

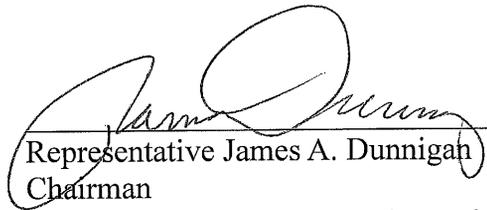
## SUBPOENA FOR DOCUMENTS AND INFORMATION

To: Utah Department of Financial Institutions  
324 South State Street, Suite 201  
Salt Lake City, UT 84111

Pursuant to the authority of the Special Investigative Committee of the Utah House of Representatives pursuant to Utah Code Ann. §§ 36-14-1 *et seq.*, you are hereby commanded to produce by Five O'Clock p.m. (5:00 p.m.) on December 11, 2013 the documents and information set forth herein in Schedule A. The documents and information sought herein should be delivered to the Special Investigative Committee, c/o John L. Fellows, General Counsel, Office of Legislative Research and General Counsel, Utah State Capitol Complex, House Building Suite W210, Salt Lake City, UT 84114.

Any contumacy or failure to obey this subpoena may subject you to sanctions and penalties under the law.

Given under my hand, by authority vested in me, this 6<sup>th</sup> day of December, 2013.

  
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Representative James A. Dunnigah  
Chairman  
Special Investigative Committee of the Utah  
House of Representatives

## **SCHEDULE A**

### **Documents and Information to be Produced**

1. All documents referring or relating to the processing of online poker transactions including, but not limited to, all legal opinions as to whether Utah law permits such processing.
2. All communications referring or relating to the processing of online poker transactions and involving any individual affiliated with SunFirst Bank, including, but not limited to, all such communications involving Tom Bay or John Allen, and all documents referring or relating to such communications.
3. All communications referring or relating to the processing of online poker transactions and involving any individual affiliated with the Federal Deposit Insurance Corporation, and all documents referring or relating to such communications.
4. All communications referring or relating to the processing of online poker transactions and involving John Swallow or any personnel of the Office of the Utah Attorney General, and all documents referring or relating to such communications.

### **Instructions**

1. The time period applicable to these requests is December 1, 2009 to the date of this subpoena.
2. The documents and information subpoenaed includes all that is in your custody, control or possession, or within your right of custody, control or possession.
3. To the extent practicable, documents shall be produced in a searchable electronic format (such as delimited text with images and native files, or searchable PDF format). Audio and video files shall be produced in their native format. All materials provided in response to this subpoena shall contain a unique identifying number, irrespective of format.

## Definitions

1. “**Communication**” means the transmission of information to an identified person or about an identified subject in any format or medium, including, but not limited to, the following: hard copy documents; electronic documents and all other electronically stored information, including, but not limited to, electronic mail, text messages or instant messages; photographs; or audio or video recordings.
2. “**Document**” means any written, recorded or graphic matter in any format or medium, including, but not limited to, the following: hard copy documents; electronic documents and all other electronically stored information, including, but not limited to, electronic mail, text messages or instant messages; photographs; or audio or video recordings.
3. “**Referring or relating to**” means pertaining in any way to the identified person or subject.