

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Seth Charles Ben Haim, et al.

Plaintiff(s)

vs

The Islamic Republic of Iran, et al.

Defendant(s)

CIVIL ACTION NO. 02-1811 (RCL)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on March 24, 2006 in the amount of sixteen million dollars (\$ 16,000,000 ) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of 4.76 % from March 24, 2006 less credits of \$ 0.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of June, 2014.

Angela D. Caesar, Clerk

By [Signature]  
Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

INTERROGATORIES IN ATTACHMENT

NOTICE

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment I within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

UNITED STATES DISTRICT COURT

for the
District of Columbia

Seth Charles Ben Haim, et al.

Plaintiff

v.

The Islamic Republic of Iran, et al.

Defendant

Civil Action No. 02-1811(RCL)

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

To: Internet Corporation for Assigned Names and Numbers

(Name of person to whom this subpoena is directed)

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

Table with 2 columns: Place and Date and Time. Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up). Date and Time: 07/07/2014 10:00 am

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 fields are empty.

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

Date: 06/23/2014

CLERK OF COURT

OR

/s/ Robert J. Tolchin

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Seth Charles Ben Haim, et al., who issues or requests this subpoena, are:

Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 02-1811(RCL)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Iran” means the Islamic Republic of Iran and any person or entity acting on its behalf, including the Institute for Research in Fundamental Sciences (a/k/a/ IPM) and IRNIC.

“MOIS” means the Iranian Ministry of Information and Security and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Iran and/or MOIS.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Iran and/or MOIS.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.

5. All documents and electronically stored information referencing, listing or describing any payments from Iran and/or MOIS to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Iran and/or MOIS to ICANN; and
- b. from ICANN to Iran and/or MOIS.

7. All communications between ICANN, on the one hand and Iran and/or MOIS, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Seth Charles Ben Haim, et al.

Plaintiff(s)

vs

The Islamic Republic of Iran, et al.

Defendant(s)

CIVIL ACTION NO. 08-520 (RCL)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on May 19, 2011 in the amount of three hundred million dollars (\$ 300,000,000 ) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of .18 % from May 19, 2011 less credits of \$ 0.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of JUNE, 2014.

Angela D. Caesar, Clerk

By Regina A. Tolchin  
Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number



INTERROGATORIES IN ATTACHMENT

NOTICE

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment 1 within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_

Garnishee

UNITED STATES DISTRICT COURT

for the
District of Columbia

Seth Charles Ben Haim, et al.

Plaintiff

v.

The Islamic Republic of Iran, et al.

Defendant

Civil Action No. 08-520 (RCL)

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

To: Internet Corporation for Assigned Names and Numbers

(Name of person to whom this subpoena is directed)

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

Table with 2 columns: Place and Date and Time. Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up). Date and Time: 07/07/2014 10:00 am

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 fields are empty.

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

Date: 06/23/2014

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ Robert J. Tolchin
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Seth Charles Ben Haim, et al., who issues or requests this subpoena, are: Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 08-520 (RCL)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Iran” means the Islamic Republic of Iran and any person or entity acting on its behalf, including the Institute for Research in Fundamental Sciences (a/k/a/ IPM) and IRNIC.

“MOIS” means the Iranian Ministry of Information and Security and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Iran and/or MOIS.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Iran and/or MOIS.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.

5. All documents and electronically stored information referencing, listing or describing any payments from Iran and/or MOIS to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Iran and/or MOIS to ICANN; and
- b. from ICANN to Iran and/or MOIS.

7. All communications between ICANN, on the one hand and Iran and/or MOIS, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Ruth Calderon-Cardona, et al.

Democratic People's Republic of Korea, et al.

Plaintiff(s)

vs

Defendant(s)

CIVIL ACTION NO. 14-mc-648 (UNA)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on August 5, 2010 in the amount of three hundred and seventy eight million dollars (\$ 378,000,000 ) and the costs amounting to \$ \_\_\_\_\_ with interest at .30 % from August 5, 2010 less credits of \$ 0.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 25th day of June, 2014.

