

SUBPOENA DUCES TECUM
Order to Appear for Deposition and
Order to Produce Documents



THE STATE OF MISSOURI TO: **Steven G. Warren**

Serve at: Brookside Homes, Inc., 2455 US Highway 67 South, Festus, MO 63028

You are hereby commanded, pursuant to §§386.440, 393.140 (9) and (10), 4 CSR 240-2.100, and Supreme Court Rule 57.03 (4), to be and appear personally before the Public Service Commission of the State of Missouri on the **19th day of November, 2008, at 10:00 a.m.**, at the Missouri Public Service Commission, 9900 Page Avenue, Suite 103, Overland, MO 63132, in the County of St. Louis, in the State of Missouri, to testify at deposition in the matter of Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission v. Brookside Homes, Inc., in Case No. MC-2009-0127, on behalf of the Director;

You are further commanded to produce at the Missouri Public Service Commission, 9900 Page Avenue, Suite 103, Overland, MO on or before November 19, 2008, at 10:00 a.m. the following documents and records of Brookside Homes, Inc., relating to MC-2009-0127:

Any and all documents and records regarding or relating to any and all manufactured homes sold in 2008, and the following:

Home sold to Winston and Edna Albert
Home sold to Billy Cook, Four Seasons, serial no. FS217415 AB IN
Home sold to Charles and Leigh Skiles, Champion Homes, 021-013716 AB
Home sold to Jeremy and Casey Dement, Fleetwood Homes, serial no. KYFL545AB07474
Home sold to Michael and Nancy Daugherty
Home sold to Steve and Heather Schmidt, Champion Homes, serial no. 021013288AB
Home sold to Patricia Naïve

Home sold to Sylvia Walton

Homes identified as Fleetwood, serial nos. (last four numbers) 2562N and TNFL527

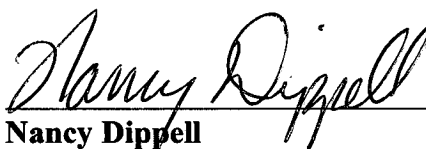
Homes identified as Champion, serial nos. 02100H014224A and 021000H014168A

For the identified manufactured homes, as well as those sold in 2008, the documents and records shall include the following:

- a) All documents or copies of documents in your possession or control relating to or regarding the manufactured homes including contracts, bills of lading, invoices, statements of origin, certificates of title, notes, memoranda, from any source;
- b) All documents pertaining to the permitted route of transportation for the home, including, but not limited to route plans, documents pertaining to travel authorizations, oversize load permits, maps, and driver contracts;
- c) All documents, including, but not limited to, any and all sales or purchase agreements, invoices, bills of lading, contracts, memos, notes, records or any other document relating to the transportation or delivery of the home to Brookside or to a customer's premises;
- d) Any and all documents of insurance, including but not limited to proof of insurance, relating to or regarding the home;
- e) Any and all contracts, invoices, bills of lading, notes, memoranda or other documents from or involving any manufacturer for the homes;
- f) Any and all contracts, invoices, bills of lading, notes, memoranda, or other documents involving repairs, requests for repairs, orders of repair or replacement parts, etc, related to the specified manufactured home;
- g) Any and all records and the entire file in the possession or control of Brookside Homes, Inc. or Steven G. Warren relating to the homes.

Hereof fail not at your peril. The person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Given under my hand, this 16 day of October A.D. 2008.



Nancy Dippell
Deputy Chief Regulatory Law Judge
Public Service Commission of the State of Missouri

RETURN

I HEREBY CERTIFY, that I have served the within writ by reading the same in the presence and hearing of the within named _____ on the _____ day of _____, _____, in _____ County, in the State of Missouri.

