

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF THE ADMINISTRATIVE LAW JUDGE



ORIGINAL

DOCKET NO. 9389

In the Matter of

**Axon Enterprise, Inc.
a corporation;**

and

**Safariland, LLC,
a corporation.**

**COMPLAINT COUNSEL’S UNOPPOSED MOTION FOR ISSUANCE OF SUBPOENAS
AD TESTIFICANDUM TO MUNICIPAL AGENCIES UNDER RULE OF PRACTICE
3.36 AND REQUEST FOR EXPEDITED TREATMENT**

Complaint Counsel brings this motion pursuant to Federal Trade Commission (“Commission”) Rule of Practice 3.36 for the issuance of Subpoenas *Ad Testificandum* to officials of and personnel associated with the listed municipal agencies. Complaint Counsel requests authorization to issue the attached subpoenas under Rule 3.36, as each municipal agency is a government agency described in Rule 3.36(a). The municipal agencies for which Complaint Counsel requests issuance of Subpoenas *Ad Testificandum* are:

- (1) Josephine Murphy, Deputy Inspector; New York City Police Department;
- (2) Chief Anthony Tasso, Commanding Officer, Information Technology Bureau; New York City Police Department;
- (3) Dan Gomez (retired), former Lieutenant at the Los Angeles Police Department;¹

¹ At least two of the individuals referenced in this Motion have retired or no longer work at the relevant governmental agency. Although Rule 3.36 requires permission for the issuance of subpoenas only to “officials or employees of governmental agencies,” Axon includes these individuals in their March 2, 2020 Motion out of an abundance of caution. As such, Complaint Counsel also includes these individuals.

- (4) Juan Perez (retired), former Director of the Miami Dade Police Department;
- (5) Jeri Williams, Chief of Police, Phoenix Police Department;
- (6) Randy Browning, Information Technology Manager, City of Durham Police Department;
- (7) Maura Velasco, Chief Financial Officer, Long Beach Police Department;
- (8) George Reynoso, Head of the Body Worn Camera Program, Long Beach Police Department;
- (9) Jim Campion, former Deputy Finance Director, City of Phoenix;
- (10) Paul Figueroa, Captain, Oakland Police Department;
- (11) Martin Garland, Lieutenant, Aurora Police Department;
- (12) Santiago Pastoriza, Procurement Contracting Officer, Procurement Department, Miami-Dade County;
- (13) Jeff Rinaldo, Captain, Buffalo Police Department; and
- (14) Lilly Hotard, Lieutenant, Jacksonville Sheriff's Office.

Respondents do not oppose Complaint Counsel's motion for the issuance of subpoenas to the listed municipal agencies. Because the testimony sought from the listed municipal agencies meets the requirements set out in Rule 3.36, Complaint Counsel respectfully requests that the Motion be granted and that the attached subpoenas be issued. On March 2, 2020, Respondent Axon filed a similar motion seeking subpoenas *ad testificandum* for many of the same individuals. All fourteen individuals listed by Complaint Counsel are included in Axon's motion. Unsigned subpoenas *ad testificandum* for the listed municipal agencies are attached as Attachment A.

ARGUMENT

Rule 3.36(b) of the Commission's Rules of Practice requires a party seeking issuance of a subpoena for the appearance of an official or employee of a governmental agency to make a specific showing regarding the requested subpoena. With respect to subpoenas *ad testificandum* to be served within the United States, the party must show that:

- (1) the information sought from the official or employee of the governmental agency is reasonable in scope;
- (2) for discovery, the appearance of the official or employee of the governmental agency falls within the limits of discovery under Rule 3.31(c)(1); and
- (3) for discovery, the information sought from the official or employee of the governmental agency cannot reasonably be obtained by other means.

The proposed Subpoenas *Ad Testificandum* to the listed municipal agencies meet all requirements of Rule 3.36(b).

First, the scope of the testimony requested in the subpoenas *ad testificandum* is reasonable. Each listed municipal agency is listed as a potential witnesses in this matter by either Complaint or Respondent Counsel. Each listed municipal agency is located within the United States and is either a past, current, and potential customer of Body Worn Camera Systems ("BWC Systems").

The scope of the testimony sought from the listed municipal agencies will relate to Axon Enterprise's acquisition of VieVu from Safariland ("the Acquisition"), the impact of the Acquisition on the municipal agency's needs, experiences, uses, options, supply, or procurement of BWC Systems, Requests for Proposals ("RFPs") issued, bids received in response to RFPs, agreements related to BWC Systems, and competition in the BWC Systems market. The scope

of the testimony sought is limited to these and related topics, which is reasonable in scope relative to the naming of the listed municipal agencies as potential witnesses in this matter.

