

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

R. TODD NEILSON, as trustee of the
Estate of Reed E. Slatkin and
substantively consolidated affiliates
Topsight Oregon, Inc. and Reed Slatkin
Investment Club, L.P. Liquidating Trust,

CASE NO. MP-06-00003-TOM

Plaintiff,

vs.

ANTHONY HITCHMAN and
MARGARET HITCHMAN,

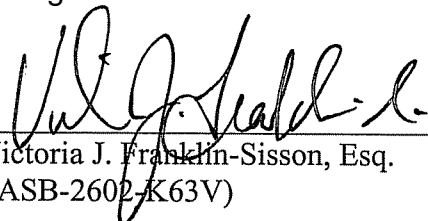
Defendants.

**JUDGMENT CREDITOR'S SUBPOENA DUCES TECUM TO
HERBERT SLAMEN FOR DEPOSITION IN AID OF EXECUTION**

To: Mr. Herbert Slamen
4616 Old Leeds Road
Birmingham, AL 35213
Judgment Debtor

YOU ARE COMMANDED at 1:30 p.m. on Friday, May 23, 2008, to appear at the offices of Miller, Hamilton, Snider & Odom, LLC, 505 20th Street N., Fifth Floor, Birmingham, AL, 35203 to testify at the taking of a deposition in aid of execution in the above case and to produce on or before Thursday, May 22, 2008, at the place of the deposition, the documents which are described in the schedule infra.

MILLER, HAMILTON, SNIDER & ODOM, L.L.C.
Counsel for Judgment Creditor
505 20th Street, N., Suite 500
Birmingham, AL 35203
Tel. (205) 226-5200
Fax (205) 226-5226

By: 
Victoria J. Franklin-Sisson, Esq.
(ASB-2602-K63V)

Definitions

As used in this subpoena, the following words shall be defined as follows:

1) "Document" includes, but is not limited to, originals where available, or otherwise a carbon copy, Xerox copy or other copy, including each non-identical copy (whether different from the original because of marginal notes, or other material inserted or attached thereto, or otherwise) of each item of correspondence, letters, electronic mail, memoranda, messages, telephone bills, notes, offers, orders, confirmations, contracts, agreements, reports, punch sheets, punch lists, agendas, cables, telegrams, diaries, appointment books, invoices, ledgers, returns, accounts, checks, check stubs, drafts, statements, indexes, data sheets, data processing cards, logs, worksheets, service orders, expense vouchers, maintenance records, inspection reports, licenses, permits, settlement paperwork, printing, pictures, advertisements, slides, film, microfilm, micro fiche and other written matter of every kind and character; notes, memoranda, transcripts, recording tapes, recording disks or other records of oral communications; and graphs, books, charts, tables, prospectuses, tabulations, worksheets, compilations, summaries, minutes, lists, pamphlets, brochures, drawings, renderings, diagrams, sketches, etchings, tracings, plans, blueprints, posters, periodicals, publications, bulletins, computer printouts, studies or other papers in the possession, custody or control of Herbert Slamen ("Slamen"), or her agents, employees, attorneys or representatives, including documents which were prepared by Slamen's agents, employees, attorneys or representatives, which did not leave the custody of the person preparing them.

2) "You" or "Your" refers to Slamen, his agents, attorneys, joint venturers, partners, and all other persons acting for, purporting to act for, or subject to the control of Slamen.

3) "And" or "Or" shall include the conjunctive as well as the disjunctive.

4) "Communications" include correspondence, discussions, telephone conversations and all other forms of written or oral communication.

5) A "significant interest" in a business entity means ownership of two percent (2%) or more of the beneficial interest in the entity.

6) A "transfer" means every mode, direct or indirect, absolute or conditional, voluntary or involuntary, of disposing of or parting with property or with an interest in property."

7) "Property" means property of any kind whatsoever, whether real or personal, tangible or intangible, including, but not limited to, money.

8) A "financial institution" means a bank, savings and loan association, credit union, stock brokerage, asset management firm, credit card issuer, lender (public or private) or similar business.

Instructions

Unless another time period is specified, this request refers to the limited time period from January 1, 2002 to the present.

Schedule of Documents to be Produced

A. Any and all documents in your possession, custody or control which reflect or relate or refer to transfers from or on behalf of either or both of the judgment debtors, Anthony Hitchman and Margaret Hitchman ("judgment debtors," which shall refer in each instance used to each judgment debtor individually, and all judgment debtors jointly), to you, directly or indirectly, including, but not limited to, wire transfers and checks (front and back), and any and all other evidence of transfer or payment, and the disposition of proceeds from such assets.

