

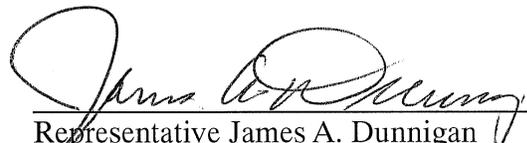
SUBPOENA FOR DOCUMENTS AND INFORMATION

To: Jason Powers
1425 Grove Drive
Alpine, Utah 84004

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 November 25, 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 7th day of November, 2013.



Representative James A. Dunnigan
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 services that you or Guidant Strategies provided to John Swallow's Campaign including, but not limited to, consulting agreements, contracts or invoices.
2. All documents referring or relating to your role, or that of Guidant Strategies, as a consultant or advisor to John Swallow's Campaign or as a consultant or advisor regarding the formation of John Swallow's Campaign.
3. All documents referring or relating to compensation, monetary or otherwise, that you or Guidant Strategies received from any source in connection with John Swallow's Campaign.
4. All communications involving you or any personnel of Guidant Strategies and John Swallow.
5. All documents referring or relating to John Swallow or John Swallow's Campaign.
6. All documents referring or relating to fundraising strategy for John Swallow's Campaign.
7. All documents referring or relating to fundraising efforts undertaken for John Swallow's Campaign including, but not limited to, solicitations of donors, schedules for fundraising events, or communications with John Swallow's Campaign referring or relating to fundraising efforts.
8. All documents referring or relating to any contribution, payment or expenditure made to or on behalf of John Swallow's Campaign, John Swallow, or any person or entity for the direct or indirect benefit of John Swallow, by any person or entity, regardless of whether such contribution, payment or expenditure was required to be publicly disclosed, including, but not limited to, financial records, bank statements, receipts, acknowledgements, wire records, cancelled checks or records of electronic payment reflecting a contribution, payment or expenditure made.

9. All documents referring or relating to any service or thing of value provided directly or indirectly to John Swallow's Campaign, John Swallow, or any person or entity for the direct or indirect benefit of John Swallow, by any person or entity, regardless of whether such service or thing of value was required to be publicly disclosed, including, but not limited to, financial records, bank statements, receipts, acknowledgments, wire records, cancelled checks or records of electronic payment reflecting a service or thing of value provided.
10. All documents referring or relating to money received directly or indirectly from SunFirst Bank or any personnel of SunFirst Bank that was remitted, directly or indirectly, to John Swallow's Campaign, John Swallow, or any person or entity for the direct or indirect benefit of John Swallow, including, but not limited to, financial records, bank statements, receipts, acknowledgements, wire records, cancelled checks or records of electronic payment reflecting such money received.
11. All documents referring or relating to money received directly or indirectly from Zions Bancorporation or any personnel or entity affiliated with Zions Bancorporation that was remitted, directly or indirectly, to John Swallow's Campaign, John Swallow, or any person or entity for the direct or indirect benefit of John Swallow, including, but not limited to, financial records, bank statements, receipts, acknowledgements, wire records, cancelled checks or records of electronic payment reflecting such money received.
12. All documents referring or relating to money received directly or indirectly from any entity or individual involved in processing online poker payments that was remitted, directly or indirectly, to John Swallow's Campaign, John Swallow, or any person or entity for the direct or indirect benefit of John Swallow, including, but not limited to, financial records, bank statements, receipts, acknowledgements, wire records, cancelled checks or records of electronic payment reflecting such money received.
13. Documents sufficient to show your relationship, or that of Guidant Strategies, or both, with any of the following:
 - a. Utah's Prosperity Foundation;
 - b. Protect Utah PAC;
 - c. Proper Role of Government Education Association;
 - d. Proper Role of Government Defense Fund;
 - e. Proper Role of Government Action Fund.

14. Documents sufficient to identify all expenditures, either direct or indirect, and the dates of such expenditures, made by any of the following entities for the benefit of John Swallow or John Swallow's Campaign:
 - a. Utah's Prosperity Foundation;
 - b. Protect Utah PAC;
 - c. Proper Role of Government Education Association;
 - d. Proper Role of Government Defense Fund;
 - e. Proper Role of Government Action Fund;
 - f. any other entity.

15. Documents sufficient to identify all monetary or in-kind contributions, either direct or indirect, and the dates of such contributions, made by any of the following entities for the benefit of John Swallow or John Swallow's Campaign:
 - a. Utah's Prosperity Foundation;
 - b. Protect Utah PAC;
 - c. Proper Role of Government Education Association;
 - d. Proper Role of Government Defense Fund;
 - e. Proper Role of Government Action Fund;
 - f. any other entity.

16. Documents sufficient to identify each donor who made a contribution that was used to fund an expenditure or contribution identified in response to Requests 14 and 15 above.

17. All communications referring or relating to John Swallow's Campaign involving you or any personnel of Guidant Strategies and any of the following:
 - a. any personnel of Utah's Prosperity Foundation or anyone communicating on its behalf;
 - b. any personnel of Protect Utah PAC or anyone communicating on its behalf;
 - c. any personnel of Proper Role of Government Education Association or anyone communicating on its behalf;
 - d. any personnel of Proper Role of Government Defense Fund or anyone communicating on its behalf;
 - e. any personnel of Proper Role of Government Action Fund or anyone communicating on its behalf;
 - f. any personnel of any other entity or anyone communicating on behalf of such entity.

18. All documents referring or relating to any of the following:
 - a. Jeremy Johnson; any personnel of I Works, Inc.; or any personnel of any other entity affiliated with Jeremy Johnson;
 - b. Marc Sessions Jenson or any personnel of any entity affiliated with him;
 - c. Richard Rawle; any representative of the Estate of Richard Rawle; any personnel of RMR Consulting, LLC; any personnel of Softwise, Inc.; or any personnel of Tosh, Inc., or any entity affiliated with it, including, but not limited to, Check City Check Cashing;
 - d. Tim Lawson;
 - e. Rob Stahura.
19. All documents, including, but not limited to, audio or video tapes, provided to you by Jeremy Johnson or anyone on Mr. Johnson's behalf.
20. All documents referenced by Jeremy Johnson in the transcript of his conversation with John Swallow at a Krispy Kreme shop on or about April 30, 2012 as having been provided by Mr. Johnson to you.

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. **“Contribution”** means any type of contribution set forth in Utah Code Ann. § 20A-11-101(5).
3. **“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.
4. **“John Swallow’s Campaign”** means Mr. Swallow’s campaign for the 2012 Utah Attorney General election, Friends of John Swallow, any individual affiliated with Mr. Swallow’s campaign for the 2012 Utah Attorney General election or Friends of John Swallow, including, but not limited to, staff or consultants, or Mr. Swallow in his individual capacity.
5. **“Referring or relating to”** means pertaining in any way to the identified person or subject.