

BREKKA & BREKKA

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KENNETH L. BREKKA
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September 18, 2000

via: CERTIFIED MAIL
R.R. #7099 3400 0007 8499 4649
and FIRST CLASS MAIL

Dolly Olecki
Framingham Mobil
696 Cochituate Road
Framingham, MA 01701

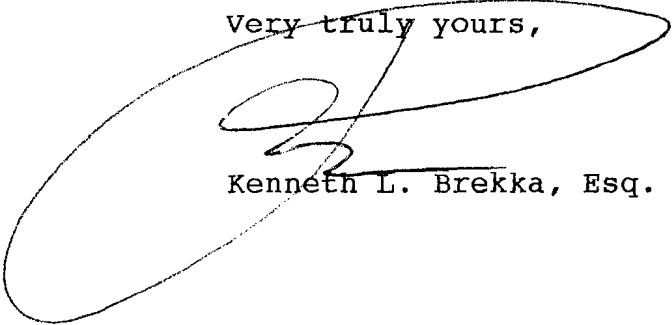
RE: Michael Elbery

Dear Dolly:

Enclosed please find an updated Subpoena Duces Tecum in regard to the above referenced matter.

Your presence, along with the information requested in the Subpoena, is required in court on October 17, 2000.

Very truly yours,



Kenneth L. Brekka, Esq.

KLB/mf
Enc.

cc: Michael Elbery

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Trial Court of the Commonwealth
District Court Division
Framingham District Court
Docket #0049CR1893

COMMONWEALTH OF MASSACHUSETTS)
)
v.)
)
MICHAEL ELBERY)

SUBPOENA DUCES TECUM

TO: Dolly Olecki
Framingham Mobil
696 Cochituate Road
Framingham, MA 01701

GREETINGS:

You are hereby commanded to appear before the Framingham District Court within the County of Middlesex on October 17, 2000, at 9:00 a.m., and from day to day thereafter, until the above captioned case is heard by said court, and you are commanded to bring with you the following:

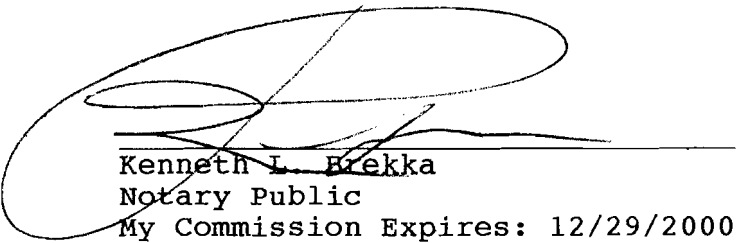
1. Address and phone number for James Regal;
2. The Mobil security training manual;
3. Register tape related to the theft of gas by Peter Gear;
4. Training manual related to the proper use of the cash register as it relates to gasoline sales and the hold function;
5. Training manual dealing with the proper procedures related to the theft of gas by customers.
6. All records showing who worked at the Mobil station on July 3, 2000, July 4, 2000 and July 5, 2000, including but not limited to time cards and payroll records.

Hereof fail not, or you will answer your default under the pains and penalties of perjury in the law in that behalf made and provided.

Dated at Hubbardston, Massachusetts the 20th day of September, 2000.

Call for Attorney:

Kenneth L. Brekka, Esquire
Brekka & Brekka
32 Main Street
Hubbardston, MA 01452


Kenneth L. Brekka
Notary Public

My Commission Expires: 12/29/2000