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| STATE OF HAWAI'I CIRCUIT COURT OF THE FIRST CIRCUIT | SUBPOENA NOTICE TO APPEAR <input checked="" type="checkbox"/> SUBPOENA DUCES TECUM | <p style="text-align: center;">Electronically Filed FIRST CIRCUIT 1CCV-20-0000390 29-JUN-2021 09:52 AM Dkt. 180 SDT</p> |
| CASE NUMBER 1CCV-20-000390 DEO | CASE NAME | |
| ATTORNEY (NAME and ADDRESS) MATTHEW C. WINTER Davis Levin Livingston 851 Fort Street, Suite 400 Honolulu, HI 96813 Tel. (808) 524-7500 | N.D., Plaintiff, v. MAKAHA, HAWAII CONGREGATION OF JEHOVAH'S WITNESSES, et al., Defendants | |

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| THE STATE OF HAWAI'I TO: ANY OFFICER AUTHORIZED BY LAW TO SERVE SUBPOENAS IN THE STATE OF HAWAI'I YOU ARE COMMANDED to subpoena the individual named below. | COMMENTS: Please see page 2 ATTACH CONTINUATION PAGE IF NEEDED | | |
| <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">NAME AND ADDRESS OF WITNESS</td> </tr> <tr> <td> CUSTODIAN OF RECORDS Jehovah's Witnesses Holualoa HI - Kaloko Congregation 73-4202 Hawaii Belt Road Kailua-Kona, HI 96740 </td> </tr> </table> | NAME AND ADDRESS OF WITNESS | CUSTODIAN OF RECORDS Jehovah's Witnesses Holualoa HI - Kaloko Congregation 73-4202 Hawaii Belt Road Kailua-Kona, HI 96740 | |
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WITNESS, YOU ARE COMMANDED to appear at the time and place indicated to testify as a witness on behalf of the

PLAINTIFF DEFENDANT

You are further ordered to bring with you the items listed in the comments section.

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| DATE July 23, 2021 | TIME 10:00 am |
| LOCATION/ROOM Ralph Rosenberg Court Reporters, Inc. 1001 Bishop Street, Suite 2460, Honolulu, Hawaii 96813 (808) 524-2090 | |

DISOBEDIENCE of this subpoena may be punished as contempt by this court.

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| The original document is filed in the Judiciary's electronic case management system which is accessible via eCourt Kokua at: http://www.courts.state.hi.us | <p style="text-align: center;">Effective Date of 28-Oct-2019 Signed by: /s/ Patsy Nakamoto Clerk, 1st Circuit, State of Hawai'i</p>  |
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In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the Circuit Court Administration Office on OAHU- Phone No. 808-539-4400, TTY 808-539-4853, FAX 539-4402, at least ten (10) working days prior to your hearing or appointment date.

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Page 2 , continuation

DEFINITIONS - The term “documents” means any and all writings and recorded materials, of any kind whatsoever, whether originals or copies, including, but not limited to, contracts, notes, rough drafts, inter-office memoranda, memoranda for the files, letters, communications (as defined below), diaries, forms, bank statements, card files, books of account, journals, ledgers, invoices, blueprints, diagrams, drawings, computer printouts or tapes, electronic data compilations and records (including, but not limited to, computer files of all kinds, e-mail messages, text messages, messages posted on electronic bulletin boards or other sites and list serves, and computer back-up files and documents only available in electronic or an “on line” format), reports, surveys, statistical computations, studies, pictures, maps, graphs, charts, minutes, manuals, pamphlets, or books of any nature or kind whatsoever; and all other materials handwritten, printed, typed, mimeographed, photocopied, imaged, photographed, or otherwise reproduced; and slides, videos or motion pictures, television recordings, all digital or mechanical recordings or other written or printed matter or tangible things on which data, images, words or phrases are affixed or encoded.


The terms “communication” and “communications” mean any and all forms of communication between or among two or more persons, including, but not limited to, in-person meetings and conversations, telephone calls, voicemail or answering machine messages, letters, notes, memoranda, e-mails, text messages, and facsimile forms as applicable.

DOCUMENTS REQUESTED

1. Any and all documents relating in any way to any allegations of sexual abuse, including investigations and findings thereof, by Kenneth Apana.
2. Any and all documents relating in any way to any sexual abuse incidents or allegations in the Makaha, Hawaii Congregation of Jehovah's Witnesses in Hawaii (hereinafter “Makaha Congregation”).
3. Any and all documents relating in any way to any disciplinary action, including documents relating to reproof, disfellowship, and/or disassociation, taken against Kenneth Apana by Kaloko Congregation - Jehovah's Witnesses Holualoa Hawaii/Kingdom Hall of Jehovah's Witnesses) (hereinafter referred to as “Kaloko Congregation”) and/or any other Jehovah's Witnesses congregations and/or organizations, including Watchtower Bible and Tract Society of New York, Inc. and Christian Congregation of Jehovah's Witnesses. This request also includes any and all documents relating to any reinstatement of Kenneth Apana as a member of Kaloko Congregation.
4. Any and all documents received from and/or sent to Service Department of Watchtower Bible and Tract Society of New York, Inc. and/or Christian Congregation of Jehovah's Witnesses relating in any way to any allegation, investigation and/or report on sexual abuse incidents involving Kenneth Apana.
5. Any and all communications with Service Department of Watchtower Bible and Tract Society of New York, Inc. and/or Christian Congregation of Jehovah's Witnesses relating in any way to any allegation, investigation and/or report on sexual abuse incidents involving Kenneth Apana.
6. Any and all communications with any member/elder of Makaha Congregation, including, but not limited to, Philip Main, John Gray, and David Shima, relating in any way to any allegations of sexual abuse by Kenneth Apana, including investigations and findings thereof, and any disciplinary action taken against Kenneth Apana.
7. Any and all communications with any circuit overseer and/or district overseer for Kaloko Congregation relating in any way to any allegations of sexual abuse by Kenneth Apana, including investigations and findings thereof, and any disciplinary action taken against Kenneth Apana.



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| STATE OF HAWAI'I CIRCUIT COURT OF THE FIRST CIRCUIT | | SUBPOENA / SUBPOENA DUCES TECUM RETURN OF SERVICE | | |
| CASE NUMBER 1CCV-20-000390 DEO | | NAME AND ADDRESS OF WITNESS CUSTODIAN OF RECORDS Jehovah's Witnesses Holualoa HI - Kaloko Congregation 73-4202 Hawaii Belt Road Kailua-Kona, HI 96740 | | |
| CASE NAME N.D., Plaintiff, v. MAKAHA, HAWAII CONGREGATION OF JEHOVAH'S WITNESSES, et al., Defendants | | | | |
| SERVICE WAS MADE AT: | DATE: | TIME: | PLACE: | |
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| Comment(s): | | | | |
| <input type="checkbox"/> I served the above named person. | | | | |
| <input type="checkbox"/> I served this subpoena on another individual. (explain) | | | | |
| Comment(s): | | | | |
| <input type="checkbox"/> Unable to serve: | | | | |
| Comment(s): | | | | |
| <input type="checkbox"/> Cancelled | | | | |
| DATE: | TYPE OR PRINT NAME OF SERVER: | | SIGNATURE | |
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