

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA**

MS. DEBORAH SANDOVAL  
2638 Capitol Ave.  
Des Moines, IA 50317

and

MR. SALVADOR SANDOVAL  
1224 SE VILLAGE VIEW LANE  
ANKENY, IA 50023

Plaintiff,

vs.

NANCY PELOSI, in her official  
capacity as Speaker of the United States  
House of Representatives.  
Office of the Speaker.  
The U.S. Capitol. Suite H-232,  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-0100

and

BENNIE G. THOMPSON, in his official  
capacity as Chair of the Select Committee  
to Investigate the January 6th Attack on the  
United States Capitol.  
Rayburn House Office Building Suite 2466  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-5876

and

ELIZABETH L. CHENEY, in her official  
capacity as a member of the United States  
House of Representatives.  
Cannon House Office Building, Suite 416  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-2311

Civil Case No.

and

ADAM B. SCHIFF, in his official  
capacity as a member of the United States  
House of Representatives  
Rayburn House Office Building, Suite 2309  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-4176

and

JAMIE B. RASKIN, in his official  
capacity as a member of the United States  
House of Representatives;  
Rayburn House Office Building, Suite 2242  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-5341

and

SUSAN E. LOFGREN, in her official  
capacity as a member of the United States  
House of Representatives  
Longworth House Office Building, Suite 1401  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-3072

and

ELAINE G. LURIA, in her official  
capacity as a member of the United States  
House of Representatives.  
Cannon House Office Building, Suite 412  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-4215

and

PETER R. AGUILAR, in his official  
capacity as a member of the United States  
House of Representatives  
Cannon House Office Building, Suite 109

U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-3201

and

STEPHANIE MURPHY, in her official  
capacity as a member of the United States  
House of Representatives  
Longworth House Office Building, Suite 1710  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-4305

and

ADAM D. KINZINGER, in his official  
capacity as a member of the United States  
House of Representatives.  
Rayburn House Office Building, Suite 3635  
U.S. House of Representatives  
Washington, D.C. 20515  
Telephone: (202) 225-3201

and

SELECT COMMITTEE TO  
INVESTIGATE THE JANUARY 6TH  
ATTACK ON THE UNITED STATES  
CAPITOL  
Longworth House Office Building  
Washington, DC 20515  
Telephone: (202) 225-7800

and

JOHN WOOD, in his official capacity as  
Investigative Counsel for the Minority Members of  
the House Select Committee to Investigate the  
January 6 Attack on the United States Capitol.  
Longworth House Office Building  
Washington, DC 20515  
Telephone: (202) 225-7800

and

TIMOTHY J. HEAPHY, in his official capacity

Chief Investigative Counsel for the House  
Select Committee to Investigate the January  
6 Attack on the United States Capitol  
Longworth House Office Building  
Washington, DC 20515  
Telephone: (202) 225-7800

T-MOBILE  
12920 S.E. 38<sup>th</sup> Street  
Bellevue, WA 98006

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND  
QUASH A SUBPOENA AGAINST HOUSE SELECT COMMITTEE TO  
INVESTIGATE THE JANUARY 6 ATTACK ON THE UNITED STATES  
CAPITOL SUBPOENA**

Plaintiff, Salvador Sandoval, at all times relevant herein, a permanent resident of Ankeny, Iowa, seeks a declaratory judgment pursuant to Rule 57 of the Federal Rules of Civil Procedure ("FRCP") and 28 U.S.C. §2201, *et seq.*, for an injunction and pursuant to 18 U.S.C. §2702, and a motion for a speedy summary proceeding under Rule 57 of the Federal Rules of Civil Procedure ("FRCP") to grant the relief requested herein as soon as possible, and for emergency injunctive relief under Rule 65 thereof consistent with the declaratory judgment requested herein on that same date, and for their grounds, state as follows:

