

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES**

IN RE: PETITION FOR ARBITRATION

Petitioner,

v.

Case No. _____

_____ ,

Respondents.

_____ /

SUBPOENA AD TESTIFICANDUM

To: _____

YOU ARE HEREBY COMMANDED to appear at _____
_____ to testify at a deposition/final
hearing (check one) at _____ o'clock ____m. on the _____ day of
_____ 20 ____ .

YOU SHALL RESPOND to this subpoena as directed unless excused by the party who requested issuance of the subpoena or by order of the arbitrator.

ORDERED this ____ day of _____ 20____ , at Tallahassee, Leon County,
Florida.

THIS SUBPOENA HAS BEEN ISSUED UPON THE REQUEST OF:

Name:

Address:

Phone:

Catherine Bembry, Arbitrator
Department of Business and
Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-1029

AUTHORITY:

Florida Statutes, 718.1255(4)

(b) At the request of any party to the arbitration, such arbitrator shall issue subpoenas for the attendance of witnesses and the production of books, records, documents, and other evidence and any party on whose behalf a subpoena is issued may apply to the court for orders compelling such attendance and production. Subpoenas shall be served and shall be enforceable in the manner provided by law.

Florida Administrative Code Rule 61B-45.025

61B-45.025 Subpoenas and Witnesses: Fees.

61B-45.025 Subpoenas and Witnesses; Fees.

(1) A subpoena requiring the attendance of witnesses or the production of documents, whether for purposes of discovery or for purposes of a final hearing, may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age, as provided in rule 1.410., Florida Rules of Civil Procedure, (1996), or as that rule may subsequently be renumbered. Proof of such service shall be made by affidavit of the person making service if not served by an officer authorized by law to do so.

(2) All witnesses, other than public employees subpoenaed to appear in their official capacity, appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as set forth in section 92.142, Florida Statutes, (1996), or as that statute may subsequently be renumbered. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement; and, in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

Specific Authority 718.1255, 719.1255 FS.
Law Implemented 718.1255, 719.1255 FS.
History--New 4-1-92, Amended 2-2-93, Formerly 7D-45.025, Amended 6-19-96.

Received this subpoena on

_____, 2006, _____ o'clock _____.M., and
served the same on
_____, at
_____ o'clock _____.M., by
delivering a true copy thereof (together with the fee for
one day's attendance and the mileage allowed by
law*) to:

_____.

RETURN IF SERVED BY SHERIFF:

Dated _____,
2006,
_____,
Sheriff of

County, Florida.
By: _____

(Deputy Sheriff)

RETURN IF SERVED BY OTHER QUALIFIED PERSON:

Dated _____,
2006.
By: _____
_____.

Subscribed and sworn to before me, a

_____, this _____ day of _____, 2006.

By: _____

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NOTE: Affidavit required only if service is made by a person other than a Sheriff, a Deputy Sheriff, or persons authorized to serve process pursuant to Chapter 48, Florida Statutes.

* Fees and mileage need not be tendered to public employees.