

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -X

Plaintiff,

____ Civ. _____ ()

- against -

REQUEST OF _____
TO TAKE EVIDENCE ABROAD
OF _____

Defendant.

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THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW
YORK TO THE APPROPRIATE JUDICIAL AUTHORITY IN _____:

WHEREAS, the above-captioned action is pending in our District Court for the
Southern District of New York in which _____

_____ are the
parties:

WHEREAS, _____ has alleged that _____
_____ and that the
testimony of _____, who resides within your jurisdiction,
would, at trial, aid in the establishment of the facts surrounding said fraud claim and that justice
cannot be completely done among the parties without such testimony.

WE THEREFORE REQUEST that in the interests of justice you issue an order by
your proper and usual process summoning said witness to appear before a duly appointed

Examiner of the Court forthwith to give testimony under oath by questions and answers upon oral deposition, such deposition to continue day to day until completion.

IT IS FURTHER REQUESTED that said Examiner cause said deposition to be reduced to writing and cause said deposition, with all exhibits marked and attested, to be returned to _____, under cover duly sealed and addressed to the Clerk of the United States District Court for the Southern District of New York, United States of America, for return thereto, and we shall be ready and willing to do the same for you in a similar case when required.

WITNESS, Hon. _____, U.S. District Judge of the District Court of the United States for the Southern District of New York, this _____ day of _____, _____.

Clerk of the United States District Court
for the Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

I, _____, U.S. District Judge of the United States District Court in and for the Southern District of New York, do hereby certify that _____, whose signature is attached to the letter hereto annexed, was at the date thereof the Clerk of the United States District Court in and for the Southern District of New York; that the official acts and doings of said Clerk are entitled to full faith and credit; and that the attestation to said letter of request is in due form of law. I further certify that the seal attached to said letter of request is the seal of this Court.

WITNESS my hand and seal of said Court in the City of New York on this _____ day of _____, in the year of our Lord _____.

United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

I, _____, Clerk in and for the United States District Court for the Southern District of New York, do hereby certify that Honorable _____, whose name is signed to the accompanying papers, is now, and was at the time of signing the same, a United States District Judge in and for the Southern District of New York.

IN WITNESS WHEREOF, I have hereunto set the seal of this District Court at the City of New York in the Southern District of New York, this ____ day of _____ in the year of our Lord _____.

Clerk of the Court