

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MONROE )

IN THE MONROE CIRCUIT COURT 4  
 CAUSE NO. 53C04-2009-MI-1613

AO ALFA BANK,  
 PLAINTIFF,  
 VS.  
 JOHN DOE, ET AL.  
 DEFENDANT

ORDER

This cause is now at issue regarding the Motion to Quash filed herein by non-party, L. Jean Camp. The Court conducted and completed a hearing regarding this Motion to Quash on November 20, 2020, and at the conclusion thereof, took the same under advisement.

The Court, being now duly advised finds and Orders as follows:


1. On or about June 17, 2020, the plaintiff issued a Subpoena Duces Tecum Without Deposition to L. Jean Camp, School of Infomatics & Computing, Office #300, 901 E. 10<sup>th</sup> St, Indiana University, Bloomington, IN 47405 in cause number 50-2020-CA-006304 -XXX-MB in the Circuit Court of the Fifteenth Judicial Circuit In and For Palm Beach, Florida, Circuit Civil Division, which cause is entitled AO Alfa-Bank, Plaintiff, vs. John Doe, et al., Defendants. L. Jean Camp is not a party to the described cause of action.
2. Under the Uniform Interstate Depositions And Discovery Act, I.C. 34-44.5-1-1 et seq. compliance with this subpoena shall be determined by Indiana law.
3. L. Jean Camp is a professor at Indiana University. As noted in the motion to quash, in 2016, she published information that the Trump Organization email server had numerous Internet communications with AO Alfa-Bank, during the presidential campaign, which allegations have been denied by the plaintiff.
4. Through this subpoena, the plaintiff seeks to obtain information from L. Jean Camp which will allow the plaintiff to identify the anonymous researchers who provided information to L. Jean Camp in the course of her research in regard to the alleged communications between the plaintiff and the Trump Organization, to identify the John Doe, defendants, which the plaintiff alleges committed a cyberattack on the plaintiff, and to identify the mechanism by which the John Doe defendants committed the cyberattack.
5. The information sought by the plaintiff is protected speech under Indiana law and Indiana law requires that the plaintiff must provide enough evidence to withstand a summary judgment motion in regard to its claims before submitting the subpoena. Additionally, if this burden was met, the Court would then be required to balance the interests of the plaintiff in seeking redress for its injury with the interest of the non-party to the protection of the confidentiality of the information. See *In re Ind. Newspapers Inc.* 963 N.E. 2d 534 (Ind. Ct. App. 2012).

6. The plaintiff has not satisfied this requirement of Indiana law and for that reason the Motion to Quash should be granted in its entirety.
  
7. In addition, the Subpoena is overly broad and unreasonable and subjects L. Jean Camp to undue burden and expense. In this regard, the Court notes that some of the information requested would not be relevant to the issue in the underlying cause, while several of the requests request communications between L. Jean Camp and "relevant parties." The plaintiff has included L. Jean Camp's attorneys as "relevant parties. The plaintiff has not established any reason why it would be entitled to L. Jean Camp's communications with her attorneys. The Court also notes that the majority of the requests seek information, which would allow the plaintiff to identify the anonymous researchers without complying with Indiana law, as already noted.

For all of these reasons, the Court now grants the Motion to Quash filed by L. Jean Camp and Orders that she is not required to respond to the Subpoena Duces Tecum Without Deposition issued by the plaintiff.

Cause disposed.

All Ordered this 20<sup>th</sup> day of November, 2020.

  
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Frank M. Nardi, Special Judge  
Monroe Circuit Court 4

Cc: Terrance Anderson  
Jonathan Etra  
Margaret Krawiec/Michael McIntosh  
James Buchholz/Angelica Fuelling  
Ann O'Connor McCready/Vivek Hadley  
Mark Lemley, Aditya V. Kamdar  
D. Michael Allen, Colleen M. Newbill, Joseph Tomain