

## Responding to a Subpoena Duces Tecum

A **subpoena duces tecum** is a legal order requiring the production of documents or digital data. Handling these properly is essential to avoid **reputational risk**, legal penalties, or the accidental disclosure of protected information.

### WHEN TO TAKE ACTION

Failing to respond correctly to a subpoena can result in **contempt of court** or other sanctions. Contact a **criminal defense** attorney immediately if:

- **The subpoena arrives from a federal agency:** This may indicate an active **criminal investigation**.
- **The scope is overbroad or burdensome:** You need counsel to identify valid objections and negotiate the timeframe.
- **The deadline is imminent:** Prompt action is critical to preserve your rights and meet legal obligations.

### HOW TO TAKE ACTION

- **Consult Legal Counsel Immediately:** Counsel can determine the validity of the subpoena and identify objections like privilege.
- **Issue a Litigation Hold:** Ensure all relevant materials are preserved and not destroyed or altered.
- **Conduct a Privileged Review:** Review all gathered documents for confidentiality before production.
- **Quash or Modify if Necessary:** If compliance is not feasible, our **white collar defense** team can file motions to protect your interests

Contact Dykema's White Collar Defense and Government Investigations practice today for a confidential consultation.

**Mark Chutkow**

Member, Bloomfield Hills  
248-203-0715  
mchutkow@dykema.com

**Jennifer Beidel**

Member, Bloomfield Hills  
248-203-0506  
jbeidel@dykema.com

**Leigha Simonton**

Member, Dallas  
214-462-6444  
lsimonton@dykema.com