

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VIRGIE ARTHUR	§	
PLAINTIFF	§	
	V.	§ Civil Action No. 4:07-CV-03742
HOWARD K. STERN,	§	
CBS STUDIOS, INC. and	§	
KPRC HOUSTON,	§	
DEFENDANTS	§	

NOTICE OF SERVICE OF SUBPOENA

To: Charles L. Babcock
Jackson Walker, LLP
1401 McKinney Street, Suite 1900
Houston, Texas 77010

L. Lin Wood
Powell Goldstein, LLP
One Atlantic Center, 14th Floor
Atlanta, GA 30309

Please take notice that, on or after March 14, 2008, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff Virgie Arthur will serve the following person with the subpoena attached thereto as Exhibit A, requesting production of certain documents described therein.

Kenneth Turner

Dated: March 14, 2008

Neil C. McCabe
THE O'QUINN LAW FIRM
State Bar No. 13335300
440 Louisiana Street, Suite 2300
Houston, Texas 77002
Telephone: 713-223-1000
Facsimile: 713-222-6903
ATTORNEY FOR PLAINTIFF

EXHIBIT "B"

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2008, a true and correct copy of the foregoing Notice of Service of Subpoena was served on the following counsel electronically via the CM/ECF system:

Charles L. Babcock
Jackson Walker, LLP
1401 McKinney Street, Suite 1900
Houston, Texas 77010

L. Lin Wood
Powell Goldstein, LLP
One Atlantic Center, 14th Floor
Atlanta, GA 30309

And, on or after this date, by hand delivery with the subpoena to:

Kenneth Turner

Dated: March 14, 2008

Neil C. McCabe
THE O'QUINN LAW FIRM
State Bar No. 13335300
440 Louisiana Street, Suite 2300
Houston, Texas 77002
Telephone: 713-223-1000
Facsimile: 713-222-6903
ATTORNEY FOR PLAINTIFF

EXHIBIT A

INSTRUCTIONS

1. If you have possession, custody or control of the originals of the documents requested, then the originals and all non-identical copies shall be produced. If you do not have possession, custody, or control of the originals of the documents requested, then one identical copy of each original and any and all non-identical copies of each original shall be produced.

2. If any document requested herein has been lost, discarded, transferred or destroyed, it shall be identified as completely as possible, including, without limitation, the following information: date of disposal, manner of disposal, reason for disposal, personal authorizing disposal, and person conducting disposal.

3. If you assert privilege as a ground for refusing to produce documents in response to any Request, produce documents in response to that part of each such Request that, in your view, does not seek allegedly privileged information or communications.

4. If you assert privilege as a ground for refusing to produce documents, or for redacting information contained in produced documents, for each document, or portion thereof, for which you claim a privilege, identify the nature of the privilege (including work product) which is being claimed. If the privilege is governed by state law, the state's privilege rule being invoked and, unless disclosure of such information would cause disclosure of the allegedly privileged information, the factual basis for the claim of privilege is sufficient detail to permit adjudication of the validity of that claim, including without limitation, the following: (a) type of document, e.g. letter or memorandum, (b)

general subject matter of the document, (c) date of the document, and (d) other information as is sufficient to identify the document for a subpoena duces tecum, including, where appropriate, the author of the document, the addressees of the document, any other recipients of the document, and the relationships between the authors, addressees and recipients.

5. The Subpoena Commanding the Production of Documents shall be continuing to the full extent permitted under the applicable provisions of the Federal Rules of Civil Procedure. Any documents secured after initial production, and which would have been included therein had such documents been previously known or available, shall be supplied by supplemental production within a reasonable time after they are secured or become known to you.

6. All documents produced pursuant to this Subpoena shall be produced in separate groups of documents responsive to each separate request, and to the extent possible, in the form and order in which they were kept by you until being produced.

7. All definitions set forth below apply to the foregoing instruction as well as to the requests for production, and shall be carefully regarded.

DEFINITIONS

1. As used herein, the term "you" refers to Kenneth Turner.
2. As used herein, the term "communication" means the transmittal of information in the form of facts, ideas, inquiries, or otherwise.
3. As used herein, the term "document" refers to all items described in Federal Rule of Civil Procedure 34(a)(1)(A) including, without limitation, writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data

compilations stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form.

4. As used herein, the term "person" is defined as any natural person or any business, legal or governmental entity or association.

5. As used herein, the term "concerning" means relating to, referring to, describing, evidencing or constituting.

6. As used herein, the connectives "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside the scope.

7. The use of the singular form of any word includes the plural, and vice versa.

8. The masculine of a pronoun is defined to include the feminine, and vice versa.

REQUESTED DOCUMENTS

Under Federal Rules of Civil Procedure 45, Kenneth Turner is requested to produce the following discoverable information to Plaintiff's representative at the Federal Courthouse located at 211 West Ferguson, Tyler, Texas, 75702. For purposes of these requests, the word "document" includes information maintained in electronic form as well as paper documents.

