

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FILED

AUG 19 2022

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY JMA DEP CLK

National Association of REALTORS®,

Petitioner,

v.

PIUS Limited, LLC

Respondent.

Misc. Case No. 5:22-MC-17-RN

REX – Real Estate Exchange, Inc.,

Plaintiff,

v.

Zillow, Inc., et al.

Defendants.

Underlying Case:

Case No. 2:21-cv-00312-TSZ

United States District Court  
for the Western District of Washington

**THE NATIONAL ASSOCIATION OF REALTORS®' MOTION TO COMPEL  
COMPLIANCE WITH A SUBPOENA TO PIUS LIMITED, LLC**

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, the National Association of REALTORS® respectfully moves, through counsel, for an order compelling PIUS Limited, LLC to produce certain documents in its possession in compliance with a subpoena that NAR has served on PIUS in connection with *REX - Real Estate Exchange, Inc v. Zillow, Inc.*, Case No. 2:21-cv-00312-TSZ (W.D. Wa.).

Pursuant to Local Civil Rule 7.1(c)(2), NAR has attached to this motion copies of the subpoena (Exhibit A), proof of service of the subpoena (Exhibit B), PIUS's objections to the subpoena (Exhibit C), and subsequent correspondence between NAR and PIUS regarding the subpoena (Exhibits D and E). As described NAR's accompanying memorandum of law, the documents requested through the subpoena are relevant to the claims and defenses raised by the parties in the REX litigation. To date, PIUS has not produced any documents required by the subpoena, and has stated that it is standing on its objections.

Pursuant to Local Civil Rule 7.1(c)(2), NAR certifies that it has made a good faith efforts to resolve its dispute with PIUS concerning compliance with the subpoena prior to filing this motion. *See* Ex. D.

NAR respectfully requests that this motion be granted and that an order be entered compelling PIUS to produce the documents sought in Requests for Production 1 through 9, which were attached to the subpoena.

DATED: August 19, 2022

Respectfully submitted,

/s/ Joseph D. Hammond

Joseph D. Hammond

N.C. State Bar No. 45657

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*Special Appearance Attorneys for Movant National Association of REALTORS® (notices of special appearance forthcoming)*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2022, I caused a true and correct copy of the foregoing to be served by United States mail and electronic mail on the following party and counsel of record:

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c/o Registered Agent  
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Raleigh, NC 27615

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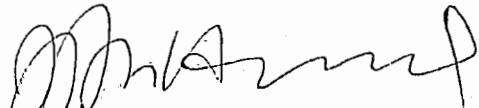
*Attorneys for Plaintiff REX – Real Estate  
Exchange Inc.*

DATED: August 19, 2022.

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August 19, 2022

**VIA HAND DELIVERY**

Clerk of District Court  
Eastern District of North Carolina  
310 New Bern Avenue  
Raleigh, North Carolina 27601

Re: *National Association of REALTORS® v. PIUS Limited, LLC, et al.*

Dear Sir or Madam:

Enclosed for filing please find an original and one copy of the following documents on behalf of the Petitioner National Association of REALTORS® in the above-referenced matter:

1. Motion to Compel Compliance with a Subpoena to PIUS Limited, LLC;
2. Memorandum of Law in support of Motion to Compel;
3. Supporting Exhibits (A - H) to Memorandum of Law; and
4. Notice of Appearance of Joseph Hammond.

Enclosed please find our firm's check in the amount of \$49.00 for the requisite Miscellaneous filing fee. Additionally, I am enclosing a courtesy copy for your reference of the Amended Complaint [WDWA Case No. 2:21-cv-00312-TSZ, DKT 99] from the original action in Western District of Washington.

Upon filing, please return a file-stamped copy of the enclosed to our courier.

We appreciate your assistance with this matter, and if you have any questions or require any additional information, please do not hesitate to let me know.

Sincerely,

ELLIS & WINTERS LLP

Crystal L. Boyd,  
North Carolina Certified Paralegal

Enclosures

ELLIS & WINTERS LLP

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