

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

ROBERT STINSON, JR., et al.,

Defendants/Relief Defendants.

CIVIL ACTION NO.
10-CV-03130 (BMS)

HON. BERLE M. SCHILLER


**RECEIVER'S NOTICE OF SERVICE OF SUBPOENA ON
NICOLE M. TURCOTTE PURSUANT TO RULE 45**

PLEASE TAKE NOTICE pursuant to Fed. R. Civ. P. 45(b)(1) that Receiver Kamian Schwartzman ("Receiver"), by and through his counsel, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, will serve copies of the Subpoena attached as Exhibit A hereto on Nicole M. Turcotte, requiring the production of the documents listed in the Subpoena.

Respectfully submitted,

**PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP**

By:


GAËTAN J. ALFANO, ESQUIRE
J. PETER SHINDEL, JR., ESQUIRE
I.D. Nos. 32971, 201554
1818 Market Street, Suite 3402
Philadelphia, PA 19103
(215) 320-6200

Counsel for Kamian Schwartzman, Receiver

Dated: February 8, 2011

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of Arizona

Securities and Exchange Commission
Plaintiff
v.
Robert Stinson, Jr., et al.
Defendant
Civil Action No. 10-cv-03130
(If the action is pending in another district, state where:
Eastern District of Pennsylvania)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Nicole M. Turcotte, 25 Veritas Drive, Sedona, Arizona 86351

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following
documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the
material:

See Schedule A

Place: 1818 Market Street, Suite 3402 Philadelphia, PA 19103
Date and Time: No later than 5:00 p.m. on March 1, 2011

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or
other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party
may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:
Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule
45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are
attached.

Date: 2/8/11

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

J. Peter Shindel, Jr.
Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Receiver
Kamian Schwartzman, who issues or requests this subpoena, are:

J. Peter Shindel, Jr., Esquire
Pietragallo Gordon Alfano Bosick & Raspanti, LLP, 1818 Market Street, Suite 3402, Philadelphia, PA 19103
jps@pietragallo.com; (215) 320-6200

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 10-cv-03130

PROOF OF SERVICE

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

This subpoena for *(name of individual and title, if any)* Nicole M. Turcotte
was received by me on *(date)* _____ .

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

I returned the subpoena unexecuted because: _____
_____ .

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 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 \$ 0.00 .

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(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 issuing court 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 issuing court 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 issuing court must quash or modify a subpoena that:

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

(ii) requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(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 issuing court may, on motion, quash or modify the subpoena if it requires:

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

(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; or

(iii) a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(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.

(d) 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 to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) **Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

SCHEDULE A TO NICOLE M. TURCOTTE SUBPOENA

- Any and all documents related to Robert Stinson, Jr.
- Any and all documents related to Life's Good, Inc.
- Any and all documents related to Life's Good S.T.A.B.L. Mortgage Fund, LLC
- Any and all documents related to Life's Good High Yield Mortgage Fund, LLC
- Any and all documents related to Life's Good Capital Growth Fund, LLC
- Any and all documents related to IA Capital Fund, LLC
- Any and all documents related to Keystone State Capital Corporation
- Any and all documents related to First Commonwealth Service Company
- Any and all documents related to Susan L. Stinson
- Any and all documents related to Christine A. Stinson
- Any and all documents related to Michael G. Stinson
- Any and all documents related to Laura Marable
- Any and all correspondence between and among you and any of the above-named individuals or entities
- An accounting of any and all payments, loans, or transfers to any of the above-named individuals or entities or received from any of the above-named individuals or entities
- Any and all bank or other financial records related to monies received from any of the above-named individuals or entities, whether said monies were received as payments, loans, or otherwise transmitted to you for any purpose

CERTIFICATE OF SERVICE

I do hereby certify that on this 8th day of February, 2011, I caused a true and correct copy of the foregoing document to be served on the following and in the manner indicated below:

VIA FEDERAL EXPRESS

<p>Robert S. Stinson, Jr. and Susan L. Stinson First Commonwealth Service Company IA Capital Fund, LLC Keystone State Capital, Corporation Life's Good, Inc. Life's Good Capital Growth Fund, LLC Life's Good High Yield Mortgage Fund, LLC Life's Good STABL Mortgage Fund, LLC 58 Main Street Chesterbrook, PA 19087 <i>(via overnight mail)</i></p>	<p>Christine A. Stinson 58 Main Street Chesterbrook, PA 19087 <i>(via overnight mail)</i></p>
<p>Michael G. Stinson <i>(via electronic mail:</i> michaelgstinson@msn.com)</p>	<p>Laura Marable P.O. Box 1213 Volcano, HI 96785 <i>(via electronic mail:</i> tigerlily_6648@yahoo.com)</p>

VIA COURT'S ECF SYSTEM:

Catherine E. Pappas, Esquire
Senior Trial Counsel
United States Securities and Exchange Commission
Philadelphia Regional Office
701 Market Street, Suite 2000
Philadelphia, PA 19106

G. Jeffrey Boujoukos
U.S. Securities & Exchange Commission
701 Market St Ste 2000
Philadelphia, Pa 19106

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:



J. PETER SHINDEL, JR.
1818 Market Street, Suite 3402
Philadelphia, PA 19103
(215) 320-6200
JPS@pietragallo.com

*Attorney for Court Appointed Receiver,
Kamian Schwartzman*

Dated: February 8, 2011