Because the parties have named the listed municipal agencies as potential witnesses expected to testify, Respondent Axon filed a motion to subpoena all of the listed municipal agencies, and the listed municipal agencies are knowledgeable about the product market, market participants, potential defenses, and competitive effects of the Acquisition alleged in the Complaint, the testimony sought from the listed municipal agencies falls within the limits of discovery under Rule 3.31(c)(1), which requires that discovery be “reasonably expected to yield information relevant to the allegations of the complaint . . . or to the defenses of any respondent.”

As the parties have named the listed municipal agencies as potential witnesses expected to testify about the above issues and Respondents’ defenses, the testimony sought from the listed municipal agencies cannot be reasonably obtained by other means.

CONCLUSION

This Court has recognized that issuance of a subpoena to a governmental agency is appropriate if the moving party meets the criteria under Rule 3.36. *In the Matter of Axon Enterprise*, FTC Docket No. 9389 (Order dated Feb. 25, 2020), *available at* https://www.ftc.gov/system/files/documents/cases/d9389_aljs_ord_granting_unopposed_motion_for_subpoenas_ad_testificandumpublic597720.pdf. For the reasons stated above, therefore, Complaint Counsel respectfully requests that the Court grant the Motion and issue the attached Subpoenas *Ad Testificandum* to the listed municipal agencies.

Dated: March 2, 2020

Respectfully submitted,

s/ Merrick Pastore

Jennifer Milici
Peggy Bayer Femenella
Merrick Pastore
Z. Lily Rudy
Bureau of Competition
Federal Trade Commission
400 7th Street, S.W.
Washington, D.C. 20024

Complaint Counsel

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF THE ADMINISTRATIVE LAW JUDGES

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COMPLAINT COUNSEL'S MEET AND CONFER STATEMENT

Pursuant to the Scheduling Order issued on January 30, 2020, Complaint Counsel states that it has conferred with Respondents' counsel. Respondents' counsel has advised that they do not object to the issuance of the subpoenas.

Dated: March 2, 2020

Respectfully submitted,

s/ Merrick Pastore

Jennifer Milici
Peggy Bayer Femenella
Merrick Pastore
Z. Lily Rudy
Bureau of Competition
Federal Trade Commission
400 7th Street, S.W.
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UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
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a corporation;

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DOCKET NO. 9389

**[PROPOSED] ORDER ON COMPLAINT COUNSEL'S
UNOPPOSED MOTION FOR ISSUANCE OF SUBPOENAS
AD TESTIFICANDUM TO MUNICIPAL AGENCIES
UNDER RULE OF PRACTICE 3.36 AND REQUEST FOR
EXPEDITED TREATMENT**

On March 2, 2020, pursuant to Rule 3.36 of the Commission's Rules of Practice, Complaint Counsel filed an Unopposed Motion for the Issuance of Subpoenas *Ad Testificandum*. The unsigned subpoenas are attached hereto as Attachment A.

The requirements of Rule of Practice § 3.36(b) are met, and the Motion is unopposed.

Accordingly, Complaint Counsel's motion is **GRANTED**.

ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Date:

ATTACHMENT A



SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO Josephine Murphy New York City Police Department 1 Police Plaza New York, NY 10007</p>	<p>2. FROM <div style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</div></p>
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This subpoena requires you to appear and give testimony, at the date and time specified in Item 5, at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF HEARING Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE Alex Ansaldo, Esq. or designee</p>
<p>5. DATE AND TIME OF HEARING OR DEPOSITION March 19, 2020, 9:00 a.m.</p>	

6. SUBJECT OF PROCEEDING

In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389

<p>7. ADMINISTRATIVE LAW JUDGE The Honorable D. Michael Chappell Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
--	--

DATE ISSUED

SECRETARY'S SIGNATURE

GENERAL INSTRUCTIONS

APPEARANCE

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

MOTION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any motion to limit or quash this subpoena be filed within the earlier of 10 days after service or the time for compliance. The original and ten copies of the petition must be filed with the Secretary of the Federal Trade Commission, accompanied by an affidavit of service of the document upon counsel listed in Item 8, and upon all other parties prescribed by the Rules of Practice.

TRAVEL EXPENSES

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A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCRulesofPractice>. Paper copies are available upon request.

This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.



SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO Chief Anthony Tasso New York City Police Department 1 Police Plaza New York, NY 10007</p>	<p>2. FROM UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Ret. Lt. Dan Gomez Los Angeles Police Department 200 N. Main St. Los Angeles, CA 90012</p>	<p>2. FROM</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
--	--

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<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Steven Wilensky, Esq. or designee</p>
<p>6. SUBJECT OF PROCEEDING</p> <p>In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389</p>	<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center; font-weight: bold;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO Juan Perez County of Miami Dade 111 NW 1st Street, Suite 1300 Miami, FL 33128</p>	<p>2. FROM <div style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</div></p>
--	--

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<p>3. PLACE OF HEARING Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE Alex Ansaldo, Esq. or designee</p>
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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO Jeri Williams City of Phoenix Police Department 200 W. Washington St. 13th Floor Phoenix, AZ 85003</p>	<p>2. FROM UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>3. PLACE OF HEARING Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE Merrick Pastore, Esq. or designee</p>
	<p>5. DATE AND TIME OF HEARING OR DEPOSITION March 19, 2020, 9:00 a.m.</p>

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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Randy Browning Durham Police Department 602 East Main Street Durham, NC 27701</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Nicole Lindquist, Esq. or designee</p>
<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>	

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<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Maura Velasco Long Beach Police Department 411 W. Ocean Blvd, 9th Floor Long Beach, CA 90802</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>6. SUBJECT OF PROCEEDING</p> <p>In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389</p>	<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>

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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>George Reynoso Long Beach Police Department 400 W. Broadway Long Beach, CA 90802</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Jim Campion City of Phoenix 200 W. Washington Street, 13th Floor Phoenix, AZ 85003</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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6. SUBJECT OF PROCEEDING

In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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DATE ISSUED	SECRETARY'S SIGNATURE
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GENERAL INSTRUCTIONS

APPEARANCE

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

MOTION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any motion to limit or quash this subpoena be filed within the earlier of 10 days after service or the time for compliance. The original and ten copies of the petition must be filed with the Secretary of the Federal Trade Commission, accompanied by an affidavit of service of the document upon counsel listed in Item 8, and upon all other parties prescribed by the Rules of Practice.

TRAVEL EXPENSES

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A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCRulesofPractice>. Paper copies are available upon request.

This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.



SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Paul Figueroa Oakland Police Department 455 7th Street Oakland, CA 94607</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony, at the date and time specified in Item 5, at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Steven Wilensky, Esq. or designee</p>
<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>	

6. SUBJECT OF PROCEEDING

In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Martin Garland Aurora Police Department 15001 E. Alameda Parkway Aurora, CO 80012</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony, at the date and time specified in Item 5, at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Nicole Lindquist, Esq. or designee</p>
<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>	

6. SUBJECT OF PROCEEDING

In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Santiago Pastoriza County of Miami Dade 111 NW 1st Street, Suite 1300 Miami, FL 33128</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Alex Ansaldo, Esq. or designee</p>
<p>6. SUBJECT OF PROCEEDING</p> <p>In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389</p>	<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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SUBPOENA AD TESTIFICANDUM

Issued Pursuant to Rule 3.34(a)(1), 16 C.F.R. § 3.34(a)(1) (1997)

<p>1. TO</p> <p>Jeff Rinaldo Buffalo Police Department 68 Court Street Buffalo, NY 14202</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Steven Wilensky, Esq. or designee</p>
<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>	

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In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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<p>1. TO</p> <p>Lilly Hotard Jacksonville Florida Sheriff's Office 501 E. Bay Street Jacksonville, FL 32202</p>	<p>2. FROM</p> <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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<p>3. PLACE OF HEARING</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and the Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Steven Wilensky, Esq. or designee</p>
<p>6. SUBJECT OF PROCEEDING</p> <p>In the Matter of Axon Enterprise, Inc. and Safariland, LLC; Docket No. 9389</p>	<p>5. DATE AND TIME OF HEARING OR DEPOSITION</p> <p>March 19, 2020, 9:00 a.m.</p>

<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p style="text-align: center;">Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL REQUESTING SUBPOENA</p> <p>Jennifer Milici Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (202) 326-2912</p>
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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2020, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I also certify that I caused the foregoing document to be served via email to:

Julia E. McEvoy
Michael H. Knight
Jeremy P. Morrison
Debra R. Belott
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001
Tel: 202-879-3751
Email: jmorrison@jonesday.com
Email: mhknight@jonesday.com
Email: jmcevoy@jonesday.com

Joseph Ostoyich
Christine M. Ryu-Naya
Caroline L. Jones
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Tel: 202-639-7905
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Aaron M. Healey
Jones Day
250 Vesey Street
New York, NY 10281-1047
Email: ahealey@jonesday.com

Counsel for Respondent Safariland, LLC

Lee K. Van Voorhis
Jenner & Block
1099 New York Avenue, NW
Suite 900
Washington, DC 20001
Tel: 202-639-6039
Email: lvanvoorhis@jenner.com

Counsel for Respondent Axon Enterprises, Inc.

By: s/ Jennifer Milici
Jennifer Milici

Counsel Supporting the Complaint

CERTIFICATE FOR ELECTRONIC FILING

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

March 2, 2020

By: s/ Jennifer Milici
Jennifer Milici