B. Any and all documents in your possession, custody or control which reflect or relate or refer to transfers from or on behalf of you to judgment debtors, directly or indirectly (including transfers to designees of or nominees for judgment debtors), including, but not limited to, wire transfers and checks (front and back), and any and all other evidence of transfer or payment, and the disposition of proceeds from such assets.

C. Any and all documents in your possession, custody or control which reflect or relate or refer to transfers from or on behalf of you to Derek Hitchman, directly or indirectly (including transfers to designees of or nominees for Derek Hitchman), including, but not limited to, wire transfers and checks (front and back), and any and all other evidence of transfer or payment, and the disposition of proceeds from such assets.

D. Any and all documents in your possession, custody or control which reflect or relate or refer to transfers from or on behalf of you to Phoebe Hitchman, directly or indirectly (including transfers to designees of or nominees for Phoebe Hitchman), including, but not limited to, wire transfers and checks (front and back), and any and all other evidence of transfer or payment, and the disposition of proceeds from such assets.

E. Any and all documents that reflect or relate or refer to financial institution accounts (including, but not limited to, checking and savings accounts, credit cards and debit cards) that you have maintained where transfers have been made to, from, on behalf of or for the benefit of judgment debtors, directly or indirectly, including account opening applications and related documents, signature cards, correspondence, statements, checks (front and back), deposited items, wire transfers, debit and credit memoranda, bank certified checks and cashier's checks.

F. Any and all documents in your possession, custody or control which reflect or relate or refer to judgment debtors using any debit card or credit card or the reasons for such use.

G. Any and all documents in your possession, custody or control which reflect or relate or refer to the reasons for any of the transfers to which Document Specifications A. – F. above refer.

H. Correspondence or communications between you and:

1. Judgment debtors.
2. Derek Hitchman.
3. Phoebe Hitchman.
4. Any other relative of judgment debtors.
5. Anyone else, including, but not limited to, Ernest Corbett, Gaye Corbett, Susan M. Hampton, a/k/a Susan Lyons, d/b/a Hampton Hill Imports, Herbert Slamen, William Newman, Thomas Cummins, Robert C. Cummins, Richard Cummins, Fairbairn Trust Company, Theta Trust, Pheta Trust, Risk Technologies, Inc., Guideline USA, Guideline Software and Technologies (Pty), Ltd. or Terry Griffith, where judgment debtors, Derek Hitchman or Phoebe Hitchman were a subject of correspondence or communications.

I. Any and all documents in your possession, custody or control which reflect or relate or refer to assets of judgment debtors, including, but not limited to:

1. Financial, business and property records, and all other papers, passbooks and books of account that tend to disclose the extent, nature, disposition and location of financial interests, property and property rights in which judgment debtors have any direct or indirect beneficial or record interest and their location.

2. Checking accounts or savings accounts in which judgment debtors have any direct or indirect beneficial or record interest at this time, or in which judgment debtors had any direct or indirect beneficial or record interest at any time within the last five (5) years.

3. Checking accounts or savings accounts in which judgment debtors have any direct or indirect beneficial or record interest solely, jointly or as co-partner or joint adventurer in any business entity, or in which judgment debtors have any direct or indirect beneficial or record interest through any business entity in which judgment debtors had a significant interest, for the past five (5) years.

4. Records with respect to checking accounts and savings accounts of judgment debtors, including records or ledger sheets pertaining to certificates of deposit and money market funds, for the past five (5) years.

5. Records with respect to bank accounts in which judgment debtors have any direct or indirect beneficial or record interest solely, jointly or as co-partner or joint adventurer in any business entity, or in which judgment debtors have any direct or indirect beneficial or record interest through any business entity in which judgment debtors had a significant interest, including, but not limited to, records or ledger sheets pertaining to certificates of deposit and money market funds, for the past five (5) years.

6. Checkbooks, cancelled checks, check stubs, deposit slips, ledgers, statements and other records reflecting the status of judgment debtors' checking accounts for the past five (5) years.

7. Checkbooks, cancelled checks, check stubs, deposit slips, ledgers, statements and other records for checking accounts in which judgment debtors have any direct or indirect beneficial or record interest solely, jointly or as co-partner or joint adventurer in any business entity, or in which judgment debtors have any direct or indirect beneficial or record interest through any entity in which judgment debtors had a significant interest, reflecting the status of these accounts for the past five (5) years.

8. Deeds, notes and mortgages with respect to real property in which judgment debtors have any direct or indirect beneficial or record interest, or in which judgment debtors hold a security interest or a lien, including any closing statements prepared in conjunction with them.

9. Deeds, notes and mortgages with respect to real property in which judgment debtors have any direct or indirect beneficial or record interest or upon which judgment debtors have a security interest or a lien, solely, jointly or as co-partner or joint adventurer in any business entity, or in which judgment debtors have any direct or indirect beneficial or record interest through any business entity in which judgment debtors have a significant interest, including any closing statements prepared in conjunction with them.

