

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF GEORGIA

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Overtis Brantley  
Chief Legal Officer  
DeKalb County  
1300 Commerce Drive  
Decatur, GA 30030

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

<b>Place:</b> Grand Jury # 1-17 Room Number 2037 United States Courthouse 75 Ted Turner Dr., S.W. Atlanta, GA 30303	<b>Date and Time:</b> February 07, 2017 9:00 AM
--	---

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

See Attachment

Date: 1/19/2017

CLERK OF COURT JAMES N. HATTEN



Signature of Clerk or Deputy Clerk

The name, address, email, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are: JEFFREY W. DAVIS <sup>WT</sup> 600 Richard Russell Bldg.  
404-581-6323 75 Ted Turner Dr., S.W.  
2014R00357/FBI/OAK Atlanta, GA 30303

### PROOF OF SERVICE

This subpoena for *(name of individual or organization)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_  
\_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

## SUBPOENA ATTACHMENT

---

Please provide any and all records and communications<sup>1</sup> involving or between DeKalb County government (including the Office of Commissioner Sharon Barnes-Sutton) and:

- a. CAL Enterprises, LLC  
4725 Walton Crossing SW, Suite 515  
Atlanta, GA 30331
  
- b. For Winners Only Inc.  
805 South Glynn Street  
Fayetteville, GA 30215  
Registered Agent: Vincent Watkins

---

<sup>1</sup> For this subpoena, "records" and "communications" include all traditional hard copy records and all electronic records, including but not limited to: emails and attachments, text messages, voicemails, and instant messages.



**U.S. Department of Justice  
United States Attorney  
Northern District of Georgia**

*Richard Russell Federal Building  
75 Ted Turner Dr. S.W., Suite 600  
Atlanta, Georgia 30303*

*Telephone: (404) 581-6000  
Fax: (404) 581-6181*

1/19/2017

Custodian of Records

Re: Certification of Authenticity of Business Records

Dear Sir or Madam:

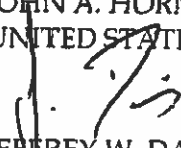
The attached federal grand jury subpoena directs your business to produce certain business records and/or information for use in a federal investigation. At some point in the future, it may be necessary to offer some or all of the documents as evidence in a federal trial in the United States District Court for the Northern District of Georgia. In the past, unless both parties stipulated to the admissibility of business records, it was necessary for a witness from the business to physically appear at trial and testify that the records were authentic, within the meaning of Rule 902 of the Federal Rules of Evidence, and that they were business records, within the meaning of Rule 803(6) of the Federal Rules of Evidence.

Effective December 1, 2000, Federal Rules of Evidence Rules 803(6) and 902 were amended to permit the foundation requirements of Rule 803(6) and the authenticity requirements of Rule 902 to be satisfied under certain circumstances without the expense and inconvenience of producing witnesses. I have attached a Business Record Certification form for a qualified representative of your business to sign. Please review the Certification to determine whether it is an accurate statement with regard to the referenced business records. If the Certification is accurate, please sign and return the original Certification along with the subpoenaed records to the grand jury clerk as directed by the subpoena. There is no guarantee that your business' custodian of records will not have to appear at trial to authenticate the business' records and lay the proper business record foundation. However, when appropriate, the United States Attorney's office will make every effort to use the Business Record Certification attached instead of the testimony of your custodian of records.

If you have any questions, please do not hesitate to contact me at (404) 581-6323.

Sincerely,

JOHN A. HORN  
UNITED STATES ATTORNEY

  
JEFFREY W. DAVIS  
ASSISTANT U.S. ATTORNEY

Enclosures

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

BUSINESS RECORD CERTIFICATION

I, \_\_\_\_\_, hereby certify that I have personal knowledge of the business filing records system of the business known as \_\_\_\_\_, located at the following address: \_\_\_\_\_. I have reviewed the attached business records, described briefly as follows:

\_\_\_\_\_, and certify that these business records were taken from the ordinary business records of the entity named herein. I certify further that based upon my review of these records:

- (A) The records were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
- (B) The records were kept in the course of the regularly conducted activity of the above-named business entity; and
- (C) The records were made by the regularly conducted activity as a regular practice.

In accordance with Title 28, United States Code, Section 1746, I declare, certify, verify, and state under the penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number of Witness