

NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
_____ CVD _____

_____,
Plaintiff,
v.
_____,
Defendant.

**MOTION TO QUASH
SUBPOENA**

_____, by and through her attorney, hereby objects to and moves the Court, pursuant to Rule 45 of the North Carolina Rules of Civil Procedure and the Court's inherent power and discretion, to quash the subpoena issued by Plaintiff to _____ for her appearance and production of documents at trial on _____. In support of her motion to quash, _____ shows the Court as follows:

1. _____ is not a party to this action.
2. _____ was deposed by Plaintiff on _____. At that deposition, _____ invoked her Fifth Amendment privilege against self-incrimination as to all questions regarding Defendant.
3. _____ has been served with the subpoena issued by Plaintiff and attached hereto as Exhibit A. The subpoena includes an extensive list of documents to be produced at trial.
4. The matters to be heard at the _____, hearing are _____.
5. _____ intends to continue to assert her Fifth Amendment privilege as to all questions and other inquiries regarding Defendant.
6. The documents requested in the subpoena relate directly or indirectly to matters to which _____ will assert her Fifth Amendment privilege. In addition and in the alternative, many of the requested documents are not relevant to the issues to be heard on _____.

WHEREFORE, movant _____ hereby moves that the Court:

1. Quash in its entirety the subpoena attached hereto as Exhibit A, so that _____ shall not be required to be present in court or produce any documents;
2. Or, in the alternative, quash the portion of the subpoena requiring _____ to produce documents for the Court;

3. And grant unto movant such other and further relief as the Court deems just and proper.

This the ____ day of _____, 20 ____.

By:

Attorney for _____

_____, North Carolina _____

Telephone: (____) ____ - ____