
SUBPOENA FOR PRODUCTION

To: **Title Lock Corporation, 12636 High Bluff Dr., Suite 400,
San Diego, CA 92130**

Under California Business & Professions Code section 16759(b), California Government Code section 11181(e) and (f), and San Francisco Charter section 6.102, the San Francisco City Attorney's Office directs Title Lock Corporation ("Home Title Lock" or "you"), within 15 calendar days after service, to produce and allow inspection and copying by this Office of all documents, records, and other materials described in **Exhibit A** (collectively, the "Subpoenaed Items"), together with a certification from you, dated and signed under penalty of perjury under the laws of the State of California, that the documents provided are true, correct, and complete copies of all documents responsive to this Subpoena. All of the Subpoenaed Items together with the required certification and other materials must be delivered on or before the deadline to the following address:

Office of the City Attorney
Attn: Alexander Holtzman
1390 Market Street, 7th Floor
San Francisco, CA 94102

The Subpoenaed Items and certification may alternatively be delivered on or before the deadline via email to alexander.holtzman@sfcityatty.org. The requested format for production of documents is described in Exhibit B. If producing documents in this format creates a burden, please contact this Office to discuss a different production format.

The Subpoenaed Items are relevant to an investigation by this Office of possible violations of California Business and Professions Code section 17200, *et seq.*, and we believe the Subpoenaed Items and other materials we request relate to such violations. We do not understand the Subpoenaed Items to constitute consumer records under Code of Civil Procedure section 1985.3(a)(1). Please promptly let us know if you disagree.

If you have questions regarding compliance with this Subpoena, contact: Alexander Holtzman, Deputy City Attorney (State Bar No. 311813), Tel. (415) 554-3999, alexander.holtzman@sfcityatty.org.

The destruction or concealment by anyone subject to this Subpoena of any Subpoenaed Items may result in our referral to law enforcement for criminal prosecution under California Penal Code section 135.

Failure to comply with the commands of this Subpoena may subject you to citation for contempt or other penalties before the Superior Court of the State of California.

Signed in the City and County of San Francisco this 10th day of April 2023.

By: David Chiu
David Chiu
City Attorney for the
City and County of San Francisco

EXHIBIT A

1. Documents sufficient to identify all subscribers to services provided by Home Title Lock to monitor title records for properties located in the State of California since January 1, 2019. For purposes of this Subpoena, “document” means any writing, as defined in Evidence Code section 250. For purposes of this Subpoena, “identify” with respect to subscribers to Home Title Lock’s services includes full name, dates of subscription, billing address, addresses of monitored properties, assessor’s parcel numbers of monitored properties, phone number, email, subscription plan, amounts paid to Home Title Lock since January 1, 2019, communications between the subscriber and Home Title Lock, and any other subscriber-level data maintained by Home Title Lock;
2. Documents sufficient to identify all subscribers to services provided by Home Title Lock since January 1, 2019, with billing addresses in the State of California to the extent not provided in response to Specification No. 1;
3. Copies of all agreements effective at any time since January 1, 2019, between Home Title Lock and the subscribers identified in response to Specification Nos. 1 and 2;
4. All complaints regarding Home Title Lock advertisements or Home Title Lock’s services since January 1, 2019, and Home Title Lock’s responses to each such complaint;
5. Copies and dates of distribution/publication of all Home Title Lock advertisements (including television advertisements, radio advertisements, newspaper advertisements, online advertisements, social media advertisements, infomercials, and promotional interviews) displayed to, played for, or intended to target residents of the State of California since January 1, 2019.
6. Documents sufficient to show the number of actual or estimated viewers or listeners in the City and County of San Francisco, in the City of San Diego, in California, and total, since January 1, 2019, for the advertisements identified in response to Specification No. 5, to the extent such data is in Home Title Lock’s possession, custody, or control;
7. Copies and identifying details of all current and previous versions of Home Title Lock’s website, its subpages, or its subsites since January 1, 2019;
8. Documents sufficient to show the number of actual or estimated viewers of Home Title Lock’s website and its subpages and subsites in the City and County of San Francisco, in the City of San Diego, in California, and total, since January 1, 2019, to the extent such data is in Home Title Lock’s possession, custody, or control (such as via Google Analytics, Google Firebase, Google Ad Services, Google Optimize, Google Tag Manager, Cloudflare, or GoDaddy reports);
9. All documents (including communications) regarding the experience with title fraud of an individual identified as “Debra” in Home Title Lock advertisements;
10. All documents (including communications) regarding the experience with title fraud of an individual identified as “Jeff” in Home Title Lock advertisements;
11. All documents (including communications) reflecting title fraud committed by Matthew Cox;
12. All documents supporting the assertion that Home Title Lock has “the largest database of property records in the United States”;

13. All documents supporting the assertion that Home Title Lock has “Proprietary Access to the Largest National Databases”;
14. Documents sufficient to identify all manners in which Home Title Lock accesses or monitors title records in the State of California or any one or more California counties;
15. All documents describing services provided since January 1, 2019, by “U.S. based restoration experts” referenced on Home Title Lock’s website with respect to properties located in the State of California; and
16. All documents referring or relating to any investigation by a government entity or law enforcement agency involving Home Title Lock advertisements, home title monitoring, or title restoration services.