1. Plaintiff, Salvador Sandoval, Jr., brings his complaint to vitiate and prohibit the enforcement of an overly-broad Subpoena from the SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL of the U.S. House of Representatives (the “Select Committee”) issued to one or more telecommunications providers including T-Mobile (the “Telecommunications Subpoenas”), without legal authority in violation of the Constitution and laws of the United States.
2. Congress enacted 18 U.S.C. § 2702 to limit the release of information from telecommunications companies about the users (“subscribers”) of the telecommunication companies and their private use of communication systems, excluding itself from that law. See 18 U.S.C § 2702(a)(1-3).
3. This request for relief focuses on the Select Committee’s Subpoena to T-Mobile requiring T-Mobile to provide the following information related to Ms. Sandoval’s T-Mobile Account which also includes Mr. Sandoval’s cellular telephone number on a family account plan for the period of **November 1, 2020, through January 31, 2021.**

The Subpoena seeks:

1. **Subscriber Information:** All subscriber information for the Phone Number, including:
  - a. Name, subscriber name, physical address, billing address, e-mail address, and any other address and contact information;
  - b. All authorized users on the associated account;
  - c. All phone numbers associated with the account;

- d. Length of service (including start date) and types of service utilized;
  - e. Telephone or instrument numbers (including MAC addresses), Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEI”), Mobile Equipment Identifier (“MEID”), Mobile
  - f. Activation date and termination date of each device associated with the account;
  - g. Any and all number and/or account number changes prior to and after the account was activated;
  - h. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol (“IP”) addresses); and
2. Connection Records and Records of Session Times and Durations: All call, message (SMS & MMS), Internet Protocol (“IP”), and data-connection detail records associated with Phone Numbers, including all phone numbers, IP addresses, or devices that communication with the Phone Number via delivered and undelivered inbound, outbound, and routed calls, messages, voicemail, and data connections.
- 4. The broad Subpoena is issued by Authority of the House of Representatives of the Congress of the United States of America signed by Chairman Bennie Thompson on February 1, 2022.
  - 5. The Select Committee has never requested Mr. Sandoval to cooperate with the Committee.
  - 6. Mr. Sandoval is currently charged as a defendant with multiple felony counts in the U.S. District Court for the District of Columbia, case number Criminal No. 1:21-cr-00195-TFH.
  - 7. The Select Committee is engaged in a fishing expedition, which is constitutionally prohibited from such activity through the separation of powers.
  - 8. The subpoena is a blanket command for T-Mobile to submit to the committee private and personal phone records from Salvador Sandoval, Jr. from

November 1, 2020 through January 31, 2021.

9. The zeal of the Select Committee's breadth and invasion into private matters pursuant to the subpoena is as bizarre as a banner headline in the National Enquirer.
10. This Court has subject matter jurisdiction, pursuant to 28 U.S.C. § 1331, because this action arises under the Constitution and laws of the United States.

Wherefore, Plaintiffs asks the Court to quash the subpoena enter judgment in their favor and against Defendants and to order the following relief:

- a. A declaratory judgment that the T-Mobile Subpoena are ultra vires, unlawful, and unenforceable;
- b. A declaratory judgment that the T-Mobile Subpoena, in part or in whole, serves no valid legislative purpose and exceed the Select Committee's Constitutional authority;
- c. A declaratory judgment that the T-Mobile Subpoena violates Mr. Sandoval's First Amendment rights;
- d. A declaratory judgment that the T-Mobile Subpoena violates Mr. Sandoval's Fourth Amendment rights;
- e. A declaratory judgment that compliance with the T-Mobile Subpoena violates the Plaintiffs' right under the Sixth Amendment.
- f. A declaratory judgment that compliance with the T-Mobile Subpoena would violate Stored Communications Act;
- g. An injunction quashing the T-Mobile Subpoena and prohibiting

their enforcement by Defendants;

- h. An injunction prohibiting Defendants from imposing sanctions for noncompliance with the T-Mobile Subpoena;
- i. An award in favor of Plaintiff for his reasonable expenses, including attorneys' fees and costs, incurred as a result of the T-Mobile Subpoena; and
- j. Any and all other relief that the Court deems just and proper.

