

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

In re Application of MICHAEL PENNER and )  
STUART SYBERSMA in their capacity as )  
Joint Official Liquidators of BTU POWER )  
COMPANY (IN OFFICIAL LIQUIDATION) )  
for Order Granting Leave to Conduct Discovery )  
for Use in Proceeding in Foreign Tribunal )  
Pursuant to 28 U.S.C. § 1782, )  
Applicants. )  
\_\_\_\_\_  
)

C.A. No. 17-11526 J

17cv12136-IT

**ORDER REGARDING MOTION FOR LEAVE TO CONDUCT FURTHER  
SUPPLEMENTAL DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

Applicants Michael Penner and Stuart Sybersma in their capacity as Joint Official Liquidators (“JOLs”) of BTU Power Company (In Official Liquidation) (“BTUPC”) filed a Motion for Leave to Conduct Further Supplemental Discovery Pursuant to 28 U.S.C. § 1782 on October 10, 2019. By their Motion, the JOLs seek leave to subpoena documents and testimony from Christina Stephens for use in a foreign proceeding that the JOLs have initiated in the name of BTUPC against Wael Almazeedi in the Grand Court of the Cayman Islands.

It is hereby ORDERED that:

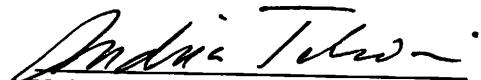
- (1) The JOLs shall promptly serve Ms. Stevens and Mr. Almazeedi with a copy of:  
(a) the JOLs’ Motion for Leave to Conduct Further Supplemental Discovery [#92]; (b) the Memorandum & Order of this Court dated March 14, 2019 [#78]; (c) the Memorandum & Order of this Court dated November 22, 2017 [#34]; (d) Fifth Affidavit of Michael Penner (Corrected) [#95] and attached Exhibits; (e) Fifth Affidavit of Thomas M. Ciampa [#94] and attached Exhibit; and (f) this Order;
- (2) Service upon Mr. Almazeedi may be accomplished by sending copies of the

applicable documents by email to Mr. Almazeedi at [walmazeedi@protonmail.com](mailto:walmazeedi@protonmail.com) and by United States mail to any known United States address(es) for Mr. Almazeedi;

(3) The JOLs shall promptly file certificate(s) documenting such service and shall serve copies of such certificates on Ms. Stephens and Mr. Almazeedi; and

(4) Any opposition by Ms. Stephens or Mr. Almazeedi to the JOLs' request that this court authorize limited discovery upon Ms. Stephens under 28 U.S.C. § 1782 and Intel Corp. v. Advanced Microdevices, Inc., 542 U.S. 241 (2004), shall be filed and served on the JOLs no later than two weeks after service of the motion.

SO ORDERED, this 16<sup>th</sup> day of October, 2019



United States District Judge