# By Authority of the House of Representatives of The Congress of the United States of America

To: The Honorable Earl F. Hilliard

You are hereby commanded to produce before the Investigative Subcommittee of the Committee on Standards of Official Conduct of the House of Representatives of the United States, of which the Honorable Rob Portman is chairman, in Suite HT-2 of the Capitol, in the city of Washington, by no later than 5:00 p.m. on June 26, 2000, the things identified in the attachment to this subposens concerning matters of inquiry committed to said Subcommittee, pursuant to the instructions specified in the attachment.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this

6...... day of Jone 2000.

The Honorable Lamar Smith

Chairman

Committee on Standards of Official Conduct

Aonorable Howard L. Berman

Ranking Minority Member

Committee on Standards of Official Conduct

Attects

Jeffrey Trandahl

Clerk of the House

Subporna for The Honorable Earl F. Hilliard to produce the things identified in the attachment to this subpoena before the Investigative Subcommittee of the Committee on Standards of Official Conduct chaired by the Hon, Rob Portman.

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6/5/02 House of Representatives

## ATTACHMENT TO SUBPOENA

#### The Honorable Earl F. Hilliard

## A. Documents to be Produced

Any and all documents and records relating to assets and liabilities of American Trust Communication Corporation or American Trust Communications Corporation during the period of January 1, 1992, through December 31, 1998, including but not limited to annual financial statements, statements of net worth, filings with the Internal Revenue Service, and any and all documents and records relating to the book value of the corporation.

#### B. Definitions

- 1. As used herein, the term "document" means any and all records and other tangible forms of expression in your possession, custody, or control, whether drafts or unfinished versions, originals, copies or annotated copies, however created, produced, or stored (manually, mechanically, electronically, by computer, or otherwise), including but not limited to books, papers, files, notes or records of conversations or meetings, minutes of meetings, contracts, agreements, calendars, datebooks, bank statements, worksheets, summaries, invoices, bills, records of billings, checks, wire transfers, drafts of money, records of payment, magnetic tape, tape recordings, disks, diskettes, and other electronic media, microfilm, microfiche, and other storage devices.
- 2. "And" as well as "or" as used herein shall be read and applied as though interchangeable, and shall be construed either disjunctively or conjunctively so as to require the fullest and most complete disclosure of all requested information and documents.
- 3. As used herein, the singular shall always include the plural, and the present tense shall always include the past tense, and vice versa, as necessary in order to bring within the scope of the subpoena all responses which might otherwise be construed to be outside its scope.
- 4. As used herein, "relating to" means and includes "constituting," "referring to," "pertaining to," "evidencing," "reflecting," "describing" or "having anything to do with," and in each instance, directly or indirectly. These terms mean, without limitation, any reference or relationship which either (1) provides information with respect to the subject of inquiry, or (2) might lead to individuals who, or documents which, might possess or contain information with respect to the subject of inquiry.
- 5. As used herein, "Hilliard for Congress campaign" means and includes any federal election campaign committee or similar organization established or operated in connection with a campaign by Earl F. Hilliard for election or reelection to the U.S. House of Representatives.

#### C. Instructions

- 1. This subpocha is addressed to you in both your official and personal capacities. Produced documents should include, but not be limited to, documents in your personal possession, documents in the possession of the Hilliard for Congress campaign and Hilliards & Company, Inc. or any of its subsidiaries, documents in your congressional offices, or any other documents in your possession, custody, or control.
  - 2. Send all responsive documents and records to:

Kenneth E. Kelfner
Counsel
Committee on Standards of Official Conduct
U.S. House of Representatives
Suite HT-2 U.S. Capitol
Washington, DC 20515

3. If any document is not produced, in whole or in part, based on a claim of privilege, furnish a list of all such documents, identifying: (1) the date of the document; (2) the author; (3) the recipient; (4) the general subject matter, and (5) the basis of the claim of privilege. This instruction is included without projudice to the Investigative Subcommittee's determination of the validity or applicability of any privilege claimed as a grounds for withholding or altering any responsive document.