

SUBPOENA FOR WITNESS (CIVIL) -

Case No. CL07000334

ATTORNEY ISSUED VA. CODE §§ 8.01-407; 16.1-265; Supreme Court Rules 14, 46
Commonwealth of Virginia

January 30, 2008 at 9:00 a.m.
HEARING DATE AND TIME

Nelson County Circuit

Court

84 Courthouse Square, Lovingston, VA

ADDRESS OF COURT

Larry Dale Saunders

v/In re:

Joe Dan Johnson, et al.

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Lisa Wooten

NAME

84 Courthouse Square

STREET ADDRESS

Lovingston

CITY

Virginia

STATE

22949

ZIP

TO the person summoned: You are commanded to appear

in the Nelson County Circuit

Court

at

ADDRESS (DEPENDENT USE IN CIRCUIT COURT ONLY)

on January 30th

2008

at 9:00 a.

m. to testify in the above-named case.

This subpoena is issued by the attorney for and on behalf of

Joe Dan Johnson

PARTY NAME

John P. Fishwick, Jr.

NAME OF ATTORNEY

23285

VIRGINIA STATE BAR NUMBER

101 South Jefferson Street, Suite 400

OFFICE ADDRESS

540-345-5890

TELEPHONE NUMBER OF ATTORNEY

Roanoke, VA 24011

OFFICE ADDRESS

540-345-5789

FACSIMILE NUMBER OF ATTORNEY

January 22, 2008

DATE ISSUED

SIGNATURE OF ATTORNEY

Notice to Recipient: See page two for further information.

RETURN OF SERVICE (see page two of this form)

CLERK NELSON COUNTY
CIRCUIT COURT

JAN 28 2008

FILED

FORM DC-427 (MAY 2006, PAGE ONE OF TWO) 7/02

Affidavit of Service

The Undersigned being duly sworn, states:

I am over the age of 18 years and not a party to the above named entitled action.

I made service of: Witness Subpeona

Service on: Lisa Wooten, 84 Courthouse Square, Lovington, VA; delivered at her place of business

Date Served: January 22, 2008

Amy Guthrie

Amy Guthrie, Legal Assistant
Lichtenstein Fishwick & Johnson, PLC
101 S. Jefferson Street
Suite 400
Roanoke, VA 24011
(540) 345-5890

STATE OF VIRGINIA, at large

in the City of Roanoke to-wit:

This day Amy Guthrie personally appeared before me, a Notary Public in and for the aforesaid jurisdiction, and subscribed and sworn to/ affirmed before me this 24th day of January, 2008.

Marlene P. Payer
Notary Public

CLERK NELSON COUNTY
CIRCUIT COURT

JAN 28 2008

FILED

MARLENE P. PAYER
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #300812 *01/20/2009*
My Commission Expires

TO the person summoned:

If you are served with this subpoena less than 5 calendar days before your appearance is required, the court may, after considering all of the circumstances, refuse to enforce the subpoena for lack of adequate notice. If you are served less than 5 calendar days before your appearance is required and you are a judicial officer generally incompetent to testify pursuant to § 19.2-271, this subpoena has no legal force or effect. If you are served with this subpoena less than 5 calendar days before your appearance is required, you may wish to contact the attorney who issued this subpoena and the clerk of the court.

This SUBPOENA FOR WITNESS is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the clerk of court.

NAME: <u>Lisa Wooten Register</u>	
ADDRESS: <u>84 Courthouse Square</u> <u>Levinston VA</u>	
<input checked="" type="checkbox"/> PERSONAL SERVICE	Tel No.
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above:	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> not found	_____, Sheriff
By _____	_____, Deputy Sheriff

CERTIFICATE OF COUNSEL

I, John P. Fishwick, Jr., counsel for Joe Don Johnson, hereby certify that a copy of the foregoing subpoena for witness was mailed first class mail,
to Daniel Rutherford, counsel of record for Larry Saunders
on the 24th day of January, 2008.


CLERK NELSON COUNTY
CIRCUIT COURT

JAN 28 2008

FILED

FORM DC-497 (MASTER, PAGE TWO OF TWO) 7/01