Dated: February 15, 2022

**RESPECTFULLY SUBMITTED:**

**KUTMUS, PENNINGTON & HOOK, PC**

/s/ William Kutmus

William Kutmus AT0004450  
[Bill@KPHlawfirm.com](mailto:Bill@KPHlawfirm.com)

/s/ Trever Hook

Trever Hook AT0003580  
5000 Westown Parkway, Suite 310  
West Des Moines, IA 50266  
Phone: (515) 288-3339  
Fax: (515) 288-8629  
[Trever@KPHlawfirm.com](mailto:Trever@KPHlawfirm.com)

**ATTORNEYS FOR DEFENDANT  
SALVADOR SANDOVAL, JR.**



**Subject:** Subpoena  
**Date:** Monday, February 14, 2022 at 11:42:15 AM Central Standard Time  
**From:** Deborah Sandoval  
**To:** Trevor Hook  
**Attachments:** IMG\_3213.jpg, IMG\_3215.jpg, IMG\_3214.jpg

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**SUBPOENA**  
**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE  
CONGRESS OF THE UNITED STATES OF AMERICA**

To T-Mobile

You are hereby commanded to be and appear before the  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
of the House of Representatives of the United States at the place, date, and time specified below.

to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: 1540A Longworth House Office Building, Washington, DC 20515  
Date: February 15, 2022 Time: 10:00 a.m.

to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

To any authorized staff member or the United States Marshals Service  
\_\_\_\_\_ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at  
the city of Washington, D.C. this 1st day of February, 2022.

Attest: [Signature]  
[Signature]  
Chairman or Authorized Member

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T-Mobile  
Page 3

#### SCHEDULE

In accordance with the attached definitions and instructions, you, T-Mobile, are hereby required to produce the documents and records ("Records") listed in Section A, below, for the time period November 1, 2020, to January 31, 2021, concerning the phone numbers listed in Section B, below (the "Phone Numbers"). This schedule does not call for the production of the content of any communications or location information.

Please email the records to [SELECT\\_CLERKS@MAIL.HOUSE.GOV](mailto:SELECT_CLERKS@MAIL.HOUSE.GOV) or, in the alternative, send them by mail to 1540A Longworth House Office Building, Washington, DC 20515, care of Jacob Nelson, Select Committee to Investigate the January 6th Attack on the U.S. Capitol.

#### Section A – Records to Be Produced for Each Phone Number

1. **Subscriber Information:** All subscriber information for the Phone Number, including:
  - a. Name, subscriber name, physical address, billing address, e-mail address, and any other address and contact information;
  - b. All authorized users on the associated account;
  - c. All phone numbers associated with the account;
  - d. Length of service (including start date) and types of service utilized;
  - e. Telephone or instrument numbers (including MAC addresses), Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifier ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Number ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), or International Mobile Equipment Identities ("IMEI") associated with the accounts;
  - f. Activation date and termination date of each device associated with the account;
  - g. Any and all number and/or account number changes prior to and after the account was activated;
  - h. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol ("IP") addresses); and
2. **Connection Records and Records of Session Times and Durations:** All call, message (SMS & MMS), Internet Protocol ("IP"), and data-connection detail records associated with the Phone Numbers, including all phone numbers, IP addresses, or devices that communicated with the Phone Number via delivered and undelivered inbound, outbound, and routed calls, messages, voicemail, and data connections.



Via UPS Overnight Service

February 7, 2022

Deborah Sandoval  
2638 CAPITOL AVE  
Des Moines, Iowa, 50317

Dear Sir or Madam,

T-Mobile USA, Inc. ("T-Mobile") received a subpoena for records related to a phone number associated with your T-Mobile account from the U.S. House Select Committee to Investigate the January 6th Attack on the United States Capitol. A copy of the relevant portions of the subpoena is included with this letter.

T-Mobile intends to produce records associated with your account in response to the subpoena on February 18, 2022, unless you or your representative provide the company with documentation no later than February 16, 2022, confirming that you have filed a motion for a protective order, motion to quash, or other legal process seeking to block compliance with the subpoena. Please direct any motion, legal process or question to T-Mobile's Legal and Emergency Response Team at [LERCustomerNotifications@T-Mobile.com](mailto:LERCustomerNotifications@T-Mobile.com).

Sincerely,

Legal and Emergency Response Team

**T-Mobile**

12920 SE 38<sup>th</sup> Street, Bellevue, WA 98006  
[www.t-mobile.com](http://www.t-mobile.com)