

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal No.:
)	92-10369-Z
THOMAS A. SHAY and)	
ALFRED W. TRENKLER)	

**DEFENDANT, ALFRED W. TRENKLER'S, MOTION TO COMPEL
PRODUCTION PURSUANT TO A SUBPOENA ISSUED TO
RICHARD BROWN, KEEPER OF THE RECORDS OF
ADVANCED RESEARCH COMMUNICATIONS (ARCOMM)
PURSUANT TO F.R.C.R.P. 17(c)**

Now comes Defendant, Alfred W. Trenkler, and moves pursuant to Federal Rule of Criminal Procedure 17(c), for this Court to issue an order compelling Richard Brown, Keeper of the Records of Advanced Research Communications (hereinafter "ARCOMM), to produce:

- 1) Any and all ARCOMM time cards for the period from October 1, 1991 through October 31, 1991, and
- 2) Any and all ARCOMM canceled checks for the period from October 1, 1991 through October 31, 1991.

In support of this motion to compel production, Defendant states as follows:

1. On May 28, 1993, Defendant served a motion for issuance of a subpoena directing Richard Brown, as Keeper of the Records of ARCOMM to produce the above-referenced papers and documents pursuant to F.R.Cr.P. 17(c).

2. On June 3, 1993, this Court granted Defendant's motion.

3. Thereafter, on June 9, 1993, Mr. Brown was served the attached subpoena in hand.

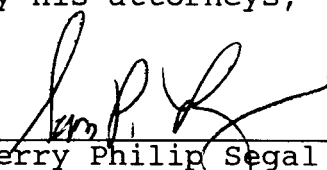
4. Although Mr. Brown produced certain other documents identified in the subpoena, he did not produce any ARCOMM time cards or canceled checks for the period from October 1, 1991 through October 31, 1991 as required by said subpoena.

5. Previously, Mr. Brown had produced to the government the original ARCOMM October checks.

6. To date Mr. Brown has failed to produce the original ARCOMM October checks and any ARCOMM time cards.

WHEREFORE, Defendant requests this Court to enter an order compelling Richard Brown to produce said documents forthwith. See Proposed Order attached hereto.

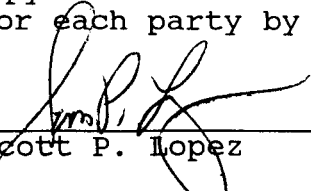
Respectfully submitted,
For the Defendant,
ALFRED W. TRENKLER,
By his attorneys,



Terry Philip Segal
BBO # 450760
Scott P. Lopez
BBO # 549556
Segal & Feinberg
210 Commercial Street
Boston, MA 02109
(617) 720-4444

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail on July 8, 1993.



Scott P. Lopez

United States District Court

DISTRICT OF
MASSACHUSETTS

UNITED STATES OF AMERICA
v.
THOMAS A. SHAY and
ALFRED W. TRENKLER

SUBPOENA IN A CRIMINAL CASE

CASE NUMBER: 92-10369-Z

TO:

Richard Brown
Keeper of the Records of Advanced Research Communications
82 Broad Street
Weymouth, MA

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE Clerk's Office U.S. District Court, District of Massachusetts J.W. McCormack Post Office & Courthouse Boston, MA 02109	COURTROOM Clerk's Office, 7th Floor <hr/> DATE AND TIME June 16, 1993, at 10:00 a.m.
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YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

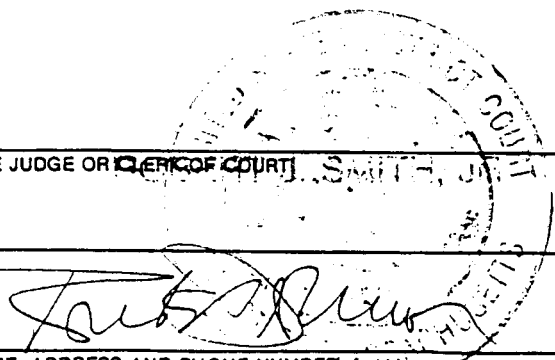
See Attachment.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

June 8, 1993

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Terry Philip Segal and Scott P. Lopez, Segal & Feinberg
210 Commercial Street, Boston, MA 02109 (617) 720-4444

ATTACHMENT

Richard Brown, Keeper of the Records of Advanced Research Communications (hereinafter "ARCOMM") of 82 Broad Street, Weymouth, Ma, to produce the following papers and documents for the period from October 1, 1991 through October 31, 1991:

- a) Any and all ARCOMM bank statements for the above period;
- b) Any and all ARCOMM time cards for the above period;
- c) Any and all ARCOMM canceled checks for the above period;
- d) Any and all ARCOMM payroll records for the above period;
- e) Any and all ARCOMM telephone and paging system statements evidencing business calls and paging system calls for the above period regardless of the date the actual bills were issued by the telephone or paging system companies;
- f) Any and all business receipts for the above period;
- g) Any and all other business records not previously specified above for the above period.

PROOF OF SERVICE			
RECEIVED BY SERVER	DATE <i>6-9-93</i>	PLACE <i>Boston, Ma.</i>	
SERVED	DATE <i>6-9-93</i>	PLACE <i>Boston, Ma.</i>	
SERVED ON (PRINT NAME) <i>Richard Brown</i>		FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT \$ <i>55.00</i>	
SERVED BY (PRINT NAME) <i>JAMES KAROLIDAS</i>		TITLE <i>Private Investigator</i>	
DECLARATION OF SERVER			
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.</p>			
Executed on <u><i>6-9-93</i></u> <small>Date</small>		<u><i>James Karolidas</i></u> <small>Signature of Server</small>	
		<u><i>144 Boston St. Medford, Mass.</i></u> <small>Address of Server</small>	
ADDITIONAL INFORMATION			
<p><i>Sherid & Law Offices of Legal & Executive</i></p>			