EXHIBIT B**A. Electronically Stored Information (“ESI”) - Format of Production.**

ESI shall be provided in the following format:

1. *TIFFs*. Unless otherwise stated in these Instructions, each document shall be produced as one or more single-page 300 dpi Group IV black and white Tagged Image File Format (“TIFF”) image files. Each TIFF image file should be one page and should reflect how the source document would appear if printed to hard copy. Copies of webpages and advertisements requested in the Subpoena, any documents conveying information via color coding, and any documents that are difficult to read in black and white should be produced as color JPG files.
2. *Database Load Files/Cross-Reference Files*. Two load/unitization files shall be provided with all productions:
 - i. Metadata import file: DAT format, in ASCII format, using Concordance default delimiters to separate the fields and records. A path to the corresponding .TXT file should be included as a field in the metadata import file; and
 - ii. Image Cross-Reference File: .OPT format, containing the corresponding image information and indicating page breaks.
3. *Unique IDs*. Each image shall have a unique file name which will be the Bates number of that page (e.g., BATES000001.TIF). The Bates number must appear on the face of the image (e.g., BATES000001).
4. *Text Files*. For each document, a document-level text file shall be provided. The text of ESI shall be extracted directly from the native file, shall be provided in searchable ASCII text format (or Unicode text format if the text is in a language requiring characters outside of the ASCII character set) and each text file will be named for the beginning Bates number of its corresponding document (e.g., BATES000001.TXT). With respect to documents containing redacted text, OCR of the non-redacted portions of the document should be provided. You do not need to OCR ESI that contains no extractable text, but you shall provide such OCR in your possession at the time of production.
5. *De-NIST*. ESI may be de-NISTed using the industry standard list of such files maintained in the National Software Reference Library by the National Institute of Standards & Technology. You may request to add other file types to the list of excluded files.
6. *Date/Time*. ESI items shall be processed so as to preserve the date/time shown in the document as it was last saved, to the extent reasonably available, not the date of collection or processing. You shall endeavor to produce time-stamped documents including the time zone and universal coordinated time (UTC).
7. *Unique Documents*. You may de-duplicate ESI globally on the document level. If you do so, you shall disclose their method of electronic deduplication (e.g. MD5 Hash, SHA-1, etc.). You shall not remove any attachment to any email, regardless of whether the attachment, standing alone, is duplicative of any other document. You may de-duplicate emails that are identical, and where an email and attachment are identical to another email and attachment, may de-duplicate the duplicative email and attachment.
8. *Metadata Fields*. You must provide the metadata fields for all ESI produced, to the extent such metadata exists, as described below. The following objectively-coded metadata shall be provided within the Eclipse/IPRO delimited file described above for each document to the extent reasonably accessible, and to the

extent that data for such field exists for a given document:

Field Name	Description
PRODBEG	Document-level identifier; if the document has multiple pages then also the first page of the document
PRODEND	Page-level identifier, the last page of the document
PRODATTACHBEG	First page of an attachment range
PRODATTACHEND	Last page of an attachment range
DOCTYPE	General document type according to the following categories: Email or Attachment or Efile or Hard-Copy
FILETYPE	Document type as identified by metadata associated with the native document indicating the application that created the native document (e.g., Google Docs, Microsoft Word 6.0, Gmail, Outlook Email, etc.)
CUSTODIAN	Custodian name in <Lastname, Firstname> format wherever both are available, non-person entities in narrative form.
TO	Email recipient(s)
FROM	Email author
CC	Email copyee(s)
BCC	Email blind copyee(s),
SUBJECT	Email subject
DATESENT	Email sent date (Pacific Standard Time)
TIMESENT	Email sent time (Pacific Standard Time)
DATERECEIVED	Email received date (Pacific Standard Time)
TIMERECEIVED	Email received time (Pacific Standard Time)
EMAILPATH	Email folder path including container name, e.g., "Custodian.PST\Inbox"
INTMSGID	Email Message-ID
CONVERSATIONINDEX	Microsoft email Conversation Index or other email thread identifier generated during processing.
FILENAME	File name of a document
AUTHOR	File meta data for document author

FILEPATH	Original file system path, not including file name
DATEMOD	Date last modified, file system meta data
TIMEMOD	Time last modified, file system meta data
DATECREATE	Date created, file system meta data
TIMECREATE	Time created, file system meta data
FILEEXT	File extension of document after last period in file name
NATIVEFILE	Relative path to file for documents being produced as native
TEXTFILE	Relative path to OCR or extracted text file
HASHVALUE	SHA-1 or MD5 checksum result, used to identify exact duplicates
PAGECOUNT	Number of pages comprising the document
REDACTED	An indication of whether the document has been redacted.
CONFIDENTIAL	Indication whether the document has been designated "Confidential"
ALLCUSTODIANS	Field that identifies additional custodians of the document in cases where duplicate copies of the document have been de-duplicated and do not appear in the production of other custodians.
SORTDATE	Date field used to pair attachments to parent documents for purposes of chronological sorting, which may include two subfields for FAMDATE and FAMTIME

