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15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA**
17 **FRESNO DIVISION**

18 E. & J. GALLO WINERY, a California
corporation,
19 Plaintiff,
20 v.
21 PROXIMO SPIRITS, INC., a Delaware
corporation; AGAVERA CAMICHINES, S.A.
DE C.V., a Mexico corporation; and DOES 1-25,
22 Defendants.
23

Case No. 1:10-CV-00411 LJO JLT

**COMMISSION TO TAKE DEPOSITION
OF AGAVERA CAMICHINES, S.A. DE
C.V., BY CRISTOBAL FRANCISCO
MARISCAL ESTRADA (FRCP 30(B)(6))**

1 **The People of the United States of America to any consul, vice consul or other consular**
2 **official of the United States of America resident in Mexico City, Mexico,**

3 **GREETINGS:**

4 You have been appointed and are authorized in accordance with the Order of the Honorable
5 Jennifer L. Thurston, Magistrate Judge of the United States District Court for the Eastern District of
6 California, to cause to come before you and to testify, under oath or on solemn affirmation, on oral
7 examination in a manner not inconsistent with the laws of Mexico, Defendant Agavera Camichines,
8 S.A. de C.V., pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, via testimony from
9 Cristobel Francisco Mariscal Estrada, Esq., commencing at 9:00 a.m. on December 1, 2010 at the
10 Four Seasons Hotel, Paseo de la Reforma #500, Colonia Juárez, México, D.F., México, as a witness
11 in this action, which is now pending undetermined in the United States District Court for the Eastern
12 District of California.

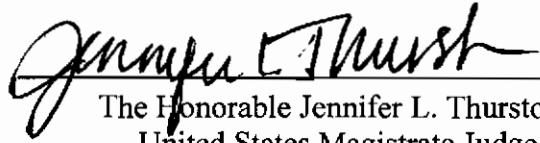
13 We do hereby require you, the Commissioner before whom such testimony may be taken, to:

- 14 1. Cause the testimony to be reduced to writing by a duly qualified shorthand reporter;
- 15 2. Request the person examined to read the written record of his testimony and to
16 subscribe his name at the end of it if he finds it accurately to reflect his testimony;
- 17 3. Close this written record under your hand and seal directed to the Clerk, United States
18 District Court for the Eastern District of California, Fresno Division, United States Courthouse, 2500
19 Tulare Street, Fresno, California, as soon as convenient after execution of this commission; and
- 20 4. Return the record with the title and number of this action and the notation, "Deposition
21 of Defendant Agavera Camichines, S.A. de C.V., upon testimony of Cristobel Francisco Mariscal
22 Estrada, Esq." endorsed on the envelope, by registered or certified mail to the Clerk of this Court.

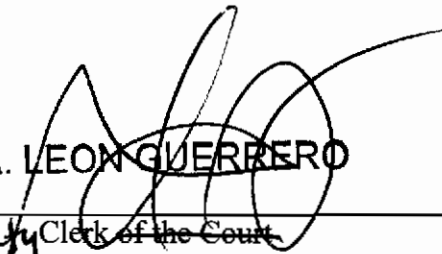
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1 The testimony of this witness will be taken in accordance with the attached Notice of Taking
2 Deposition of Agavera Camichines, S.A. de C.V., and pursuant Rule 30(b)(6) of the Federal Rules of
3 Civil Procedure.

4 Witness, the Honorable Jennifer L. Thurston, Magistrate Judge of the United States District
5 Court for the Eastern District of California, this 23rd day of November, 2010.

6
7 
8 The Honorable Jennifer L. Thurston
9 United States Magistrate Judge
10 for the Eastern District of California

11 Attest:

12 
13 A. LEON GUERRERO
14 Deputy Clerk of the Court
15 United States District Court
16 for the Eastern District of California