## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Plaintiff,

\_\_\_\_Civ. \_\_\_\_( )

- against -

REQUEST OF \_\_\_\_\_ TO TAKE EVIDENCE ABROAD OF

Defendant.

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                        | f 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