[Name]

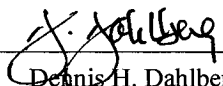
[Title]

AFFIDAVIT: Proof of Service
on a Non Est Return

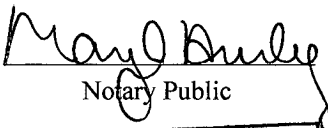
COMES NOW, Dennis Dahlberg and states that with due diligence I attempted, however, I failed to serve the attached Subpoena Duces Tecum (Order To Appear For Deposition And Order To Produce Documents) in re: Cause Number MC-2009-0127, Director Of The Manufactured Housing And Modular Units Program on Steven G. Warren at Brookside Homes, Inc., 2455 US Highway 67 South, Festus, Missouri 63029.

In my search for Steven G. Warren the following transpired:

1. October 20, 2008 at 10:08 a.m. I spoke with an employee at Brookside Homes at the above address. He stated Steve Warren was not in the office and he would give Mr. Warren my telephone number since he knows about the Subpoenas. Mr. Warren did not contact me.
2. October 25, 2008 at 12:45 p.m. I spoke with Bill the second time. He stated he gave Mr. Warren the message to contact me. I stated it was important for Mr. Warren to contact me and if he did not call me I had to assume Mr. Warren was avoiding service.
3. No further action at this time since Mr. Warren's middle initial "G" was incorrect on the Subpoena and had to be changed to "D" on the subsequent Subpoena.


Dennis H. Dahlberg
Special Process Server, ps363
22nd Judicial Circuit
City of St. Louis, Missouri

Listed and subscribed before me this Twenty-First of November 2008.


Notary Public

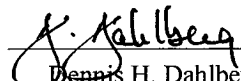
MARY D. HURLEY
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: October 18, 2010
Commission Number: 06955366

AFFIDAVIT: Proof of Service
on a Non Est Return

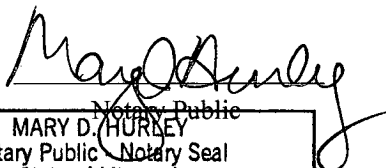
COMES NOW, Dennis Dahlberg and states that with due diligence I attempted, however, I failed to serve the attached Subpoena Duces Tecum (Order To Appear For Deposition And Order To Produce Documents) in re: Cause Number MC-2009-0127, Director Of The Manufactured Housing And Modular Units Program on Steven D. Warren at Brookside Homes, Inc., 2455 US Highway 67 South, Festus, Missouri 63028.

In my search for Steven D. Warren the following transpired:

1. November 5, 2008 at 8:10 a.m. I located Mr. Warren's residence at 3436 Falcon View Lane, St. Louis, Missouri 63129 and established surveillance. I observed an Audi parked in the driveway, Missouri License Plate 075 NRX, and another vehicle parked adjacent to the property, Missouri License Plate 2CR 13E. The driver/owner of the second vehicle appeared and removed a vacuum cleaner from her vehicle and re-entered the house. No further activity and surveillance was closed down at 9:15 a.m.
2. November 6, 2008 at 7:35 a.m. there was no response at the front door, all the window blinds were closed and the Audi was still in the same location.
3. November 7, 2008 at 7:23 p.m. there was no response at the front door, lights were on upstairs, the shade was partially open and the Audi was in the same location.
4. November 11, 2008 at 10:00 a.m. there was no response at the front door, the lights were not on and the Audi was in the same location. I proceeded to the Brookside Homes office location and established surveillance. There were four vehicles parked in front of the office, Missouri License Plate 628 EZR, 6CJ 56M, a older pick up truck and a vehicle with a Florida license plate. No one entered or left the office during the 45 minute surveillance period.
5. November 12, 2008 at 9:10 a.m. there was no response at the Falcon View residence and the conditions were the same.
6. No further action at this time since the dating on the documents has expired.


Dennis H. Dahlberg
Special Process Server, ps363
22nd Judicial Circuit
City of St. Louis, Missouri

Listed and subscribed before me this Twenty-First of November 2008.



MARY D. HURLEY
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: October 18, 2010
Commission Number: 06955366