

1 Stanislav Arbit
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4 Phone: 480-818-4418
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6 Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA
10 PHOENIX DIVISION

13 **Stanislav Arbit**

14 Plaintiff,

15 vs.

17 **SCHNEIDER ELECTRIC**

18 **SE**, a foreign entity,

19 Defendant.

) CASE NO.:CV23-00533-PHX-SPL
)
) MOTION FOR EXPEDITED
) CONSIDERATION OF SUBPOENAS DUCES
) TECUM
) [GENERAL ORDER 18-19]
)
) MEMORANDUM OF POINTS AND
) AUTHORITIES
)
) DECLARATION OF STANISLAV ARBIT
)
)
)
) Complaint Filed: 03/29/23
) Judge Steven P. Logan

1 Due to ongoing violations of Title 18 U.S. Code § 1512, Plaintiff respectfully moves
2 the Court for expedited consideration for this motion for issuance of subpoenas duces tecum
3 for self-represented Plaintiff, Stanislav Arbit. This motion is further based upon the attached
4 Memorandum of Points of Authorities, the Declaration of Stanislav Arbit filed herewith; upon
5 the records and files in this action; and upon such further evidence and argument as may be
6 presented prior to or at the time of hearing on the motion. As stated in the declaration attached
7 herewith, an expedited review is necessary to ensure Plaintiff does not suffer immediate and
8 irredeemable harm.

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10 MEMORANDUM OF POINTS AND AUTHORITIES IN
11 SUPPORT OF MOTION FOR DUCES TECUM

12 [General Order 18-19]

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14 I.

15 INTRODUCTION

16 Plaintiff filed the complaint on 03/29/23 (Dkt. 1). Docket Document #7 is an order
17 granting Motion for Leave to Proceed In Forma Pauperis, signed by Judge Steven P Logan on
18 04/3/23. Docket Document #9 describes Plaintiff's attempts to request waiver of service.
19 Plaintiff motioned for service by U.S. marshals (Dkt. 12) and the motion was granted (Dkt
20 14). Docket Document #15 describes attempts by U.S. marshals to obtain waiver of service
21 and subsequent service in person. Defendant was granted a motion for extension of time to
22 file an answer and has until (Dkt. 20) August 25, 2023 to do so.

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24 II.

25 GENERAL ORDER 18-19 REQUIRES A MOTION FOR PRO SE LITIGANTS SEEKING
26 A SUBPOENA

27 GENERAL ORDER 18-19 provides as follows:
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1 IT IS ORDERED that any self-represented litigant who wishes to serve a
2 subpoena must file a motion with the Court for issuance of the subpoena.
3 The motion must (1) be in writing, (2) attach a copy of the proposed
4 subpoena, (3) set forth the name and address of the witness to be
5 subpoenaed and the custodian and general nature of any documents
6 requested, and (4) state with particularity the reasons for seeking the
7 testimony and documents. The assigned judge shall determine whether
8 the requested subpoena shall issue. Issuance of the subpoena shall not
9 preclude any witness or person subpoenaed, or other interested party,
10 from contesting the subpoena.

11 Pursuant to this order, Plaintiff requests a subpoena duces tecum for the following
12 individuals's email records (listed in order of interest):

- 13 1. Annette Clayton; CEO & President Schneider Electric North America; email:
14 annette.clayton@se.com;
- 15 2. Aamir Paul; President Schneider Electric North America; email:
16 aamir.paul@se.com;
- 17 3. Pankaj Sharma; Executive Vice President, Secure Power Division at Schneider
18 Electric; email: pankaj.sharma@se.com.

19 The subpoena is to be served on Microsoft. Microsoft is the email cloud provider for
20 the domain se.com used by the defendant. Microsoft's address is:

21 One Microsoft Way
22 Redmond, WA 98052 USA

23 The time period described in the attached declaration covers the entire time period of
24 the trademark at issue in this case—August 2021—present. If the court wishes, the scope can
25 be limited to August 2023.

26 As stated in the declaration filed herewith, Plaintiff requests this subpoena for the
27 following reasons:
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1 At the beginning of 2021 I was only selling SE products. Later in the year I added
2 other vendors, in addition to SE. It was at that time I received, at my home, a direct, by name,
3 death threat from an unknown individual. Around the same time, an unknown individual
4 made a more veiled threat on my pet's health, directly to me. Soon after, my dog fell ill. My
5 computer was also, without a doubt, hacked. Other incidents began occurring that match the
6 description in paragraph 4 of the declaration. The SecurePower® trademark was registered
7 around this time.

8 Around the time the summons (Dkt. 15) was served by USMS, I started experiencing
9 highly unusual technical issues; such as intermittent packet loss at approximately 50% with a
10 traceroute command showing intermittent "no route to host". Around the same time, I also
11 initiated a bulk email marketing effort to promote Defendant's biggest competitors.

12 As stated in the declaration filed herewith, The communication between myself and
13 Defendant's lawyer, Mr. Strand, experienced an anomaly.

14 There exists reasonable grounds to believe a sophisticated scheme of witness
15 tampering and intimidation is being employed—presumably, in an effort to quash the
16 business and legal threats I pose. The scheme is highly organized, resource intensive, and
17 typically coupled with plausible deniability and a slew of odd characters. The underlining
18 mechanics of their novel setup are, by design, difficult to express in a motion but involve
19 multiple sections of 18 U.S. Code § 1512. The sheer complexity of this over-engineered
20 system of subterfuge serves as a cover when misapplied to a pauper such as myself, Stanislav
21 Arbit, Plaintiff.

22 As stated in my complaint (Dkt. 1), on information and belief, I alleged that the
23 trademark infringement of the SecurePower® mark by Schneider Electric was malicious and
24 good cause exists to subpoena Schneider Electric's emails from their email cloud provider —
25 Microsoft.
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III.

CONCLUSION

For all of the foregoing reasons, it is respectfully requested that the Court issue subpoenas duces tecum.

Respectfully submitted,

By: Stanislav Arbit
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