

# UNITED STATES DISTRICT COURT

for the  
Northern District of Georgia

## SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: City of Atlanta  
c/o Nina Hickson, Department of Law  
55 Trinity Avenue, Suite 5000  
Atlanta, GA 30303

**YOU ARE COMMANDED** to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: GJ# 2-19 United States Courthouse 75 Ted Turner Dr. SW, Room 2037, Atlanta, GA 30303	Date and Time: July 23, 2019
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You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):  
See Attachment

Although the law does not prohibit disclosure, it is requested that you do not disclose the existence of this subpoena. Any such disclosure could impede the investigation being conducted.



CLERK OF COURT

Date: June 7, 2019

*James M. Hester*  
\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

Jeffrey W. Davis *JWD*  
75 Ted Turner Dr. SW Suite 600 Atlanta, GA 30303  
404-581-6323, Jeffrey.Davis2@usdoj.gov  
FBI/Hosty, J.

## SUBPOENA ATTACHMENT

City of Atlanta  
c/o Nina Hickson  
Department of Law  
55 Trinity Avenue, Suite 5000  
Atlanta, GA 30303

Please produce the following records<sup>1</sup>:

1. All personnel, employment, compensation, disciplinary history, and ethics/ethics training records for Jimmie "Jim" A. Beard;
2. All City of Atlanta Financial Disclosure Statements, Requests for Permission to Perform Outside Employment Forms, and Ethics Pledge completed by or associated with Beard;
3. All payroll, tax, and other compensation records for Beard, including but not limited to pay stubs, check copies, and IRS Forms W-2 or 1099;
4. All records related to or associated with the following firearms and equipment: (a) a Glock 43, bearing serial number ABST705; (b) a Glock 19, assigned to Beard; (c) a Daniel Defense AR-15, bearing serial number DDM4073809; (d) a Daniel Defense AR-15, bearing serial number DDM4073808; (e) an Aimpoint Micro T-2 Sight, (f) an Aimpoint Micro Spacer High; and (g) any other firearms assigned to Beard;
5. All records related to Invoice Numbers JAB02112014 and 012216, and the expenditure records associated with the listed invoice numbers;
6. From January 1, 2015 to April 1, 2018, all emails (including attachments) sent or received by Beard's City of Atlanta email account; and
7. From January 1, 2014 to December 31, 2017 (unless previously produced), all records related to City of Atlanta travel and reimbursements for Beard.

**ALL PRODUCED RECORDS SHOULD INDICATE THE SUBPOENA ATTACHMENT NUMBER TO WHICH THE RECORDS ARE RESPONSIVE.**

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<sup>1</sup> For this subpoena, the term "records" includes all traditional hard copy records and all electronic records, including but not limited to: emails and attachments, text messages, voicemails, and instant messages.



**U.S. Department of Justice**  
United States Attorney  
Northern District of Georgia

*Richard Russell Federal Building  
75 Ted Turner Dr. S.W., Suite 600  
Atlanta, Georgia 30303*

*Telephone: (404) 581-6000  
Fax: (404) 581-6181*

Custodian of Records

Re: Certification of Authenticity of Business Records

Dear Sir or Madam:

The attached federal grand jury subpoena directs your business to produce certain business records and/or information for use in a federal investigation. At some point in the future, it may be necessary to offer some or all of the documents as evidence in a federal trial in the United States District Court for the Northern District of Georgia. In the past, unless both parties stipulated to the admissibility of business records, it was necessary for a witness from the business to physically appear at trial and testify that the records were authentic, within the meaning of Rule 902 of the Federal Rules of Evidence, and that they were business records, within the meaning of Rule 803(6) of the Federal Rules of Evidence.

Effective December 1, 2000, Federal Rules of Evidence Rules 803(6) and 902 were amended to permit the foundation requirements of Rule 803(6) and the authenticity requirements of Rule 902 to be satisfied under certain circumstances without the expense and inconvenience of producing witnesses. I have attached a Business Record Certification form for a qualified representative of your business to sign. Please review the Certification to determine whether it is an accurate statement with regard to the referenced business records. If the Certification is accurate, please sign and return the original Certification along with the subpoenaed records to the grand jury clerk as directed by the subpoena. There is no guarantee that your business' custodian of records will not have to appear at trial to authenticate the business' records and lay the proper business record foundation. However, when appropriate, the United States Attorney's office will make every effort to use the Business Record Certification attached instead of the testimony of your custodian of records.

If you have any questions, please do not hesitate to contact me at (404) 581- 6323.

Sincerely,

BYUNG J. PAK  
UNITED STATES ATTORNEY

/s/ Jeffrey W. Davis

ASSISTANT U.S. ATTORNEY

Enclosures

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT TO  
FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, \_\_\_\_\_, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, attest that the information contained in this certification is true and correct. I am employed by \_\_\_\_\_ (“Company”), and my title is \_\_\_\_\_. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Company. The attached records consist generally of \_\_\_\_\_. I further state that:

1. All records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Company, and they were made by Company as a regular practice; and
2. To the extent the records were generated by an electronic process or system, such records were generated by Company’s electronic process or system that produces an accurate result, to wit:
  - a. The records were copied from electronic device/s, storage medium/s, or file/s in the custody of Company in a manner to ensure that they are true duplicates of the original records; and
  - b. The process or system is regularly verified by Company, and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Federal Rules of Evidence 902(11) and 902(13).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

NORTHERN DISTRICT OF GEORGIA

GRAND JURY PROCEEDINGS

GRAND JURY NO. 2-19

WAIVER OF APPEARANCE  
AND  
DOCUMENT RECEIPT

I, \_\_\_\_\_, of \_\_\_\_\_,  
have custody and control of the documents requested in the attached subpoena. I would prefer  
that:

- ( ) I will mail the requested documents via USPS mail or FedEx to:  
Jeffrey W. Davis, Attn: Grand Jury, U.S. Attorney's Office, Suite 600, 75 Ted Turner  
Dr., S.W., Atlanta, Georgia 30303
- ( ) I will email the requested documents to Assistant United States Attorney  
Jeffrey W. Davis at jeffrey.davis2@usdoj.gov
- ( ) \_\_\_\_\_  
the above-named agent take custody of these documents and present them to the grand  
jury;

in lieu of actual appearance by myself. Submission of the requested documents is fully complied  
with, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
SIGNATURE OF PERSON SUBMITTING DOCUMENTS

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF PERSON RECEIVING DOCUMENTS

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF GRAND JURY FOREPERSON