

Dr. Orly Taitz ESQ

29839 Santa Margarita ste 100

Rancho Santa Margarita, CA 92688

Phone 949-683-5411 fax 949-766-7603

Orly.taitz@gmail.com

Counselor for the Plaintiffs

US District Court

For the Eastern District of California

James Grinols, Robert Odden, in their capacity)Case # 12-cv-02997

as Presidential Electors)MOTION FOR TEMPORARY

Edward C. Noonan, Thomas Gregory MacLeran,) RESTRAINING ORDER

Keith Judd in their capacity as)

candidates for the U.S. President)

v Electoral College, President of the Senate,)

Governor of California, Secretary of State)

of California, U.S. Congress)

)

)

)

Notice of the Subpoena to appear and testify and produce records at the hearing on January 3, 2013
2pm in the civil case captioned above.

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF CALIFORNIA

Grinols et al)
Plaintiff)
v.) Civil Action No. 2:12-cv-02997-MCE-DAD
Electoral College et al)
Defendant)

SUBPOENA TO APPEAR AND TESTIFY
AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Barack Hussein Obama, aka Barack (Barry) Soetoro, aka Barack (Barry) Obama Soebarkah

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: U.S. District Court, Eastern District of California, Chief Judge Honorable Morrison C. England	Courtroom No.: 7
	Date and Time: 01/03/2013 2:00 pm

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Original application to Connecticut Social Security number xxx-xx-4425, which was used by you in your 2009 tax returns and posted on WhiteHouse.gov in April 2010, original application to the Selective Service Certificate, original typewritten 1961 birth certificate #10641 for Barack Obama, II, issued 08.08.1961, signed by Dr. David Sinclair, Stanley Ann Dunham Obama and registrar Lee, two certified copies of the aforementioned birth certificate issued to you by the Department of Health of Hawaii in April 25, 2011 and posted by you on the whitehouse.gov on April 27, 2011, see below

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

Date: 12/27/2012

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing *(name of party)* Plaintiffs Grinols et al

, who issues or requests this subpoena, are:

Orly Taitz
29839 Santa Margarita Pkwy, ste 100
Rancho Santa Margarita, CA 92688
phone 949-683-5411 fax 949-766-7693 orly.taitz@gmail.com

Civil Action No. 2:12-cv-02997-MCE

PROOF OF SERVICE

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

This subpoena for (name of individual and title, if any) Barack Hussein Obama
was received by me on (date) 12.21.2012

I served the subpoena by delivering a copy to the named person as follows: Barack Hussein Obama
c/o U.S. Attorney District of Hawaii
300 Ala Moana, Honolulu, HI on (date) 12.23.2012 via Federal Express

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 fees for one day's attendance, and the mileage allowed by law, in the amount of
\$

My fees are \$ 0 for travel and \$ 0 for services, for a total of \$ 0.00

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

Date: 12.23.2012

Server's signature

Dr. Orly Taitz, ESQ
Printed name and title

29839 Sate Margarita, st 100

Server's address

Additional information regarding attempted service, etc:

Rancho Sate Margarita,
CA 92688

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(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 issuing court 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 issuing court 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 issuing court must quash or modify a subpoena that:

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

(ii) requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(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 issuing court may, on motion, quash or modify the subpoena if it requires:

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

(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; or

(iii) a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(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.

(d) 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 to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

ATTACHMENT TO SUBPOENA

Additional documents requested

1. Any and all U.S. passports, any and all U.S. immigration and naturalization papers issued to you
2. Any and all Indonesian passports, any and all Indonesian immigration and naturalization papers issued to you
3. Any and all Kenyan passports, any and all Kenyan immigration and naturalization papers issued to you
4. Any and all British passports, any and all British immigration and naturalization papers issued to you
4. Any and all travel documents used by you to travel to Pakistan
5. School registration, showing the citizenship and legal first and last name from Kaelani school in Honolulu Hawaii, Assissi school in Jakarta Indonesia, Punahoa school in Honolulu Hawaii, Occidental college and Columbia University.
6. Certified copy of your Hospital birth certificate from the Kapiolani Hospital, in Honolulu Hawaii
7. Attached herein is a check for your travel \$895.40 and per diem fee of \$40.00 per day. A total fee of \$975.40, which represents utilization of the "common carrier at the most economical rate reasonably available" per 28 USC §1821. While travel from your residence in Washington DC is only \$673.00, Plaintiffs are making an outmost effort in not burdening you and are paying for your travel from the state of Hawaii \$895.40 , where you are currently on 20 days vacation. For your convenience the service is being effectuated through the U.S. attorney in the district of Hawaii, Ms. Florence T. Nakakuni.