10. Transfers of property or assets from or on behalf of judgment debtors to anyone during the last seven (7) years, the dates of such transfers, the identity of the initial transferees and the identity of any and all subsequent transferees.

11. Transfers of property or assets from or on behalf of any business entity in which judgment debtors are co-partner or joint adventurer, or any entity in which judgment debtors have a significant interest, the dates of such transfers, the identity of the initial transferees and the identity of any and all subsequent transferees.

12. Balance sheets and other financial statements with respect to business entities in which judgment debtors possess an ownership interest, whether as partner, joint adventurer, stockholder or otherwise.

13. Accounts receivable ledgers or other records reflecting the names and addresses of persons or business entities that are indebted and the amounts of such indebtedness owed to judgment debtors or to any business entity in which judgment debtors are co-partner or joint adventurer, or to any business entity in which judgment debtors have a significant interest.

14. Judgment debtors' income tax returns for the last three (3) years, including W-2 forms, as well as tangible and intangible property tax returns for the last three (3) years.

15. Partnership or business entity income tax returns for any partnership or business entity in which judgment debtors possess a significant interest, whether as partner, joint adventurer, stockholder or otherwise.

16. Corporate securities (stocks or bonds) owned solely or jointly by judgment debtors or any other entity in which judgment debtors have a significant interest, including, but not limited to, statements of accounts.

17. Title certificates, registration certificates, bills of sale, receipts and other evidence of judgment debtors having any direct or indirect beneficial or record interest in the following categories of personal property:

- (a) Motor vehicles;
- (b) Personal, commercial or business furniture, fixtures, furnishings or equipment;
- (c) Construction equipment;

- (d) Boats, launches, cruisers or airplanes;
- (e) Art work, jewelry, precious metals or collections (such as stamps, coins, wines, etc.)
- (f) Audio and video equipment;
- (g) Computer hardware, software, printers, scanners and monitors; and
- (h) Articles of clothing for which you paid in excess of \$200.00.

18. Tax certificates, registration certificates, bills of sale, receipts and other evidence of judgment debtors having any direct or indirect beneficial or record interest in the following categories of personal property which judgment debtors hold solely, jointly or as co-partner or joint adventurer in any business entity or owned by any business entity in which judgment debtors have a significant interest:

- (a) Motor vehicles;
- (b) Commercial or business furniture, fixtures, furnishings or equipment;
- (c) Construction equipment;
- (d) Boats, launches, cruisers or airplanes;
- (e) Inventory of any stock of goods or equipment of any type;
- (f) Audio and video equipment; and
- (g) Computer hardware, software, printers, scanners and monitors.

19. Inventories or other written statements that relate to judgment debtors' interest in the administration of the estate of a deceased person.

20. Insurance policies, including, but not limited to, life, annuity, health, accident, casualty, automobile, boat, airplane, property, liability and the like, in which judgment debtors are named as an insured or beneficiary or in which judgment debtors have any direct or indirect beneficial or record interest.

21. Statements of account, benefit booklets or descriptions of benefits which judgment debtors received during the last two (2) years, pertaining to any pension plan, profit sharing plan, retirement plan or like program in which judgment debtors are or were a participant or member.

22. Employment contracts, purchase or sale contracts, option contracts, real or personal, and other contracts, leases, agreements or the like into which judgment debtors or any entity in which judgment debtors have a significant interest entered during the last three (3) years.

23. Credit cards and charge accounts and statements and receipts that judgment debtors received in connection with the use of such credit cards and charge accounts, together with documents reflecting persons or entities to whom or which judgment debtors are authorized to charge purchases, for the last two (2) years.

24. Loan applications, statements of loan accounts and personal and business financial affidavits submitted in conjunction with loans for which judgment debtors applied, whether or not taken or approved, within the last two (2) years.

25. Trust documents in which judgment debtors may have a present or contingent interest, including, but not limited to, the certificates, if any, indicating such interests, together with copies of statements, receipts, disbursements, investments and other transactions.

26. Judgment debtors' present will and all revisions (including any riders) to it.

27. Utility bills, including electrical, gas, telephone and cellular telephone bills for which judgment debtors are responsible or that judgment debtors pay.

28. Passports, tickets, boarding passes and other documents reflecting judgment debtors' travels during the past four (4) years.

29. Director's fees that judgment debtors have received for the past three (3) years.

30. Consulting agreements between judgment debtors and any person or entity and consulting fees paid to judgment debtors or for their benefit pursuant to such agreements within the past three (3) years.

31. Litigation in which judgment debtors have asserted a claim for monetary damages.

32. Litigation in which any business enterprise where judgment debtors are co-partner, joint adventurer or have a significant interest has asserted a claim for monetary damages.