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15 *Attorneys for Plaintiffs*  
16 *Jysan Holding, LLC; and*  
*Jusan Technologies Ltd.*

17 **UNITED STATES DISTRICT COURT**  
18 **DISTRICT OF NEVADA**

19 JYSAN HOLDING, LLC, a Nevada Limited  
Liability Company; JUSAN  
20 TECHNOLOGIES LTD, an England and  
Wales Limited Company;

21 Plaintiffs,

22 v.

23 REPUBLIC OF KAZAKHSTAN, a foreign  
sovereign state; THE AGENCY FOR  
24 REGULATION AND DEVELOPMENT OF  
THE FINANCIAL MARKET OF THE  
25 REPUBLIC OF KAZAKHSTAN, a  
Kazakhstan Government agency; THE ANTI-  
26 CORRUPTION AGENCY OF THE  
REPUBLIC OF KAZAKHSTAN, a  
27 Kazakhstan Government anti-corruption  
agency ; THE FINANCIAL MONITORING  
28 AGENCY OF THE REPUBLIC OF

Case No.: 2:23-CV-00247-JAD-VCF

**MOTION TO REISSUE SUMMONSES**

HOLLAND & HART LLP  
9555 HILLWOOD DRIVE, 2ND FLOOR  
LAS VEGAS, NV 89134

1 KAZAKHSTAN, a Kazakhstan Government  
2 agency; THE COMMITTEE FOR  
3 NATIONAL SECURITY OF  
4 KAZAKHSTAN, a Kazakhstan Government  
5 intelligence agency; MADINA  
6 ABYLKASSYMOVA, an individual;  
7 OLZHAS KIZATOV, an individual; ARMAN  
8 OMARBEBKOV, an individual; and  
9 ADILBEK DZHAKSYBEKOV, an  
10 individual,

11 Defendants.

12 Plaintiffs Jysan Holding, LLC (“Jysan Holding”) and Jusan Technologies Ltd. (“JTL”)  
13 (collectively, “Plaintiffs”), in accordance with Fed. R. Civ. P. 4(j)(1) and 28 U.S.C. § 1608,  
14 hereby move to reissue summonses as to Defendants Republic of Kazakhstan, the Agency for  
15 Regulation and Development of the Financial Market of the Republic of Kazakhstan, the Anti-  
16 Corruption Agency of the Republic of Kazakhstan, the Financial Monitoring Agency of the  
17 Republic of Kazakhstan, and the Committee for National Security of Kazakhstan (collectively,  
18 “Foreign State Defendants”). This Motion to Reissue Summonses (“Motion”) is based on the  
19 attached Memorandum of Points and Authorities and the exhibits attached thereto.

20 DATED this 24th day of February 2023.

21 **HOLLAND & HART LLP**

22 */s/ J. Stephen Peek*

23 J. Stephen Peek  
24 Erica C. Medley  
25 9555 Hillwood Drive, 2nd Floor  
26 Las Vegas, NV 89134

27 Tariq Mundiya (*pro hac vice*)  
28 Jeffrey B. Korn (*pro hac vice*)  
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787 Seventh Avenue  
New York, New York 10019

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**WILLKIE FARR & GALLAGHER LLP**  
1875 K Street, NW  
Washington, DC 20006

*Attorneys for Plaintiffs*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 Plaintiffs move to reissue summonses as to the Foreign State Defendants to comply with  
4 the enlarged timeframe of 60 days, rather than 21 days, provided under 28 U.S.C. § 1608(d).  
5 Plaintiffs previously submitted—and the Clerk of Court issued—standard summons forms as  
6 to all Defendants. To cure any potential deficiencies with service, Plaintiffs respectfully request  
7 that the Court direct the Clerk of Court to reissue the summonses as to the five Foreign State  
8 Defendants.

9 **II. FACTS AND PROCEDURAL HISTORY**

10 On February 16, 2023, Plaintiffs filed their Complaint in this action. *See* ECF No. 1. Five  
11 of the nine Defendants are considered either “[a] foreign state or its political subdivision,  
12 agency, or instrumentality” under Fed. R. Civ. P. 4(j)(1). These Foreign State Defendants are  
13 the Republic of Kazakhstan, the Agency for Regulation and Development of the Financial  
14 Market of the Republic of Kazakhstan (“ARDFM”), the Anti-Corruption Agency of the  
15 Republic of Kazakhstan (“AARK”), the Financial Monitoring Agency of the Republic of  
16 Kazakhstan (“FMA”), and the Committee for National Security of Kazakhstan (“KNB”). *See*  
17 ECF No. 1, ¶¶ 13–17.