Other Federal defendants are being notified via U.S. Attorney's office and CA state Defendants are being notified via the office of the Attorney General of California

28 USC § 1821 - PER DIEM AND MILEAGE GENERALLY; SUBSISTENCE

- [USC-prelim](#)
- [US Code](#)
- [Notes](#)
- [Updates](#)
- [Authorities \(CFR\)](#)

[USCPrelim](#) is a preliminary release and may be subject to further revision before it is released again as a final version.

Current through Pub. L. [112-207](#). (See [Public Laws for the current Congress](#).)

(a)

(1) Except as otherwise provided by law, a witness in attendance at any court of the United States, or before a United States Magistrate Judge, or before any person authorized to take his deposition pursuant to any rule or order of a court of the United States, shall be paid the fees and allowances provided by this section.

(2) As used in this section, the term "court of the United States" includes, in addition to the courts listed in section 451 of this title, any court created by Act of Congress in a territory which is invested with any jurisdiction of a district court of the United States.

(b) A witness shall be paid an attendance fee of \$40 per day for each day's attendance. A witness shall also be paid the attendance fee for the time necessarily occupied in going to and returning from the place of attendance at the beginning and end of such attendance or at any time during such attendance.

(c)

(1) A witness who travels by common carrier shall be paid for the actual expenses of travel on the basis of the means of transportation reasonably utilized and the distance necessarily traveled to and from such witness's residence by the shortest practical route in going to and returning from the place of attendance. Such a witness shall utilize a common carrier at the most economical rate reasonably available. A receipt or other evidence of actual cost shall be furnished.

ORLY TAITZ
DEFEND OUR FREEDOMS FOUNDATION
 29839 SANTA MARGARITA PKWY STE 100
 RANCHO SANTA MARGARITA CA 92688-3616

1348

11-35/1210 CA
 1980

12.23.2012

Day To The Order Of Mr. Barack Obama \$ 975.46
nine hundred seventy five ⁴⁶/₁₀₀ Dollars



ACH R/T 121000358

Witness travel fee per subpoena

Harland Clarke



FedEx Tracking Number **8022 9220 7906**

Form ID No. **0200**

Sender's C

1 From Please print and press hard.

Date 12.23.2012 Sender's FedEx Account Number
 Sender's Name ORLY TAITZ, ESQ Phone 949.683.5411
 Company Law office of Orly Taitz
 Address 29839 Santa Margarita St 100
 City RANCHO SANTA MARGARITA State CA ZIP 92688

2 Your Internal Billing Reference
 First 24 characters will appear on invoice.

3 To
 Recipient's Name Florence T. Nakakuni, U.S. Attorney Phone ()
 Company U.S. Attorney's Office
 Address 300 Ala Moana Blvd HOLD Weekday
 We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room #6-100 FedEx location address REQUIRED NOT available for FedEx First Overnight.
 Address Honolulu HOLD Saturday FedEx location address REQUIRED Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
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Express Package Service * To most locations.

NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs., use FedEx Express Freight U

Next Business Day

- FedEx First Overnight**
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Priority Overnight**
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Standard Overnight**
Next business afternoon.* Saturday Delivery NOT available.

2 or 3 Business Days

- FedEx 2Day A.M.**
Second business morning.* Saturday Delivery NOT available.
- FedEx 2Day**
Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
- FedEx Express Saver**
Third business day.* Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.

- FedEx Envelope*
- FedEx Pak***
- FedEx Box
- FedEx Tube

6 Special Handling and Delivery Signature Options

- SATURDAY Delivery**
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
 - No Signature Required**
Package may be left without obtaining a signature for delivery.
 - Direct Signature**
Someone at recipient's address may sign for delivery. Fee applies.
 - Indirect Signature**
If no one is available at recipient address, someone at a neighborhood address may sign for delivery. Residential deliveries only. Fee.
- Does this shipment contain dangerous goods?**
 One box must be checked.
 No Yes As per attached Shipper's Declaration Yes Shipper's Declaration not required Dry Ice Dry Ice, 9, UN 1845 x
 Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box. Cargo Aircraft Only

7 Payment Bill to:

- Enter FedEx Acct. No. or Credit Card No. below.
 Sender Acct. No. in Section I will be billed Recipient Third Party Credit Card Cash
 FedEx Acct. No. / Credit Card No. Exp. Date

Total Packages Total Weight Total Declared Value*
 lbs. \$ 00

Easy new Peel-and-Stick airbill. No pouch needed.
 Apply airbill directly to your package. See directions on back.



