

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



In the Matter of

Axon Enterprise, Inc.,

a corporation,

and

Safariland, LLC,

a corporation.

**ORIGINAL**

Docket No. D9389

PUBLIC DOCUMENT

**RESPONDENT'S AMENDED UNOPPOSED MOTION FOR ISSUANCE OF  
DEPOSITION SUBPOENAS *AD TESTIFICANDUM* TO GOVERNMENTAL AGENCIES  
UNDER RULE OF PRACTICE 3.36**

Respondent Axon Enterprise, Inc. brings this amended<sup>1</sup> unopposed motion pursuant to Federal Trade Commission Rule of Practice 3.36, 16 C.F.R. § 3.36, to request the issuance of subpoenas *ad testificandum* to the following officials and personnel currently or formerly associated with law enforcement agencies:

- 1) Daniel Brodie, Lieutenant with Internal Affairs at the Alameda County Sheriff's Office;
- 2) Dan Gomez (retired), former Lieutenant at the Los Angeles Police Department;<sup>2</sup>
- 3) Juan Perez (retired), former Director of the Miami Dade Police Department;
- 4) Josephine Murphy, Deputy Inspector at the New York City Police Department;

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<sup>1</sup> This amended motion (1) changes one of the individual representatives from the City of Long Beach to match a substitution made to Complaint Counsel's supplemental witness list, and (2) adds one deponent who is on Axon's witness list and was inadvertently omitted from the original motion.

<sup>2</sup> 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 individuals who previously were, but no longer are, employees of such agencies out of an abundance of caution.

- 5) Chief Anthony Tasso, Commanding Officer, Information Technology Bureau at the New York City Police Department;
- 6) George Speaks, Deputy Director of Public Safety at the Columbus Police Department;
- 7) Jeri Williams, Chief of the Phoenix Police Department;
- 8) Nick Zajchowski, Strategic Advisor at the Seattle Police Department;
- 9) Randy Browning, Information Technology Manager at the City of Durham Police Department;
- 10) Maura Velasco, Chief Financial Officer at the City of Long Beach;
- 11) George Reynoso, Head of the Body Worn Camera Program at the Long Beach Police Department;
- 12) Jim Campion, former Deputy Finance Director for the City of Phoenix;
- 13) Paul Figueroa, Captain at the Oakland Police Department;
- 14) Martin Garland, Lieutenant at the Aurora Police Department;
- 15) Santiago Pastoriza, Procurement Contracting Officer at the Procurement Department for Miami-Dade County;
- 16) Jeff Rinaldo, Captain at the Buffalo Police Department;
- 17) Lieutenant Lilly Hotard or such other representative from Jacksonville Sheriff's Office as Complaint Counsel may identify on its Supplemental Witness List;
- 18) Christian Quinn, Cyber Forensics Bureau Commander for the Fairfax County Police Department.

All of these individuals are included in Complaint Counsel and/or Respondents' Preliminary or Supplemental Witness Lists with the exception of George Reynoso of the Long Beach Police Department, who is included here along with another representative of Long Beach

from Complaint Counsel's supplemental witness list. Complaint Counsel has also requested the issuance of subpoenas *ad testificandum* to four of the same individuals: Daniel Brodie, George Speaks, Christian Quinn, and Nick Zajchowski. Unsigned versions of Respondent's requested subpoenas are attached as Exhibits B-S. Complaint Counsel does not oppose Respondent's request to issue these subpoenas *ad testificandum* and the requests satisfy Rule 3.36.

### ARGUMENT

Pursuant to Rule 3.36(b) of the Commission's Rules of Practice, a party seeking the issuance of a subpoena for the appearance of a governmental employee in the United States must show that:

- (1) the information sought is reasonable in scope;
- (2) if for the purposes of discovery, the material falls within the limits of discovery under § 3.31(b)(1), or if for an adjudicative hearing, the material is reasonably relevant; and
- (3) the material cannot reasonably be obtained by other means. 16 C.F.R. § 3.36(b).

All requirements are met here, so the Motion should be granted. *See In the Matter of Cabell Huntington Hosp., Inc.*, Docket No. 9366, 2016 WL 232552 (F.T.C. Jan. 14, 2016) (granting Motion for Issuance of Subpoenas *Ad Testificandum*); *In the Matter of Intel Corp.*, Docket No. 9341, 2010 WL 2544424, at \*1-4 (F.T.C. June 9, 2010) (same).

*First*, the scope of the testimony requested in the subpoenas *ad testificandum* is reasonable. Each individual is listed as a witness by either Axon or Complaint Counsel. The testimony sought will relate to Requests for Proposals ("RFPs") issued, bids received in response to RFPs, and agreements related to Body Worn Cameras ("BWCs") and Digital Evidence Management Software ("DEMS"). Testimony will also focus on Axon's acquisition of Vievu and any effect of that acquisition on the Agencies' use of BWCs or DEMS, as well as the pricing, competition, and

the market for those or substitute products. Further, testimony will relate to customer experiences with Axon, Viewu, and other suppliers of BWCs or DEMS, including any product deficiencies or problems as well as any efficiencies or improvements to products, or changes in pricing, as a result of Axon's acquisition of Viewu. Axon expects that each witness will have information relating to these topics, which bear directly on the claims and defenses raised in this action. Thus, the testimony sought is reasonable in scope.

*Second*, the material sought is "reasonably expected to yield information relevant to the allegations of the complaint, to the proposed relief, or to the defense of any respondent," 16 C.F.R. § 3.31(c)(1), and is also reasonably relevant. The named representatives from the relevant Agencies have specific and direct knowledge regarding the topics on which Axon seeks testimony. Each representative has been listed, either by Axon or Complaint Counsel, as potential witnesses to testify. Thus, their testimony can be reasonably expected to yield relevant information.

*Third*, the testimony cannot be reasonably obtained by other means. Each witness is the sole repository of his own personal knowledge relating to the topics noted above.

In sum, the requested subpoenas *ad testificandum* meet all the requirements of Rule 3.36(b) of the Commission's Rules of Practice.

### CONCLUSION

For the reasons stated above, Axon respectfully requests that its Unopposed Motion for Issuance of Subpoenas *Ad Testificandum* be granted.

Dated: March 2, 2020

Respectfully submitted,

*s/ Julie E. McEvoy*

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*Counsel for Respondent  
Axon Enterprise, Inc.*

# **EXHIBIT A**

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

In the Matter of

Axon Enterprise, Inc.  
a corporation;

and

Safariland, LLC  
a corporation.

Docket No. D9389

**[PROPOSED] ORDER GRANTING RESPONDENT'S AMENDED UNOPPOSED  
MOTION FOR ISSUANCE OF SUBPOENAS *AD TESTIFICANDUM* TO  
GOVERNMENTAL AGENCIES UNDER RULE OF PRACTICE 3.36**

Respondent Axon Enterprise, Inc. has filed an Amended Unopposed Motion for Issuance of Subpoenas *Ad Testificandum* Under Rule of Practice 3.36. Having considered the Motion and the lack of opposition, it is hereby ORDERED that the Motion is GRANTED. The unsigned Subpoenas *Ad Testificandum* are attached hereto as Exhibits B-S.

SO ORDERED.

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D. Michael Chappell  
Chief Administrative Law Judge

Date:

# **EXHIBIT B**



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Lt. Daniel Brodie, Alameda County Sheriff's Office 1401 Lakeside Drive, 7th Floor Oakland, CA 94612-4305</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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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 must comply with Commission Rule 3.34(c), 16 C.F.R. § 3.34(c), and in particular must 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 before the Administrative Law Judge and with the Secretary of the 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

The Commission's Rules of Practice require that fees and mileage be paid by the party that requested your appearance. You should present your claim to Counsel listed in Item 8 for payment. If you are permanently or temporarily living somewhere other than the address on this subpoena and it would require excessive travel for you to appear, you must get prior approval from Counsel listed in Item 8.

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 1995.

# EXHIBIT C



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<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>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

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# EXHIBIT D



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Juan Perez, formerly of Miami-Dade Police Department 111 NW 1st Street, Suite 1300 Miami, FL 33128</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

#### APPEARANCE

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# EXHIBIT E



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

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

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

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# EXHIBIT F



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Anthony Tasso, New York City Police Department 1 Police Plaza New York, NY 10007</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
--	--

<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

### APPEARANCE

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# EXHIBIT G



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>George Speaks, Columbus Police Department 77 N. Front Street, 5th Floor Columbus, OH 43215</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

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# EXHIBIT H



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Jeri Williams, Phoenix Police Department 1717 E. Grant St., Suite 100 Phoenix, AZ 85034</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</p>
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<p>7. ADMINISTRATIVE LAW JUDGE</p> <p>The Honorable D. Michael Chappell</p> <p>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

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# EXHIBIT I



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Nick Zajchowski, Seattle Police Department 610 5th Avenue Seattle, WA 98104</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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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 must comply with Commission Rule 3.34(c), 16 C.F.R. § 3.34(c), and in particular must 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 before the Administrative Law Judge and with the Secretary of the 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 1995.

# **EXHIBIT J**



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Randy Browning, Durham Police Department 602 East Main Street Durham, NC 27701</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

### APPEARANCE

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### MOTION TO LIMIT OR QUASH

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# **EXHIBIT K**



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Maura Velasco, City of Long Beach 411 W. Ocean Blvd, 9th Floor Long Beach, CA 90802</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>3/2/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

### APPEARANCE

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### MOTION TO LIMIT OR QUASH

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# EXHIBIT L



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>George Reynoso, Long Beach Police Department 400 W. Broadway Long Beach, CA 90802</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

### APPEARANCE

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### MOTION TO LIMIT OR QUASH

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# EXHIBIT M



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Jim Campion, Phoenix Police Department 1717 E. Grant Street, Suite 100 Phoenix, AZ 85034</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

#### APPEARANCE

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# EXHIBIT N



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

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

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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## GENERAL INSTRUCTIONS

### APPEARANCE

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# EXHIBIT O



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

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

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

#### APPEARANCE

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# **EXHIBIT P**



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Santiago Pastoriza, Miami-Dade Police Department 111 NW 1st Street, Suite 1300 Miami, FL 33128</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

#### APPEARANCE

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# EXHIBIT Q



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Jeff Rinaldo, Buffalo Police Department 68 Court Street Buffalo, NY 14202</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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### GENERAL INSTRUCTIONS

#### APPEARANCE

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#### MOTION TO LIMIT OR QUASH

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# **EXHIBIT R**



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Lilly Hotard, Jacksonville Sheriff's Office 501 E. Bay Street Jacksonville, FL 32202</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy, or designee Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>2/27/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
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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 must comply with Commission Rule 3.34(c), 16 C.F.R. § 3.34(c), and in particular must 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 before the Administrative Law Judge and with the Secretary of the 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

The Commission's Rules of Practice require that fees and mileage be paid by the party that requested your appearance. You should present your claim to Counsel listed in Item 8 for payment. If you are permanently or temporarily living somewhere other than the address on this subpoena and it would require excessive travel for you to appear, you must get prior approval from Counsel listed in Item 8.

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 1995.

# EXHIBIT S



# SUBPOENA AD TESTIFICANDUM DEPOSITION

PUBLIC

Provided by the Secretary of the Federal Trade Commission, and  
Issued Pursuant to Rule 3.34(a), 16 C.F.R. § 3.34(a) (2010)

<p>1. TO</p> <p>Christian Quinn, Fairfax County Police Department co/ Kimberly Baucom, Esq. Fairfax County Police Internal Affairs Bureau Public Safety Headquarters Building 12099 Government Center Parkway Fairfax, VA 22035</p>	<p>2. FROM</p> <p>UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION</p>
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This subpoena requires you to appear and give testimony at the taking of a deposition, at the date and time specified in Item 5, and at the request of Counsel listed in Item 8, in the proceeding described in Item 6.

<p>3. PLACE OF DEPOSITION</p> <p>Federal Trade Commission 400 7th Street, SW Washington, DC 20024 (Or any other location agreed to by the Parties and Deponent)</p>	<p>4. YOUR APPEARANCE WILL BE BEFORE</p> <p>Julie McEvoy, Esq. or designee</p> <hr/> <p>5. DATE AND TIME OF DEPOSITION</p> <p>March 19, 2020, at 9:00 a.m.</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>Federal Trade Commission Washington, D.C. 20580</p>	<p>8. COUNSEL AND PARTY ISSUING SUBPOENA</p> <p>Julie E. McEvoy Jones Day 51 Louisiana Ave NW Washington, DC 20001 Telephone: (202) 879-3867 Counsel for Respondent Axon Enterprise, Inc.</p>
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<p>DATE SIGNED</p> <p>3/2/2020</p>	<p>SIGNATURE OF COUNSEL ISSUING SUBPOENA</p>
------------------------------------	--

### 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 must comply with Commission Rule 3.34(c), 16 C.F.R. § 3.34(c), and in particular must 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 before the Administrative Law Judge and with the Secretary of the 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.

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The Commission's Rules of Practice require that fees and mileage be paid by the party that requested your appearance. You should present your claim to Counsel listed in Item 8 for payment. If you are permanently or temporarily living somewhere other than the address on this subpoena and it would require excessive travel for you to appear, you must get prior approval from Counsel listed in Item 8.

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 1995.

**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

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

I further certify that I delivered via electronic mail a copy of the foregoing document to:

Jennifer Milici  
J. Alexander Ansaldo  
Peggy Bayer Femenella  
Mika Ikeda  
Nicole Lindquist  
Lincoln Mayer  
Merrick Pastore  
Z. Lily Rudy  
Dominic Vote  
Steven Wilensky  
FEDERAL TRADE COMMISSION  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
Phone: (202) 326-2638  
Facsimile: (202) 326-2071  
Email: jmilici@ftc.gov  
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*Counsel for Respondent  
Safariland LLC*

*Counsel for the Federal Trade Commission*

Dated: March 2, 2020

*s/ Julie E. McEvoy*

---

Julie E. McEvoy

**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 documents that is available for review by the parties and the adjudicator.

Dated: March 2, 2020

*s/ Julie E. McEvoy*

---

Julie E. McEvoy

Notice of Electronic Service

**I hereby certify that on March 02, 2020, I filed an electronic copy of the foregoing Respondent's Amended Unopposed Motion for Issuance of Deposition Subpoenas Ad Testificandum to Governmental Agencies Under Rule of Practice 3.36, with:**

D. Michael Chappell  
Chief Administrative Law Judge  
600 Pennsylvania Ave., NW  
Suite 110  
Washington, DC, 20580

Donald Clark  
600 Pennsylvania Ave., NW  
Suite 172  
Washington, DC, 20580

**I hereby certify that on March 02, 2020, I served via E-Service an electronic copy of the foregoing Respondent's Amended Unopposed Motion for Issuance of Deposition Subpoenas Ad Testificandum to Governmental Agencies Under Rule of Practice 3.36, upon:**

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