1. Any and all electronic mailings generated by you to or received by you from or regarding Howard K. Stern, or any person working on behalf of Howard K. Stern, whether that person was paid or unpaid.

2. Any and all electronic mailings generated by you or received by you regarding Anna Nicole Smith, also known as Vickie Lynn Marshall.

3. Any and all electronic mailings generated by you or received by you regarding Virgie Arthur, or any person working on behalf of Ms. Arthur, including but not limited to John O'Quinn, Neil McCabe, and Don K. Clark.

4. Any and all electronic mailings generated by you to or received by you from or regarding Wilma Vicedomine, also known as Wilma Vice.

5. Any and all electronic mailings generated by you to or received by you from Art Harris.

6. Regarding all blogs or other internet sites hosted by you, moderated by you, or otherwise under your control, produce copies of all postings regarding Howard K. Stern, Anna Nicole Smith, Virgie Arthur, John O'Quinn, Neil McCabe, Don K. Clark, Wilma Vicedomine, or Art Harris.

7. Regarding all blogs or other internet sites hosted by you, moderated by you, or otherwise under your control, produce copies of all postings regarding legal proceedings related to J. Howard Marshall, II, Anna Nicole Smith, Daniel Smith, or Dannielynn Hope Marshall Stern.

8. All internet chat room transcripts, logs, and/or other documents concerning internet chat rooms owned, operated, maintained, and/or moderated by you concerning Howard K. Stern; Bonnie Stern; Lin Wood; Benjamin Erwin; Krista Barth; anyone presently or formerly employed by the law firm of Powell Goldstein; Mark Steines; Entertainment Tonight; anyone employed by Entertainment Tonight; The O'Quinn Law Firm; the representation of Virgie Arthur; the death of Vickie Lynn

Marshall, also known as Anna Nicole Smith and the custody of her body; the death of Daniel Smith; the paternity and custody of Anna Nicole Smith's daughter, Dannielynn; the estate of Anna Nicole Smith; Wilma Vicedomine; John O'Quinn, Neil McCabe, Don Clark; the website at the website at <http://www.atruerose.com>; the website at <http://fourwindsagency.com>; the website at <http://rosespeaks.com>; the website at <http://www.rose-speaks.fourwindsagency.com>; the website at <http://rose-speaks.fourwindsagency.com/wordpress/>; the website at <http://rose-speaks.com/rose-blog/>; the website at <http://www.faketrek.com>; the website at <http://www.faketrek.net>; the website at <http://www.naaval.org>; the website at http://groups.yahoo.com/group/Alt_Life_Politics; the email address stormdnrcr@gmail.com; the email address rose@rosespeaks.com; the email address cajunrose103@gmail.com; the email address cajunrose@verizon.net; the email address at webmaster@rosespeaks.com.

9. All documents concerning communications between you and Howard K. Stern, Bonnie Stern, Lin Wood, Benjamin Erwin Krista Barth, or any present or former employee of the law firm of Powell Goldstein, including but not limited to:

- (a) Emails; and/or
- (b) Telephone records

10. A carbon image of that portion of the hard drive on your personal computers, any external hard drives and/or any zip drives containing documents and/or any type of information concerning Howard K. Stern; Bonnie Stern; Lin Wood; Benjamin Erwin; Krista Barth; anyone presently or formerly employed by the law firm of Powell Goldstein; Mark Steines; Entertainment Tonight; anyone employed by

Entertainment Tonight; The O'Quinn Law Firm; the representation of Virgie Arthur; the death of Vickie Lynn Marshall, also known as Anna Nicole Smith and the custody of her body; the death of Daniel Smith; the paternity and custody of Anna Nicole Smith's daughter, Dannielynn; the estate of Anna Nicole Smith; Wilma Vicedomine; John O'Quinn; Neil McCabe; Don Clark; the website at <http://www.atruerose.com>; the website at <http://fourwindsagency.com>; the website at <http://rosespeaks.com>; the website at <http://www.rose-speaks.fourwindsagency.com>; the website at <http://rose-speaks.fourwindsagency.com/wordpress/>; the website at <http://rose-speaks.com/rose-blog/>; the website at <http://www.faketrek.com>; the website at <http://www.faketrek.net>; the website at <http://www.naaval.org>; the website at http://groups.yahoo.com/group/Alt_Life_Politics; the email address stormdnrcr@gmail.com; the email address rose@rosespeaks.com; the email address cajunrose103@gmail.com; the email address cajunrose@verizon.net; the email address at webmaster@rosespeaks.com.