

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RISSMAN, HENDRICKS & OLIVERIO,  
LLP

Plaintiff,

vs.

MIV THERAPEUTICS, INC.,  
MIV SCIENTIFIC HOLDINGS, LTD.,  
BIOSYNC SCIENTIFIC PVT  
(a/k/a MIV INDIA)  
ALAN P. LINDSAY, CHRIS XUNAN  
CHEN  
AND PATRICK MCGOWAN

Defendants,

Civ. A. No. 11-10791-MLW

**PLAINTIFF'S MOTION FOR ISSUANCE OF A LETTER OF REQUEST  
FOR INTERNATIONAL JUDICIAL ASSISTANCE**

Pursuant to Rule 28 the Federal Rules of Civil Procedure, plaintiff, Rissman, Hendricks & Oliverio LLP ("RHO") respectfully moves the Court to issue the attached Letter of Request for Judicial Assistance in Canada, directed to the appropriate judicial authorities in Canada for the purpose of obtaining evidence and testimony for trial from non-party witnesses located in Canada.

**AUTHORITY AND REASONS FOR ISSUANCE OF LETTERS OF REQUEST**

1. Plaintiff believes that evidence, documents and records from the Bank of Nova Scotia located in Canada will assist this Court with determining whether a violation of the Court's April 13, 2011 Injunction and fraud on the plaintiffs has been committed by one or more of the defendants Chris Chen, MIV Therapeutics, Inc and Biosync Scientific PVT Ltd.
2. Issuance of a Letter of Request is the proper method for the taking of testimony of

*Allowed  
W. J. J.  
August 12, 2013*