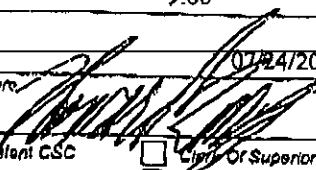


STATE OF NORTH CAROLINA		File No.
WAKE County		08CVD12310
GARRY D. RENTZ AND DONNA A., KRISTA C. LISTER		In The General Court Of Justice ☒ District ☐ Superior Court Division
VERSUS		Additional File Numbers
BRADLEY COOPER		SUBPOENA
Party Requesting Subpoena ☐ State/Plaintiff ☒ Defendant		G.S. 1A-1, Rule 45
NOTE TO PARTIES NOT REPRESENTED BY COUNSEL: Subpoenas may be produced at your request, but must be signed and issued by the office of the Clerk of Superior Court, or by a magistrate or judge.		
Name And Address Of Person Subpoenaed TO John D Butts UNC - Brinkhous-Bullitt Bldg, 10th floor Chapel Hill NC 27599 Telephone No. 919-966-2253		Alternate Address Telephone No.

YOU ARE COMMANDED TO: (check all that apply):

- ☒ appear and testify, in the above entitled action, before the court at the place, date and time indicated below.
☐ appear and testify, in the above entitled action, at a deposition at the place, date and time indicated below.
☒ produce and permit inspection and copying of the following items, at the place, date and time indicated below.
☐ See attached list. (List here if space sufficient)

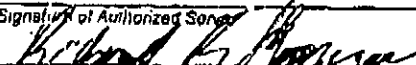
Any and all electronic and/or written reports and/or notes related to the examination of Nancy Cooper.

Name And Location Of Court/Place Of Deposition/Place To Produce Wake County Courthouse, Courtroom 8B 316 Fayetteville Street Raleigh NC 27602	Date To Appear/Produce 07/25/2008 Time To Appear/Produce 9:00 ☒ AM ☐ PM
Name And Address Of Applicant Or Applicant's Attorney Howard A. Kurtz 16 West Martin Street, 10th Floor Raleigh NC 27601 Telephone No. 919-832-7700	Date 07/24/2008 Signature 
☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court ☐ Superior Court Judge ☐ Magistrate ☒ Attorney/DA ☐ District Court Judge	

RETURN OF SERVICE

I certify this subpoena was received and served on the person subpoenaed as follows:

- By ☒ personal delivery.
☐ registered or certified mail, receipt requested and attached.
☐ telephone communication (For use only by the sheriff's office for witness subpoenaed to appear and testify)
☐ I was unable to serve this subpoena.

Service Fee \$	☐ Paid ☐ Due	Date Served 07/24/08	Signature of Authorized Server 	Title
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NOTE TO PERSON REQUESTING SUBPOENA: A copy of this subpoena must be delivered, mailed or faxed to the attorney for each party in this case. If a party is not represented by an attorney, the copy must be mailed or delivered to the party. This does not apply in criminal cases.

(Please See Reverse Side)

HEALTH & PUBLIC ASSIST Fax:9197166758

** Transmit Conf. Report **

P.1

Jul 25 2008 8:24

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
98322740	NORMAL	25, 8:24	0'48"	5	# O K	



State of North Carolina

ROY COOPER
ATTORNEY GENERALDepartment of Justice
PO Box 629
Raleigh, North Carolina
27602REPLY TO
Mabel Y. Bullock
Health & Public Assr.
Tele: (919) 716-6855
FAX: (919) 716-6758

July 25, 2008

F A X

TO: Howard A. Kurtz, Attorney at Law
Fax #: (919) 832-2740FROM: Mabel Y. Bullock
Special Deputy Attorney General

RE: Subpoena for Dr. John Butts

Comments: Find attached motion on behalf of Dr. John Butts

NUMBER OF PAGES (including cover): 5

Please call Ann Brock at (919) 716-6855 to verify that you received this document.

CONFIDENTIALITY NOTE

The information contained in this FACSIMILE message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. Thank you.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
08 CVD 12310

GARRY D. RENTZ AND DONNA A.,)
KRISTA C. LISTER,)
Plaintiffs,)
vs.)
BRADLEY COOPER,)
Defendant.)

MOTION TO
QUASH SUBPOENA

BY

WAKE COUNTY, C.S.C.

2008 JUL 25 AM 8:39

FILED

NOW COMES the North Carolina Department of Health and Human Services, Division of Public Health, by and through Roy Cooper, Attorney General for the State of North Carolina, and Mabel Y. Bullock, Special Deputy Attorney General, pursuant to N.C.G.S. 1A-1, Rule 45(c) and objects to the subpoena (Attachment A) issued in the above-captioned matter and served on Dr. John Butts, North Carolina Chief Medical Examiner, for the following reasons:

1. The party subpoenaed is Dr. John Butts, North Carolina Chief Medical Examiner, Division of Public Health, Department of Health and Human Services (DHHS).

2. DHHS objects to this subpoena on the grounds that the subpoena seeks disclosure of an autopsy report of Nancy Cooper, which has not been completed at this time.

3. DHHS objects to this subpoena on the grounds that the subpoena seeks disclosure of notes related to the examination of the deceased, Nancy Cooper, and at this time the disclosure of such information may materially compromise a continuing criminal investigation.

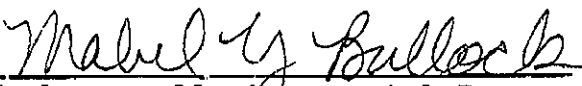
4. DHHS objects to this subpoena on the grounds that although complete autopsy reports and interpretations may be furnished to any person upon request pursuant to NCGS §130A-389(a), the autopsy of the deceased, Nancy Cooper, is not complete.

5. DHHS objects to this subpoena on the grounds that it fails to allow reasonable time for compliance, as Dr. Butts was served on the afternoon of Thursday, July 24, 2008, and as stated above, the autopsy report for Nancy Cooper is not complete.

Therefore, it is respectfully requested that this Court quash the subpoena issued in this matter (Attachment A).

Respectfully submitted this the 25th day of July, 2008.

ROY COOPER
ATTORNEY GENERAL


Mabel Y. Bullock, Special Deputy AG
N.C. Dept. of Justice
9001 Mail Service Center
Raleigh, North Carolina 27699-9001
Tel. (919) 716-6855, Fax (919) 716-6758
N.C. State Bar #10592
MBullock@ncdoj.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing MOTION
TO QUASH SUBPOENA was served on the Defendant by *fax and mfb* depositing a
copy of same on the date shown below in the United States Mail,
first-class, postage pre-paid and addressed as follows:

Howard A. Kurtz
Attorney for Bradley Cooper
Kurtz and Blum
16 West Martin Street, 10th Floor
Raleigh, NC 27601

This the 25th day of July, 2008.

Mabel Y. Bullock

Mabel Y. Bullock
Special Deputy Attorney General