

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 24-mc-24301-BLOOM/Elfenbein

IN RE APPLICATION OF
FREDERICK J. WARREN FOR AN
ORDER UNDER 28 U.S.C. § 1782

ORDER ON EX PARTE APPLICATION FOR DISCOVERY

THIS CAUSE is before the Court upon the Application of one of the Claimants, Frederick J. Warren (“Applicant”), in *Alicia Grace et al., v. United Mexican States*, No. CV-24-00727935-00CL, for an order under 28 U.S.C. § 1782 to take discovery from Hogan Lovells US LLP (“Hogan Lovells”), ECF No. [1]. The Court has reviewed the Application, the record, and is otherwise fully advised.

The Application seeks documents from Hogan Lovells for use in proceedings in the Superior Court of Justice in Ontario, Canada, where the Applicant, along with other claimants from a prior NAFTA arbitration, seek to set aside an arbitration award pursuant to Ontario’s International Commercial Arbitration Act (“ICAA”). The Court finds that the Application meets the requirements for such relief set forth in 28 U.S.C. § 1782. As a party to the proceeding in Canada, Applicant is an “interested party” entitled to relief under the statute. The document discovery Applicant seeks from Hogan Lovells is for use in a foreign proceeding and Hogan Lovells can be found in the Southern District of Florida. Furthermore, this Court finds that the factors set forth in *Intel Corp. v. Advance Micro Devices, Inc.*, 542 U.S. 241 (2004) weigh heavily in favor of granting Applicant’s request for discovery for use in the matter of *Alicia Grace et al., v. United Mexican States*, No. CV-24-00727935-00CL, pending in the Superior Court of Justice in Ontario, Canada.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Applicant's Application for Discovery Pursuant to 28 U.S.C. § 1782 is **GRANTED**.
2. Applicant is authorized to issue the subpoena upon Hogan Lovells in substantially the same forms attached as Exhibit 2 to the Orta Declaration accompanying the Application, ECF No. [1-4] at 2-3.
3. Applicant and Hogan Lovells shall act in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court in executing and complying with the subpoenas.
4. The Clerk of Court is directed to **CLOSE** this case.

DONE AND ORDERED in Chambers at Miami, Florida, on November 22, 2024.

A handwritten signature in black ink, appearing to be 'JB' with a long horizontal stroke extending to the right.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record

Hogan Lovells US LLP
600 Brickell Avenue, Suite 2700
Miami, FL 33131