18 On February 21, 2023, Plaintiffs submitted to the Court proposed summonses to be issued  
19 to all Defendants using the standard form AO 440. *See* ECF No. 4. The next day, the Clerk of  
20 Court issued the summonses. *See* ECF No. 5. Thereafter, Plaintiffs discovered the potential  
21 confusion for the Foreign State Defendants if the summonses issued by the Clerk of Court listed  
22 a deadline of 21 days to respond to service of summons and complaint, despite  
23 28 U.S.C. § 1608(d), which provides a period of 60 days. Upon further research, Plaintiffs  
24 discovered that some federal district courts, such as the Southern District of New York and the  
25 District of Columbia, have standard summons forms to comply with 28 U.S.C. § 1608. *See*  
26 **Exhibit A**. Accordingly, Plaintiffs file the instant Motion to Reissue Summonses to cure any  
27 potential defects with service on the Foreign State Defendants and have proposed summonses  
28 for the Foreign State Defendants. *See* **Exhibit B**.

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**III. LEGAL ARGUMENT**

Federal Rule of Civil Procedure 4(j)(1) requires that service upon “[a] foreign state or its political subdivision, agency, or instrumentality must” be done in accordance with 28 U.S.C. § 1608. Rather than the standard 21 days provided for in a summons in a civil action, 28 U.S.C. § 1608 requires that a foreign state and its political subdivisions, agencies, and instrumentalities receive 60 days to serve an answer or other responsive pleading to the complaint. *See* 28 U.S.C. § 1608(d).

Here, Plaintiffs request that the Court direct the Clerk of Court to reissue summonses as to the Foreign State Defendants to comply with the requirements of 28 U.S.C. § 1608(d). In furtherance of this request, Plaintiffs attach **Exhibit A**, which includes two examples of forms from other federal district courts specifically tailored for 28 U.S.C. § 1608 and **Exhibit B**, which comprises the proposed revised summonses for the District of Nevada and addressed to each of the Foreign State Defendants.

**IV. CONCLUSION**

Plaintiffs respectfully request that the Court direct the Clerk of Court to reissue summonses as to the Foreign State Defendants, as proposed in Exhibit B.

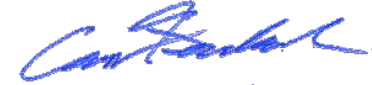
DATED this 24th day of February 2023.

**HOLLAND & HART LLP**

*/s/ J. Stephen Peek*  
\_\_\_\_\_  
J. Stephen Peek  
Erica C. Medley  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134

Tariq Mundiya (*pro hac vice*)  
Jeffrey B. Korn (*pro hac vice*)  
**WILLKIE FARR & GALLAGHER LLP**  
787 Seventh Avenue  
New York, New York 10019

IT IS SO ORDERED.

  
\_\_\_\_\_  
Cam Ferenbach  
United States Magistrate Judge

Michael J. Gottlieb (*pro hac vice*)  
**WILLKIE FARR & GALLAGHER LLP**  
1875 K Street, NW  
Washington, DC 20006

DATED February 28, 2023  
\_\_\_\_\_

*Attorneys for Plaintiffs*

HOLLAND & HART LLP  
9555 HILLWOOD DRIVE, 2ND FLOOR  
LAS VEGAS, NV 89134

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**INDEX OF EXHIBITS**

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**HOLLAND & HART LLP  
9555 HILLWOOD DRIVE, 2ND FLOOR  
LAS VEGAS, NV 89134**

# EXHIBIT A

Examples of Summonses Under  
28 U.S.C. § 1608

# EXHIBIT A

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

_____	)	
<i>Plaintiff</i>	)	
	)	
v.	)	Civil Action No.
	)	
_____	)	
<i>Defendant</i>	)	

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*ANGELA D. CAESAR, CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



28 USC 1608 Summons IH 6

4/17

UNITED STATES DISTRICT COURT  
for the  
Southern District of New York

_____	)	
Plaintiff	)	
	)	
v.	)	Civil Action No.
	)	
_____	)	
Defendant	)	

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:



If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**CLERK OF COURT**

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

▸ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

▸ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

▸ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

▸ I returned the summons unexecuted because \_\_\_\_\_; or

▸ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# EXHIBIT B

Proposed Summonses to Be Reissued for  
Foreign State Defendants

# EXHIBIT B

28 U.S.C. 1608 - Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Jysan Holding, LLC; Jusan Technologies LTD

Plaintiff(s)

v.