Air Itinerary

DEPARTING FLIGHT

Oahu - Honolulu, HI (HNL) to Sacramento, CA (SMF)

Hawaiian Coach

HA20

Wednesday, January 2, 2013 3:20 PM-10:30 PM

Nonstop

Cost Summary

Original Fare: \$856.66

Taxes and Fees: \$38.74

US September 11th Security Fee: \$5.00

US Passenger Facility Charge: \$9.00

US Flight Segment Tax: \$7.60

US Alaska/Hawaii Departure Tax: \$16.80

US Transportation Tax: \$0.34

\$349.20

RETURN FLIGHT

Sacramento, CA (SMF) to Oahu - Honolulu, HI (HNL)

Hawaiian Coach

HA19

Friday, January 4, 2013 9:50 AM-1:30 PM

Nonstop

Cost Per Traveler: **\$895.40**

of Travelers X 1

Sub Total: **\$895.40**

TOTAL AIR TRAVEL COST (USD) **\$895.40**

Baggage Fee Information

For North America itineraries:

- 1st checked bag will be charged \$25, 2nd checked bag will be charged \$35.
- Additional fees may apply for excess and oversized baggage. [View all bag fees.](#)

HawaiianMiles Pualani Platinum, Gold, First Class, and Premier Club members are exempt from 1st & 2nd checked bag fee when departing on flights operated by Hawaiian Airlines. Waiver may not be offered when departing on flights operated by partner airlines. Customers booked on flights operated by partner airlines may be subject to the partner airlines' baggage fees. [View all bag fees.](#)

Amounts in USD, unless indicated otherwise.

Primary Passenger

Fields marked with asterisks (*) are required.

Note: Name should match the government-issued photo id you will bring to the airport.

User Details

- *First Name
- Middle Name (if on ID)
- *Last Name

Birth date and gender must be provided at the time of booking.

The U.S. government requires more passenger information. [Why?](#)

- *Gender
 Male Female

- *Birth Date MM/DD/YYYY

Redress

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- Or
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\$764⁰⁰

\$1222²⁰

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Stops: Showing All [dropdown] Departure Time: 6:50a - to - 7:22p

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Departing Flights | Round-Trip Flights

Price

Airline

Departure Times

Travel Time

\$673²⁰

ROUND-TRIP Per Person

Choose Departure

Frontier Airlines
Flight 725
Flight 221

Show Flight Details

DEPARTING Washington, DC (DCA) Wed Jan 02, 2013 6:00 pm

-- Connects in Denver, CO (DEN) -- 1h 17m layover

ARRIVING Sacramento, CA (SMF) Wed Jan 02, 2013 10:31 pm

Flight + Hotel - Save up to \$500

BEST PRICE GUARANTEED

SAVE

1 Stop
Total Time 7h 31m

\$683²⁰

ROUND-TRIP Per Person

Choose Departure

US Airways
Flight 77
Flight 261

Show Flight Details

DEPARTING Washington, DC (DCA) Wed Jan 02, 2013 5:00 pm

-- Connects in Phoenix, AZ (PHX) -- 56m layover

ARRIVING Sacramento, CA (SMF) Wed Jan 02, 2013 10:05 pm

Flight + Hotel - Save up to \$500

BEST PRICE GUARANTEED

SAVE

1 Stop
Total Time 8h 5m

\$705²⁰

ROUND-TRIP Per Person

Choose Departure

United Airlines
Flight 5852
Flight 1158

Show Flight Details

DEPARTING Baltimore, MD (BWI) Wed Jan 02, 2013 7:22 pm

-- Connects in Chicago, IL (ORD) -- 52m layover

ARRIVING Sacramento, CA (SMF) Wed Jan 02, 2013 11:55 pm

Flight 5852 operated by United Express/ExpressJet

Flight + Hotel - Save up to \$500

BEST PRICE GUARANTEED

SAVE

1 Stop
Total Time 7h 33m

\$705²⁰

ROUND-TRIP Per Person

Choose Departure

Delta Air Lines
Flight 1425
Flight 736

Show Flight Details

DEPARTING Baltimore, MD (BWI) Wed Jan 02, 2013 4:30 pm

-- Connects in Atlanta, GA (ATL) -- 58m layover

ARRIVING Sacramento, CA (SMF) Wed Jan 02, 2013 9:54 pm

Flight + Hotel - Save up to \$500

BEST PRICE GUARANTEED

SAVE

1 Stop
Total Time 8h 24m

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