

EXHIBIT C

IN THE CIRCUIT COURT IN THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

MICHAEL NORRIS, et al.,

Plaintiffs,

v.

DAVID ORTIZ, et al.,

Defendants.

COMPLEX BUSINESS DIVISION

CASE NO. 2022-022900-CA-01

**SUBPOENA FOR ZOOM DEPOSITION *DUCES TECUM* OF
SULLIVAN & CROMWELL LLP'S CORPORATE REPRESENTATIVE(S)**

TO: **Sullivan & Cromwell LLP, by and through its
corporate representative(s) with knowledge of
the subjects listed in Exhibit A, pursuant to
Florida Rule of Civil Procedure 1.310(b)(6).**

YOU ARE COMMANDED to appear before a person authorized to take depositions via **Zoom Conference (Contact Counsel for details) on Friday January 27, 2023 at 10:00AM EST, or such other mutually convenient date and time (Contact Counsel for details)**, for the taking of your deposition in this action. the deposition will be recorded by videoconference, stenography, or other means of recording your testimony.

Deponent is further required to bring to the examination the documents described in **Exhibit B** below.

If you fail to appear as specified or object to this subpoena, you may be in contempt of court. You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you must respond to this subpoena directly.

DATED: December 27, 2022

Harvey Ruvin
As Clerk of the Court

As Deputy Clerk:

Respectfully submitted,

By: /s/ Adam Moskowitz
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NYSCEF DOC. NO. 4

RECEIVED NYSCEF: 01/31/2023

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Co-Counsel for Plaintiffs

*Michael Norris, et al. v. David Ortiz, et al.***EXHIBIT A - 1.310(b)(6) DESIGNATIONS****I. DEFINITIONS AND INSTRUCTIONS**

Unless otherwise specified, the terms set forth below have the following meanings:

1. “Sullivan & Cromwell,” “S&C,” “You,” or “Your” means Sullivan & Cromwell LLP, any of its affiliates, subsidiaries, divisions, segments, predecessors, successors, officers, directors, employees, representatives, or agents.
2. “FTX Entities” means FTX Trading LTD d/b/a FTX (“FTX Trading”) and West Realm Shires Services Inc. d/b/a FTX US (“FTX US”), and any of their affiliates, subsidiaries, divisions, segments, predecessors, successors, officers, directors, employees, representatives, or agents.
3. “Voyager Entities” means Voyager Digital LTD and Voyager Digital LLC, and any of their affiliates, subsidiaries, divisions, segments, predecessors, successors, officers, directors, employees, representatives, or agents.
4. “FTX Platform” refers to the FTX Entities’ mobile application and/or web-based cryptocurrency investment service that places cryptocurrency trade orders on behalf of users.
5. “Voyager Platform” refers to the Voyager Entities’ mobile application cryptocurrency investment service that places cryptocurrency trade orders on behalf of users.
6. “YBAs” refers to the Yield-Bearing Accounts offered by the FTX Entities on the FTX Platform.
7. “EPAs” refers to the interest-bearing Earn Program Accounts offered by the Voyager Entities on the Voyager Platform
8. “FTT” refers to the native cryptocurrency exchange token of the FTX Platform ecosystem.

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9. “VGX” refers to the native cryptocurrency exchange token of the Voyager Platform ecosystem.

10. “Contracts and Agreements” is intended to and shall embrace and include all documents, forms, deeds, leases, memorandums of understanding, electronic correspondence, emails, letters and text messages that define rights and responsibilities between You and any related entity, or You and any other entity affiliated in any way with the promotion, marketing, sale, and servicing of Voyager’s mobile application cryptocurrency trading/investment platform.

11. “Document(s)” means any written, printed, typed or other graphic matter, of any kind or nature, whether in hard copy or electronic format, whether the original, draft, or a copy and copies bearing notations or marks not found on the original, including but not limited to memoranda, reports, recommendations, notes, letters, envelopes, post-its, emails, telegrams, messages, manuscripts, studies, analyses, tests, comparisons, books, articles, pamphlets, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, minutes, agreements, contracts, and all other written communications, of any type, including inter and intra-office communications, purchase orders, invoices, bills, receipts, questionnaires, surveys, charts, graphs, videos, photographs, sketches, drawings, house sheets, tapes, voice messages or other recordings, print-outs or compilations from which information can be obtained or, if necessary, translated through detection devices into reasonably usable form, including all underlying or preparatory materials and drafts thereof.

12. “Communication(s)” means any mode or method of contact for the transmission, dissemination, request for, or receipt of information of any kind including thoughts, mental impressions, ideas, suggestions, etc., conveyed in any format, and by any means or medium whatsoever. This shall include, but shall not be limited to, all statements, admissions, denials,

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inquiries, discussions, conversations, negotiations, agreements, contracts, understandings, meetings, telephone conversations, voice messages, letters, correspondence, notes, telegrams, telexes, emails, advertisements, or any other form of written or verbal intercourse. The requests include communication to, from, or within a corporate entity or organization and include any and all communications by, between, and among its representatives, employees, agents, advisors, brokers, or attorneys (except when privileged).

13. The words “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information which might otherwise be construed as to be outside the scope of these discovery requests.

14. “Relating to,” “relate to,” “regarding,” or “reflecting” means in any way directly or indirectly concerning, referring to, disclosing, describing, confirming, supporting, evidencing, representing, clarifying, evidencing, supporting, or contradicting.

15. “Support” means referring to, concerning, responding to, reflecting, indicating, commenting on, regarding, discussing, showing, evidencing, describing, implying, analyzing or consulting.

16. “Identify:” When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person. In all other aspects, “Identify” means to describe, explain, depict, and/or provide details of the information requested.

17. “Support” means referring to, concerning, responding to, reflecting, indicating, commenting on, regarding, discussing, showing, evidencing, describing, implying, analyzing, or consulting.

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18. “Person” or “People” means any natural person(s) or any business, legal, or governmental entity (or entities) or association(s).

19. Unless otherwise stated in a request, the time period for which you must respond is beginning in January 1, 2019 and ending at the present time.

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II. DEPOSITION SUBJECTS

Pursuant to Rule 1.310(b)(6), S&C shall designate and produce for deposition one or more of its officers, directors, managing agents, or other persons who are knowledgeable about and consent to testify on its behalf concerning the following subject matters:

1. All Documents or Communications between You and any representatives of the FTX Entities or Voyager Entities regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

2. All Documents or Communications between You and any federal or state entity regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

3. All Documents or Communications between You and any investor, consumer, or member of the public regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

4. All Documents or Communications between You and any Brand Ambassador of FTX or Voyager regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act, as well as whether any Brand

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Ambassador was required to be a registered broker/dealer or possess a securities license to promote any of the foregoing offerings.

5. All documents authored by You, including but not limited to legal memorandums, white papers, electronic correspondence, and letters to third parties, regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

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1. All Documents or Communications between You and any representatives of the FTX Entities or Voyager Entities regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

2. All Documents or Communications between You and any federal or state entity regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

3. All Documents or Communications between You and any investor, consumer, or member of the public regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.

4. All Documents or Communications between You and any Brand Ambassador of FTX or Voyager regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act, as well as whether any Brand Ambassador was required to be a registered broker/dealer or possess a securities license to promote any of the foregoing offerings.

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5. All documents authored by You, including but not limited to legal memorandums, white papers, electronic correspondence, and letters to third parties, regarding whether the YBAs offered on the FTX Platform, the EPAs offered on the Voyager Platform, FTT, or VGX constituted a security required to be registered with the S.E.C., including whether any of the foregoing offerings were exempt from registration under the safe harbor provision of Regulation D of the Securities Act.