Republic of Kazakhstan et al.

Defendant(s)

Civil Action No. 2:23-CV-00247-JAD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Republic of Kazakhstan
c/o Mukhtar Tileuberdi, Minister of Foreign Affairs
Ministry of Foreign Affairs of the Republic of Kazakhstan
31, D. Kunaev Street
Astana, 010000
Republic of Kazakhstan

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen Peek Erica C. Medley Holland & Hart LLP 9555 Hillwood Dr., 2nd Fl. Las Vegas, NV 89134
Tariq Mundiya Jeffrey B. Korn Willkie Farr & Gallagher LLP 787 Seventh Ave. New York, NY 10019
Michael J. Gottlieb Willkie Farr & Gallagher LLP 1875 K Street, NW Washington, DC 20006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

28 U.S.C. 1608 - Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Jysan Holding, LLC; Jusan Technologies LTD

Plaintiff(s)

v.

Republic of Kazakhstan et al.

Defendant(s)

Civil Action No. 2:23-CV-00247-JAD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Agency for Regulation and Development of the Financial Market of the Republic of Kazakhstan
21, Koktem-3
Almaty, 050040
Republic of Kazakhstan

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen Peek Erica C. Medley Holland & Hart LLP 9555 Hillwood Dr., 2nd Fl. Las Vegas, NV 89134
Tariq Mundiya Jeffrey B. Korn Willkie Farr & Gallagher LLP 787 Seventh Ave. New York, NY 10019
Michael J. Gottlieb Willkie Farr & Gallagher LLP 1875 K Street, NW Washington, DC 20006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

28 U.S.C. 1608 - Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Jysan Holding, LLC; Jusan Technologies LTD

Plaintiff(s)

v.

Republic of Kazakhstan et al.

Defendant(s)

Civil Action No. 2:23-CV-00247-JAD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Anti-Corruption Agency of the Republic of Kazakhstan
37, Seifullin Street
Astana, 010000
Republic of Kazakhstan

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen Peek Erica C. Medley Holland & Hart LLP 9555 Hillwood Dr., 2nd Fl. Las Vegas, NV 89134
Tariq Mundiya Jeffrey B. Korn Willkie Farr & Gallagher LLP 787 Seventh Ave. New York, NY 10019
Michael J. Gottlieb Willkie Farr & Gallagher LLP 1875 K Street, NW Washington, DC 20006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

28 U.S.C. 1608 - Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Jysan Holding, LLC; Jusan Technologies LTD

Plaintiff(s)

v.

Republic of Kazakhstan et al.

Defendant(s)

Civil Action No. 2:23-CV-00247-JAD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Financial Monitoring Agency of the Republic of Kazakhstan
10, Beibitshilik Street
Astana, 010000
Republic of Kazakhstan

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen Peek Erica C. Medley Holland & Hart LLP 9555 Hillwood Dr., 2nd Fl. Las Vegas, NV 89134
Tariq Mundiya Jeffrey B. Korn Willkie Farr & Gallagher LLP 787 Seventh Ave. New York, NY 10019
Michael J. Gottlieb Willkie Farr & Gallagher LLP 1875 K Street, NW Washington, DC 20006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

28 U.S.C. 1608 - Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

Jysan Holding, LLC; Jusan Technologies LTD

Plaintiff(s)

v.

Republic of Kazakhstan et al.

Defendant(s)

Civil Action No. 2:23-CV-00247-JAD-VCF

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Committee for National Security of Kazakhstan
66, Syganak Street
Astana, 010000
Republic of Kazakhstan

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen Peek Erica C. Medley Holland & Hart LLP 9555 Hillwood Dr., 2nd Fl. Las Vegas, NV 89134
Tariq Mundiya Jeffrey B. Korn Willkie Farr & Gallagher LLP 787 Seventh Ave. New York, NY 10019
Michael J. Gottlieb Willkie Farr & Gallagher LLP 1875 K Street, NW Washington, DC 20006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk