

EXHIBIT 1

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois

In re Gulf Packaging, Inc. Case No. 15-15249
Debtor Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Carolina-Gulf Packaging, Inc., c/o George P. Apostolides, Arnstein & Lehr, 120 S. Riverside Pl. St. 1200, Chicago, IL
(Name of person to whom the subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE TBD	DATE AND TIME
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The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached rider. Production deadline: January 20, 2017

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Elizabeth L. Janczak
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)
Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak
Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com; 312.360.6722

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)**

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☒ I served the subpoena by delivering a copy to the named person as follows: Carolina-Gulf Packaging, Inc.
c/o George P. Apostolides, Arnstein & Lehr LLP, 120 S. Riverside Plaza Suite 1200, Chicago, IL 60606;
GPApostolides@arnstein.com on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

In re Gulf Packaging, Inc., Case No. 15-15249 (Bankr. N.D. Ill.)

Rule 2004 Subpoena to Carolina-Gulf Packaging, LLC

DOCUMENT RIDER

Pursuant to the accompanying Subpoena and the Definitions and Instructions at the end of this Document Rider, please produce the following documents:

1. All Documents relating to goods or services supplied by one or more of the Vendors, including without limitation, invoices, bills of lading, and purchase orders.
2. All Communications, recorded statements, electronic mail, or correspondence between You and one or more of the Vendors relating to goods or services supplied by one or more of the Vendors.
3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
4. All Documents relating to, or evidencing, any rights one or more of the Vendors have or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.
5. All Documents evidencing payments or other transfers of property made by You to one or more of the Vendors, including without limitation bank statements, copies of canceled checks, wire transfer documents, statements of account, reports of accounts payable, and aging reports.
6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

8. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from the Debtor, including agreements, invoices, statements of account, and reports of accounts receivable.

9. All Communications, recorded statements, electronic mail, or correspondence between You and the Debtor relating to goods or services supplied by one or more of the Vendors.

DEFINITIONS AND INSTRUCTIONS

The production requests appearing in this Rider should be interpreted and applied in accordance with the following definitions and instructions:

1. “You,” and “your” means Carolina-Gulf Packaging, LLC.
2. “Debtor,” means Gulf Packaging, Inc.
3. “Vendors” shall mean the entities set forth on Schedule 1 attached hereto as well as their respective representatives, attorneys, agents, affiliates, parent companies, or subsidiaries.
4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
A-1 Delivery Services, Inc.
AB Airbags, Inc. d/b/a Atmet Bracing Corporation
Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern

District of

Illinois

In re Gulf Packaging, Inc.

Debtor

Case No. 15-15249

Chapter 11

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To: Florida Gulf Packaging, Inc./c/o George P. Apostolides, Arnstein & Lehr, 120 S. Riverside Pl. Ste. 1200, Chicago, IL
(Name of person to whom the subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE TBD	DATE AND TIME
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The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

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Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature



The name, address, email address, and telephone number of the attorney representing (name of party)
Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak

Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com; 312.360.6722

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☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

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(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it

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DOCUMENT RIDER

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3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
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6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

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2. “Debtor,” means Gulf Packaging, Inc.
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4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
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Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern

District of

Illinois

In re Gulf Packaging, Inc.

Debtor

Case No. 15-15249

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Gulf-Great Lakes Packaging Corp. c/o George P. Apostolides, Arnstein & Lehr, 120 S. Riverside Pl. Ste. 1200,
(Name of person to whom the subpoena is directed) Chicago, IL

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE
TBD

DATE AND TIME

The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached rider. Production deadline: January 20, 2017

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)
Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak

Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com; 312.360.6722

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)**

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☒ I served the subpoena by delivering a copy to the named person as follows: Gulf-Great Lakes Packaging Corporation
c/o George P. Apostolides, Arnstein & Lehr LLP, 120 S. Riverside Plaza Suite 1200, Chicago, IL 60606;
GPApostolides@arnstein.com on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...
(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

In re Gulf Packaging, Inc., Case No. 15-15249 (Bankr. N.D. Ill.)

Rule 2004 Subpoena to Gulf-Great Lakes Packaging Corporation

DOCUMENT RIDER

Pursuant to the accompanying Subpoena and the Definitions and Instructions at the end of this Document Rider, please produce the following documents:

1. All Documents relating to goods or services supplied by one or more of the Vendors, including without limitation, invoices, bills of lading, and purchase orders.
2. All Communications, recorded statements, electronic mail, or correspondence between You and one or more of the Vendors relating to goods or services supplied by one or more of the Vendors.
3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
4. All Documents relating to, or evidencing, any rights one or more of the Vendors have or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.
5. All Documents evidencing payments or other transfers of property made by You to one or more of the Vendors, including without limitation bank statements, copies of canceled checks, wire transfer documents, statements of account, reports of accounts payable, and aging reports.
6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

8. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from the Debtor, including agreements, invoices, statements of account, and reports of accounts receivable.

9. All Communications, recorded statements, electronic mail, or correspondence between You and the Debtor relating to goods or services supplied by one or more of the Vendors.

DEFINITIONS AND INSTRUCTIONS

The production requests appearing in this Rider should be interpreted and applied in accordance with the following definitions and instructions:

1. “You,” and “your” means Gulf-Great Lakes Packaging Corporation.
2. “Debtor,” means Gulf Packaging, Inc.
3. “Vendors” shall mean the entities set forth on Schedule 1 attached hereto as well as their respective representatives, attorneys, agents, affiliates, parent companies, or subsidiaries.
4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
A-1 Delivery Services, Inc.
AB Airbags, Inc. d/b/a Atmet Bracing Corporation
Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern

District of

Illinois

In re Gulf Packaging, Inc.

Debtor

Case No. 15-15249

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Gulf Arizona Packaging Corp, c/o Phyllis H Parise, Registered Agent 4425 E. Agave Rd. Ste 106 Phoenix, AZ 85044
(Name of person to whom the subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE TBD	DATE AND TIME
--------------	---------------

The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

Production deadline: January 20, 2017

Place of production: Schian Walker, P.L.C.

See attached rider.

1850 N. Central Ave., #900, Phoenix, AZ 85004

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)
Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak

Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com; 312.360.6722

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
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: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

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(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

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(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

In re Gulf Packaging, Inc., Case No. 15-15249 (Bankr. N.D. Ill.)

Rule 2004 Subpoena to Gulf Arizona Packaging Corp

DOCUMENT RIDER

Pursuant to the accompanying Subpoena and the Definitions and Instructions at the end of this Document Rider, please produce the following documents:

1. All Documents relating to goods or services supplied by one or more of the Vendors, including without limitation, invoices, bills of lading, and purchase orders.
2. All Communications, recorded statements, electronic mail, or correspondence between You and one or more of the Vendors relating to goods or services supplied by one or more of the Vendors.
3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
4. All Documents relating to, or evidencing, any rights one or more of the Vendors have or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.
5. All Documents evidencing payments or other transfers of property made by You to one or more of the Vendors, including without limitation bank statements, copies of canceled checks, wire transfer documents, statements of account, reports of accounts payable, and aging reports.
6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

8. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from the Debtor, including agreements, invoices, statements of account, and reports of accounts receivable.

9. All Communications, recorded statements, electronic mail, or correspondence between You and the Debtor relating to goods or services supplied by one or more of the Vendors.

DEFINITIONS AND INSTRUCTIONS

The production requests appearing in this Rider should be interpreted and applied in accordance with the following definitions and instructions:

1. “You,” and “your” means Gulf Arizona Packaging Corp.
2. “Debtor,” means Gulf Packaging, Inc.
3. “Vendors” shall mean the entities set forth on Schedule 1 attached hereto as well as their respective representatives, attorneys, agents, affiliates, parent companies, or subsidiaries.
4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
A-1 Delivery Services, Inc.
AB Airbags, Inc. d/b/a Atmet Bracing Corporation
Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.

B2540 (Form 2540) – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern

District of

Illinois

In re Gulf Packaging, Inc.

Debtor

Case No. 15-15249

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Gulf Packaging - Sacramento, LLC/o George P. Apostolides, Arnstein & Lehr, 120 S. Riverside Pl. Ste.1200, Chicago IL
(Name of person to whom the subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE TBD	DATE AND TIME
--------------	---------------

The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached rider. Production deadline: January 20, 2017

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk


Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)
Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak
Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com 312.360.6722

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☒ I served the subpoena by delivering a copy to the named person as follows: Gulf Packaging - Sacramento, LLC
c/o George P. Apostolides, Arnstein & Lehr LLP, 120 S. Riverside Plaza Suite 1200, Chicago, IL 60606;
GPApostolides@arnstein.com on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

In re Gulf Packaging, Inc., Case No. 15-15249 (Bankr. N.D. Ill.)

Rule 2004 Subpoena to Gulf Packaging – Sacramento, LLC

DOCUMENT RIDER

Pursuant to the accompanying Subpoena and the Definitions and Instructions at the end of this Document Rider, please produce the following documents:

1. All Documents relating to goods or services supplied by one or more of the Vendors, including without limitation, invoices, bills of lading, and purchase orders.
2. All Communications, recorded statements, electronic mail, or correspondence between You and one or more of the Vendors relating to goods or services supplied by one or more of the Vendors.
3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
4. All Documents relating to, or evidencing, any rights one or more of the Vendors have or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.
5. All Documents evidencing payments or other transfers of property made by You to one or more of the Vendors, including without limitation bank statements, copies of canceled checks, wire transfer documents, statements of account, reports of accounts payable, and aging reports.
6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

8. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from the Debtor, including agreements, invoices, statements of account, and reports of accounts receivable.

9. All Communications, recorded statements, electronic mail, or correspondence between You and the Debtor relating to goods or services supplied by one or more of the Vendors.

DEFINITIONS AND INSTRUCTIONS

The production requests appearing in this Rider should be interpreted and applied in accordance with the following definitions and instructions:

1. “You,” and “your” means Gulf Packaging – Sacramento, LLC.
2. “Debtor,” means Gulf Packaging, Inc.
3. “Vendors” shall mean the entities set forth on Schedule 1 attached hereto as well as their respective representatives, attorneys, agents, affiliates, parent companies, or subsidiaries.
4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
A-1 Delivery Services, Inc.
AB Airbags, Inc. d/b/a Atmet Bracing Corporation
Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

Northern

District of

Illinois

In re Gulf Packaging, Inc.

Debtor

Case No. 15-15249

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Gulf Systems, Inc.c/o George P. Apostolides, Arnstein & Lehr LLP, 120 S. Riverside Plaza Suite 1200, Chicago, IL
(Name of person to whom the subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE TBD	DATE AND TIME
--------------	---------------

The examination will be recorded by this method: Stenographically

☒ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached rider. Production deadline: January 20, 2017

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/21/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Elizabeth L. Janczak
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)

Joseph Myers, Creditor Trustee, who issues or requests this subpoena, are:

Elizabeth L. Janczak

Freeborn & Peters LLP, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606; ejanczak@freeborn.com; 312.360.6722

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)**

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☒ I served the subpoena by delivering a copy to the named person as follows: Gulf Systems, Inc.
c/o George P. Apostolides, Arnstein & Lehr LLP, 120 S. Riverside Plaza Suite 1200, Chicago, IL 60606;
GPapostolides@arnstein.com on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

In re Gulf Packaging, Inc., Case No. 15-15249 (Bankr. N.D. Ill.)

Rule 2004 Subpoena to Gulf Systems, Inc.

DOCUMENT RIDER

Pursuant to the accompanying Subpoena and the Definitions and Instructions at the end of this Document Rider, please produce the following documents:

1. All Documents relating to goods or services supplied by one or more of the Vendors, including without limitation, invoices, bills of lading, and purchase orders.
2. All Communications, recorded statements, electronic mail, or correspondence between You and one or more of the Vendors relating to goods or services supplied by one or more of the Vendors.
3. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from one or more of the Vendors.
4. All Documents relating to, or evidencing, any rights one or more of the Vendors have or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.
5. All Documents evidencing payments or other transfers of property made by You to one or more of the Vendors, including without limitation bank statements, copies of canceled checks, wire transfer documents, statements of account, reports of accounts payable, and aging reports.
6. All Documents and Communications relating to the resale or disposition of goods or services supplied by one or more of the Vendors to You.
7. All Documents relating to, or evidencing, any rights the Debtor has or had to collect money or other property from You, including agreements, invoices, statements of account, and reports of accounts payable.

8. All Documents relating to, or evidencing, any rights You have or had to collect money or other property from the Debtor, including agreements, invoices, statements of account, and reports of accounts receivable.

9. All Communications, recorded statements, electronic mail, or correspondence between You and the Debtor relating to goods or services supplied by one or more of the Vendors.

DEFINITIONS AND INSTRUCTIONS

The production requests appearing in this Rider should be interpreted and applied in accordance with the following definitions and instructions:

1. “You,” and “your” means Gulf Systems, Inc.
2. “Debtor,” means Gulf Packaging, Inc.
3. “Vendors” shall mean the entities set forth on Schedule 1 attached hereto as well as their respective representatives, attorneys, agents, affiliates, parent companies, or subsidiaries.
4. The terms “document(s)” or “documentation” shall be construed as broadly as permitted by applicable Federal law and shall include, without limitation, all Electronically Stored Information and all written, typewritten, handwritten, recorded or printed matter of any kind, including, without limitation, the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made upon such copies or otherwise.
5. “Electronically Stored Information” or “ESI” shall mean data stored in, or accessible through, computer or other information retrieval systems and includes all non-identical copies of such data. ESI includes, but is not limited to, electronic spreadsheets, databases with all records and fields and structural information (including Lotus Notes Discussion Databases and other online dialogs), charts, graphs and outlines, arrays of information and all other information used or produced by any software. Thus, You must produce documents that exist in electronic form, including data stored in personal computers, portable computers, workstations, minicomputers, personal data assistants, Blackberry or other similar devices, instant messaging text files, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes (maybe include this), portable hard drives, memory cards, zip drives, iPods or other similar devices, cell phones and any other forms of online or offline storage. Further, ESI responsive to the requests herein must be made (and if necessary, translated by you) in reasonably useable form and produced.

6. The terms “reflecting,” “reflect,” “relating to,” and “relate to” shall mean, without limitation, constituting, comprising, containing, embodying, analyzing, supporting, reflecting, evidencing, identifying, stating, describing, discussing, summarizing, referring directly or indirectly to, reporting on, commenting on, inquiring about, setting forth, explaining, considering, pertaining to, mentioning, alluding to, in whole or in part, or being in any way relevant to the particular subject matter identified.

7. Terms used in the singular shall be deemed to include the plural and vice versa. Terms used in the masculine shall be deemed to include the feminine and vice versa. The terms “and” and “or” shall be construed both conjunctively and disjunctively in order to bring within this subpoena all documents and other materials that otherwise might be construed as outside its scope.

8. If you refuse to produce any documents, in whole or in part, under a claim of privilege, please identify: (i) the nature and basis of the asserted privilege; (ii) the person or entity asserting the privilege; and (iii) the nature of the information, documents, or materials withheld under the claim of privilege with sufficient particularity to permit a court to make a determination regarding the propriety of such assertion.

9. If any of these documents cannot be produced for any other reason, please specify in writing the reasons for your inability to produce such documents and state whatever information, knowledge, or belief you do have regarding such documents.

10. Unless otherwise stated, the time period covered for the document requests is January 1, 2013 to the present.

Schedule 1

Vendors
A-1 Delivery Services, Inc.
AB Airbags, Inc. d/b/a Atmet Bracing Corporation
Action Warehouse Company, Ltd.
Adhesive Tape Products, Inc
Ampac Flexicon, LLC d/b/a Ampac
Arizona Corrugated Container LLC
Boise Packaging & Newsprint, L.L.C.
Box-Board Products, Inc.
Brenton LLC d/b/a Orion Packaging Systems, Inc.
Central Bag Company
Clysar, LLC d/b/a Bemis Clysar, Inc.
Diversified Labeling Solutions, Inc.
Dubose Strapping, Inc.
Dynaric, Inc.
Essendant Co. s/b/m to Lagasse, LLC d/b/a Lagasse Inc.
GTA-NHT, Inc. d/b/a GTA Tapes & Adhesives Inc.
Holland Manufacturing Company
I.D. Images LLC
Illinois Tool Works Inc. s/b/m to Diagraph Corporation d/b/a ITW
Independent Metal Strap Co., Inc.
Laddawn, Inc. d/b/a Laddawn Products Inc.
Lakehead Newsprint 1990 Ltd.
Malpack Corp.
Malpack USA Inc.
Maro Carton, Inc.
MBK Enterprises, Inc.
Medlin LLC d/b/a Medlin Equipment, Inc.
Merchants & Manufacturer's Bank Corporation
Trek Armor Incorporated
Orion Plastics Corporation
Packaging Corporation of America
Peninsular Paper Company
Pioneer Labels, Inc. d/b/a Datamax O'Neil Printer Supplies
Polyair Corporation
Polychem Corporation
Redi-Bag, Inc.
Rio Grande Container, Inc. d/b/a Rio Grande Container 83
RMF Transport, LLC
Seattle Box Company d/b/a Seattle-Tacoma Box Company
Sourcepac, Inc.
Southworth Products Corporation
Spartan Warehouse and Distribution Company Incorporated d/b/a Spartan Logistics

Vendors
Stone Management, Inc.
The WDS Company of Virginia d/b/a WDS Company
Titan Strapping Systems, LP
VC999 Packaging Systems
W. Plastics, Inc. d/b/a Western Plastics
Wisconsin Film & Bag, Inc.
Wulftec International, Inc.