Angela D. Caesar, Clerk

By [Signature]

Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

INTERROGATORIES IN ATTACHMENT

NOTICE

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment 1 within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee



**UNITED STATES DISTRICT COURT**  
for the  
District of Columbia

Ruth Calderon-Cardona, et al.	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. 14-mc-648
Democratic People's Republic of Korea, et al.	)	
<i>Defendant</i>	)	

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

To: Internet Corporation for Assigned Names and Numbers

*(Name of person to whom this subpoena is directed)*

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

Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up)	Date and Time:  07/07/2014 10:00 am
--	---

**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.

Place:	Date and Time:
--------	----------------

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

Date: 06/23/2014

CLERK OF COURT

OR

_____ <i>Signature of Clerk or Deputy Clerk</i>	/s/ Robert J. Tolchin <i>Attorney's signature</i>
--	--

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Ruth Calderon-Cardona, et al., who issues or requests this subpoena, are:  
Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 14-mc-648

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfrinIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“North Korea” means the Democratic People’s Republic of Korea and any person or entity acting on its behalf, including Star Joint Venture Company and Naenara.

“North Korean Intelligence Service” means the Cabinet General Intelligence Bureau of North Korea and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to North Korea and/or the North Korean Intelligence Service.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to North Korea and/or the North Korean Intelligence Service.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to North Korea and/or the North Korean Intelligence Service.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to North Korea and/or the North Korean Intelligence Service.

5. All documents and electronically stored information referencing, listing or describing any payments from North Korea and/or the North Korean Intelligence Service to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from North Korea and/or the North Korean Intelligence Service to ICANN; and
- b. from ICANN to North Korea and/or the North Korean Intelligence Service.

7. All communications between ICANN, on the one hand and North Korea and/or the North Korean Intelligence Service, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Jenny Rubin, et al.

Plaintiff(s)

vs

The Islamic Republic of Iran, et al.

Defendant(s)

CIVIL ACTION NO. 01-1655 (RMU)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on September 10, 2003 in the amount of ~~two hundred and fifty nine million dollars~~ One Hundred and Nine Million dollars (~~\$ 259,000,000~~ 109,000,000) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of 1.33 % from September 10, 2003 less credits of \$ 500,000.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of JUNE, 2014.

Angela D. Caesar, Clerk

By Regina J. [Signature]

Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff

111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

INTERROGATORIES IN ATTACHMENT

NOTICE

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment I within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

# UNITED STATES DISTRICT COURT

for the

District of Columbia

Jenny Rubin, et al.

*Plaintiff*

v.

The Islamic Republic of Iran, et al.

*Defendant*

Civil Action No. 01-1655 (RMU)

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

To: Internet Corporation for Assigned Names and Numbers

*(Name of person to whom this subpoena is directed)*

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

Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up)	Date and Time:  07/07/2014 10:00 am
--	---

**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.

Place:	Date and Time:
--------	----------------

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

Date: 06/23/2014

CLERK OF COURT

OR

/s/ Robert J. Tolchin

*Signature of Clerk or Deputy Clerk*

*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_

Jenny Rubin, et al. \_\_\_\_\_, who issues or requests this subpoena, are:

Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

### Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



Civil Action No. 01-1655 (RMU)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Iran” means the Islamic Republic of Iran and any person or entity acting on its behalf, including the Institute for Research in Fundamental Sciences (a/k/a/ IPM) and IRNIC.

“MOIS” means the Iranian Ministry of Information and Security and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Iran and/or MOIS.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Iran and/or MOIS.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.

5. All documents and electronically stored information referencing, listing or describing any payments from Iran and/or MOIS to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Iran and/or MOIS to ICANN; and
- b. from ICANN to Iran and/or MOIS.

7. All communications between ICANN, on the one hand and Iran and/or MOIS, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Shaul Stern, et al.

Plaintiff(s)

vs

The Islamic Republic of Iran, et al.

Defendant(s)

CIVIL ACTION NO. 00-2602 (RCL)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on July 17, 2003 in the amount of three hundred and thirteen million dollars (\$ 313,000,000 ) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of 1.08% % from July 17, 2003 less credits of \$ 0.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of JUNE, 2014.

Angela D. Caesar, Clerk

By Reg not JA

Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

INTERROGATORIES IN ATTACHMENT

NOTICE

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment I within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER

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2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER

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I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

UNITED STATES DISTRICT COURT

for the
District of Columbia

Shaul Stern, et al.

