/22/2010

CLERK OF COURT

OR

Handwritten signature of attorney

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Mt. Vernon City SD BOE, Ian Watson, Jody Goetzman, Stephen Short, William White, who issues or requests this subpoena, are:

Sarah J. Moore, Esq., Britton, Smith, Peters & Kalail Co., L.P.A.
3 Summit Park Drive, Suite 400, Cleveland, Ohio 44131
e-mail: smoore@ohioedlaw.com Telephone: (216) 503-5055

*In lieu of appearance, records can be faxed to (216) 503-5065 or mailed.

Exhibit 1 – Pass the Salt Ministries, Inc.

Any and all documents, tape recordings, audio recordings, or objects, inclusive of all electronically stored information and metadata, that reflect, evidence or otherwise concern:

1. John Freshwater.
2. Nancy Freshwater.
3. R. Kelly Hamilton.
4. John Freshwater's employment at the Mount Vernon City School District Bd. of Edn.
5. John Freshwater's April 16, 2008 press conference on the Mount Vernon Public Square.
6. John Freshwater's termination hearing.
7. Appearance(s) by John Freshwater on Pass the Salt Radio, or a radio broadcast involving Pass the Salt Ministries, Inc.
8. Appearance(s) by R. Kelly Hamilton on Pass the Salt Radio, or a radio broadcast involving Pass the Salt Ministries, Inc.
9. Appearance(s) by Don Matolyak on Pass the Salt Radio, or a radio broadcast involving Pass the Salt Ministries, Inc.
10. Appearance(s) by any other individual on Pass the Salt Radio discussing John Freshwater, or any radio broadcast involving Pass the Salt Ministries, Inc. regarding John Freshwater.
11. Web-site content and related domain pages, including, but not limited to, radio broadcasts, data, or other information regarding John Freshwater or any of the items listed under number 4, 5, 6, 7, 8, 9, or 10 herein.
12. Web-site content and related domain pages, including, but not limited to, radio broadcasts, data, or other information regarding Nancy Freshwater or any of the items listed under number 4, 5, 6, 7, 8, 9, or 10 herein.
13. Correspondence or e-mail to or from John Freshwater.
14. Correspondence or e-mail to or from Nancy Freshwater.
15. Correspondence or e-mail to or from R. Kelly Hamilton.
16. Correspondence or e-mail to or from Don Matolyak.
17. Phone records, including business or cell phone(s), of calls made to John Freshwater, Nancy Freshwater, Don Matolyak, or R. Kelly Hamilton from December 1, 2007 to present.

18. Phone records, including business or cell phone(s), of calls received from John Freshwater, Nancy Freshwater, Don Matolyak, or R. Kelly Hamilton from December 1, 2007 to present.
19. Press release(s), statement(s), or remark(s) prepared for or about John Freshwater, whether published or not, from December 1, 2007 to present.
20. Press release(s), statement(s), or remark(s) prepared for or about Nancy Freshwater, whether published or not, from December 1, 2007 to present.
21. Postings, statements, remarks, or any other published statement, whether private or public, on social networks for which Pass the Salt Ministries, Inc. has an account or password, including but not limited to Facebook, MySpace, Twitter, blogs or other posting networks of which Pass the Salt Ministries, Inc. is a member or has otherwise visited.
22. Radio, television, or print media containing published statements of Pass the Salt Ministries, Inc. or any of its representatives in regard to John Freshwater or Nancy Freshwater.

***For electronic copies of any documents produced in response to items 1 through 22 herein, please make sure to produce all associated metadata.