9. *Native Form.* The following documents shall be produced in native form: video files; audio files; standalone database files such as MS Access; spreadsheets such as MS Excel; slide presentation files such as MS PowerPoint; project management and presentation files; BIM, DWG, and CAD files; executable software; and screen captures of websites. Documents produced natively shall be named for their BegBates value using the document's original file extension (e.g., BATES000001.xlsx). You shall not unreasonably refuse a request for the production of other documents in native form.
10. *Extracts.* You may request to produce extracts from non-standalone databases if producing the full database is unduly burdensome.
11. *TIFF Placeholder.* Documents produced natively shall have a Bates-numbered TIFF placeholder image associated with the native document with that Bates number.
12. *Document Families.* For ESI that is part of a document family (e.g. emails with attachments and documents containing embedded files), you shall

determine responsiveness by evaluating the entire document family. If any member of the document family is subject to production, you must produce all nonprivileged members of the same document family. You must ensure that the load file accompanying an ESI production clearly identifies document families and the relationships among the family members.

13. *Embedded Files.* Graphics, logos, or stock images embedded in a document need not be produced as separate files.
14. *Linked Files.* Non-public documents linked (e.g. by file path or URL) in a responsive, produced document need not be produced immediately (unless themselves responsive) but shall promptly be produced at our request.

B. Hard-Copy Documents.

Hard-copy documents shall be provided in the following format:

1. *TIFFs.* Single page 300dpi Group IV black and white TIFFs shall be provided unless otherwise stated in these Instructions. Copies of webpages and advertisements requested in the Subpoena, any documents conveying information via color coding, and any documents that are difficult to read in black and white should be produced as color JPG files.
2. *Database Load Files/Cross-Reference Files.* *Database Load Files/Cross-Reference Files.* Two load/unitization files shall be provided with all productions:
 - a. Metadata import file: DAT format, in ASCII format, using Concordance default delimiters to separate the fields and records. A path to the corresponding .TXT file should be included as a field in the metadata import file; and
 - b. Image Cross-Reference File: .OPT format, containing the corresponding image information and indicating page breaks.
3. *Unique IDs.* Each image shall have a unique file name which will be the Bates number of that page (e.g., BATES000001.TIFF). The Bates number must appear on the face of the image (e.g., BATES000001).
4. *OCR.* For each document an OCR text file shall be provided. Each file will be named for the beginning Bates number of its corresponding document (e.g., BATES000001.TXT).
5. *Unitizing of Documents.* When scanning paper documents, you shall undertake reasonable efforts to preserve the familial relationship between the documents and to ensure that distinct documents are not merged into a single record, and single documents are not split into multiple records (*i.e.*, you shall attempt to logically unitize scanned hard-copy documents).
6. *Objective Coding Fields.* The following objective coding fields shall be provided to the extent reasonably available:
 - a. Beginning Bates Number;
 - b. Ending Bates Number;
 - c. Beginning Attachment Bates Number;
 - d. Ending Attachment Bates Number; and
 - e. OCR (per B.4. above).

C. Objective Coding/Metadata Format.

The objective coding and/or electronic file metadata, including extracted text, shall be provided in the following format:

1. Fields shall be delimited by the default Eclipse/IPRO field delimiter for ANSI character 20 (¶);
2. String values within the fields file shall be enclosed with a text delimiter (b);
3. The first line shall contain objective coding and/or electronic file metadata headers and below the first line there shall be exactly one line for each document;
4. Each row of objective coding and/or electronic file metadata must contain the same number of fields as the header row;
5. Multi-values shall be separated by a semicolon (;); and
6. All files containing non-Western characters shall be provided in Unicode-compliant form.

For redacted ESI, metadata fields must be produced only to the extent such fields will not disclose redacted and/or privileged information.

We reserve the ability to request that additional Data Fields be set forth or provided for certain specified ESI upon review of your production(s).

You are not obligated to produce metadata from a document if metadata does not exist in the document, or if the metadata is not machine-extractable. Notwithstanding, certain fields identified above are derived or additive metadata (Custodian and Hash Value) which you must produce even though not otherwise existing in the document or machine-extractable.

D. Production Media.

Documents should be produced via SecureShare FTP if possible. If production via SecureShare FTP is not feasible, please consult with us regarding an acceptable alternative such as CD-ROM, DVD, portable hard drive, or another secure document sharing platform. Documents may be securely encrypted during transfer. The Production Media shall identify: (1) the producing party's name; (2) the production date; and (3) the Bates Number range of the materials contained on the Production Media.