Plaintiff

v.

The Islamic Republic of Iran, et al.

Defendant

Civil Action No. 00-2602 (RCL)

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

To: Internet Corporation for Assigned Names and Numbers

(Name of person to whom this subpoena is directed)

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

Table with 2 columns: Place and Date and Time. Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up). Date and Time: 07/07/2014 10:00 am

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 fields are empty.

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

Date: 06/23/2014

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ Robert J. Tolchin
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Shaul Stern, et al., who issues or requests this subpoena, are: Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 00-2602 (RCL)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Iran” means the Islamic Republic of Iran and any person or entity acting on its behalf, including the Institute for Research in Fundamental Sciences (a/k/a/ IPM) and IRNIC.

“MOIS” means the Iranian Ministry of Information and Security and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Iran and/or MOIS.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Iran and/or MOIS.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.

5. All documents and electronically stored information referencing, listing or describing any payments from Iran and/or MOIS to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Iran and/or MOIS to ICANN; and
- b. from ICANN to Iran and/or MOIS.

7. All communications between ICANN, on the one hand and Iran and/or MOIS, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Susan Weinstein, et al.

Plaintiff(s)

vs

The Islamic Republic of Iran, et al.

Defendant(s)

CIVIL ACTION NO. 00-2601 (RCL)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on February 6, 2002 in the amount of one hundred eighty three million two hundred forty eight thousand and one hundred sixty four dollars (\$ 183,248,164 ) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of 2.25 % from February 6, 2002 less credits of \$ Approximately \$5,000,000.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of June, 2014.

Angela D. Caesar, Clerk

By [Signature]  
Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

**INTERROGATORIES IN ATTACHMENT**

**NOTICE**

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment I within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

UNITED STATES DISTRICT COURT
for the
District of Columbia

Susan Weinstein, et al.
Plaintiff
v.
The Islamic Republic of Iran, et al.
Defendant
Civil Action No. 00-2601 (RCL)

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

To: Internet Corporation for Assigned Names and Numbers

(Name of person to whom this subpoena is directed)

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

Table with 2 columns: Place and Date and Time. Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up). Date and Time: 07/07/2014 10:00 am

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 fields are empty.

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

Date: 06/23/2014

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk OR /s/ Robert J. Tolchin Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Susan Weinstein, et al., who issues or requests this subpoena, are: Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 00-2601 (RCL)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Iran” means the Islamic Republic of Iran and any person or entity acting on its behalf, including the Institute for Research in Fundamental Sciences (a/k/a/ IPM) and IRNIC.

“MOIS” means the Iranian Ministry of Information and Security and any person or entity acting on its behalf.

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Iran and/or MOIS.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN

allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Iran and/or MOIS.

4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Iran and/or MOIS.

5. All documents and electronically stored information referencing, listing or describing any payments from Iran and/or MOIS to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Iran and/or MOIS to ICANN; and
- b. from ICANN to Iran and/or MOIS.

7. All communications between ICANN, on the one hand and Iran and/or MOIS, on the other hand concerning any of the foregoing.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Mary Nell Wyatt, et al.

Plaintiff(s)

vs

The Syrian Arab Republic, et al.

Defendant(s)

CIVIL ACTION NO. 08-502 (RCL)  
WRIT OF ATTACHMENT ON JUDGMENT  
OTHER THAN WAGES, SALARY AND COMMISSIONS

To Internet Corporation for Assigned Names and Numbers

801 17th Street NW, Suite 400, Washington, DC 20006

Garnishee:

You are hereby notified that any money, property or credits other than wages, salary and commissions of the above named defendant(s), are seized by the Writ of Attachment, and you are required to hold it and not to pay or surrender it to the defendant(s) or to anyone else without an order from this court.

The Judgement against the defendant was entered on December 17, 2012 in the amount of three hundred and thirty eight million dollars (\$ 338,000,000 ) and the costs amounting to \$ \_\_\_\_\_ with interest at an annual rate of .15 % from December 17, 2012 less credits of \$ 0.

Within ten (10) days after this writ is served upon you, you are required to answer the interrogatories, **UNDER PENALTY OF PERJURY**, and to file in this Court the original and one copy of the answers, and to serve a copy, by mail or other means, upon the plaintiff(s) and upon the defendant(s). If you fail to do so, judgment may be entered against you for the entire amount of the plaintiff's claims with interest and costs.

