

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY, FLORIDA

CASE NO. 05-2013-CA-33457-XXXX-XX

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court,

Plaintiff,

vs.

BLUEGEM, LLC, a Florida limited liability
company,

Defendant.

BLUEGEM, LLC, a Florida limited liability
company,

Counter-Plaintiff,

vs.

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court.

Counter-Defendant.


NOTICE OF FILING AFFIDAVIT OF SERVICE

Plaintiff, by and through undersigned counsel, hereby gives notice of filing the attached Affidavit of Service of the Subpoena Duces Tecum upon the Custodian of Public Records for the Office of the State Attorney, 18th Judicial Circuit, reflecting date of service: October 2, 2013.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via E-Service on this 3 day of October, 2013 to: Thomas Cargill, Esq., Michael Gay, Esq., Foley & Lardner LLP, 111 North Orange Ave., Suite 1800, Orlando, FL 32801-2386 at mgay@foley.com; TCargill@foley.com; and SLBradley@foley.com.

GRAYROBINSON, P.A.
Attorneys for Plaintiff,



CURT JACOBUS, ESQ.
Florida Bar No. 729493
ALEC D. RUSSELL, ESQ.
Florida Bar No. 0248134
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tonimarie.dalessandro@gray-robinson.com

***In the Circuit Court of the 18th Judicial Circuit in and for
Brevard County, Florida***

Affidavit of Service

Scott Ellis, in his official

Case Number 05-2013-CA-33457

capacity as Brevard County Clerk

of the Circuit Court, Plaintiff.

vs.

BLUEGEM, LLC, a Florida limited

liability company, Counter-Plaintiff

vs

Scott Ellis, in his official capacity as

Brevard County Clerk of Courts

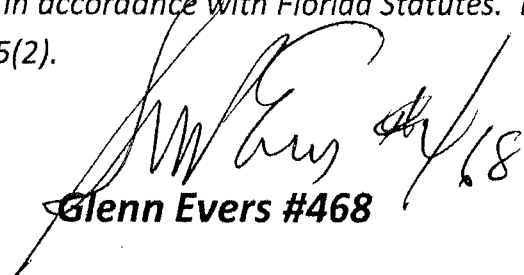
Counter-Defendant

Subpoena Duces Tecum

Received by Glenn Evers #468 on 2 October at 1240 PM this Subpoena Duces Tecum to be served upon the Custodian of Records for the Office of State Attorney, 18th Judicial Circuit 2725 Judge Fran Jaimeson Way Blg. D Viera, Fl. 32940.

I, Glenn Evers #468 do hereby affirm that on the 2nd day of October 2013 at 113 PM, this Subpoena Duces Tecum was personally served upon Judy Bushey, Executive Assistant for Phil Archer and designated to accept process for the State Attorney of the 18th Judicial Circuit at their office located at 2725 Judge Fran Jaimeson Way, Blg D, Viera,, Fl. 32940.

I am over the age of 18, have no interest in the above action and am a Court Appointed Civil Process Server in good standing for the 18th Judicial Circuit in the county in which the service was effected in accordance with Florida Statutes. No notary is required pursuant to FSS 92.525(2).

A handwritten signature in black ink, appearing to read "Glenn Evers" with a date "5/18" written to the right.

Glenn Evers #468

3250 Aurora Rd.

Melbourne, Fl. 32934

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BLUEGEM, LLC, a Florida limited liability
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Defendant.

BLUEGEM, LLC, a Florida limited liability
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Counter-Plaintiff,

vs.

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court.

Counter-Defendant.

Served on:
Date:
Time:
By Glenn Evers #468

Served on: *Judy Bushy*
Date: *10-7-13*
Time: *11:17*
By Glenn Evers #468

SUBPOENA FOR DEPOSITION DUCES TECUM

TO: Custodian of Public Records
for the Office of the State Attorney,
18th Judicial Circuit
2725 Judge Fran Jamieson Way
Building D
Viera, FL 32940

YOU ARE COMMANDED to appear at the offices of **GrayRobinson, P.A., 1795 West NASA Blvd., Melbourne, Florida, on November 5, 2013, at 10:00 a.m.** for the taking of your deposition in this action, and to have with you at that time and place the following records:

SEE ATTACHED EXHIBIT A.

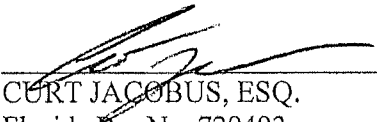
IF YOU FAIL TO APPEAR, YOU MAY BE IN CONTEMPT OF COURT.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on this 7 day of October, 2013.

For the Court :

GRAYROBINSON, P.A.
Attorneys for Plaintiff,


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ALEC D. RUSSELL, ESQ.
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