Witness the Honorable Chief Judge of said Court, this 24<sup>th</sup> day of JUNE, 2014.

Angela D. Caesar, Clerk

By Regina  
Deputy Clerk

Robert J. Tolchin, The Berkman Law Office, LLC

Attorney for Plaintiff  
111 Livingston Street, Suite 1928

Brooklyn, New York 11201

(718) 855-3627

Address & Telephone Number

**INTERROGATORIES IN ATTACHMENT**

**NOTICE**

As a garnishee, you are required by law to file answers to the following Interrogatories in Attachment 1 within ten (10) days after service of the writ upon you [Title 16, Section 521 (a), D.C. Code 1981 ed.]. If you fail to answer the Interrogatories, judgment may be entered against you for the entire amount of the plaintiff's claim and costs [Title 16, Section 526(b), D.C. Code 1981 ed.].

The garnishee is required to file the original and one copy of the answers in this Court, and to serve a copy upon the plaintiff(s) and defendant(s).

If, within ten (10) days after service of the answers, the party at whose request the Attachment was issued does not contest the answers pursuant to Title 15, Section 522, D.C. Code (1981 ed.), the garnishee's obligations under the attachment shall be limited by the answers.

1. Were you at the time of the service of the writ of attachment, or have you been between the time of such service and the filing of your answers to this interrogatory indebted to the defendant(s), and, if so, how, and in what amount?

ANSWER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Had you at the time of the service of the writ of attachment, or have you had between the time of such service and the filing of your answer to this interrogatory, any goods, chattels, or credits of the defendant(s) in your possession or charge, and, if so, what?

ANSWER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalties of perjury that the answers to the above interrogatories are, to the best of my knowledge and belief, true and correct as to every material matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

UNITED STATES DISTRICT COURT

for the
District of Columbia

Mary Nell Wyatt, et al.

Plaintiff

v.

The Syrian Arab Republic, et al.

Defendant

Civil Action No. 08-502 (RCL)

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

To: Internet Corporation for Assigned Names and Numbers

(Name of person to whom this subpoena is directed)

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

Table with 2 columns: Place and Date and Time. Place: Internet Corporation for Assigned Names and Numbers, Washington, D.C. (for courier pick-up). Date and Time: 07/07/2014 10:00 am

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 fields are empty.

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

Date: 06/23/2014

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ Robert J. Tolchin
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Mary Nell Wyatt, et al., who issues or requests this subpoena, are: Robert J. Tolchin, 111 Livingston Street Suite 1928, Brooklyn, NY 11201, rjt.berkman@gmail.com, (718) 855-3627

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 08-502 (RCL)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## **SCHEDULE A**

### **DEFINITIONS**

“ICANN” means the Internet Corporation for Assigned Names and Numbers, the Internet Assigned Numbers Authority (a/k/a/ IANA) and each of the five regional internet registries, as applicable – AfriNIC (serving Africa), APNIC (serving East Asia and the Pacific Region), ARIN (serving the United States and Canada), LACNIC (serving Latin America and much of the Caribbean), and RIPE NCC (serving Europe, the Middle East and much of the former Soviet Union).

“Syria” means the Syrian Arab Republic and any person or entity acting on its behalf, including the National Agency for Network Services (a/k/a NANS).

### **DOCUMENT REQUEST**

1. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any top level domain names to Syria.
2. All documents and electronically stored information referencing, listing or describing: all top level domain names allocated, licensed, assigned or transferred by ICANN to Syria.
3. All documents and electronically stored information referencing, listing or describing: any contracts, agreements or understandings pursuant to which ICANN allocates, licenses, assigns or transfers rights of any kind in any internet protocol addresses to Syria.



4. All documents and electronically stored information referencing, listing or describing: all internet protocol addresses allocated, licensed, assigned or transferred by ICANN to Syria.

5. All documents and electronically stored information referencing, listing or describing any payments from Syria to ICANN.

6. All documents and electronically stored information referencing, listing or describing any amounts owed:

- a. from Syria to ICANN; and
- b. from ICANN to Syria.

7. All communications between ICANN and Syria concerning any of the foregoing.