

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Application of Alberto Safra for an Order to Take Discovery for Use in Foreign Proceedings Pursuant to 28 U.S.C. § 1782 : 1:21-mc-640-GHW
: : ORDER
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X

GREGORY H. WOODS, United States District Judge:

On August 31, 2021, Vicky Safra, as the executor and administrator of the Estate of Joseph Yacoub Safra, moved to intervene in this case. Dkt. Nos. 18–19. On September 3, 2021, Petitioner filed a response to the motion and consented to Vicky Safra’s intervention. Dkt. No. 22.

A district court

must grant an applicant’s motion to intervene under [Federal Rule of Civil Procedure] 24(a)(2) if (1) the motion is timely; (2) the applicant asserts an interest relating to the property or transaction that is the subject of the action; (3) the applicant is so situated that without intervention, disposition of the action may, as a practical matter, impair or impede the applicant’s ability to protect its interest; and (4) the applicant’s interest is not adequately represented by the other parties.

Laroe Ests., Inc. v. Town of Chester, 828 F.3d 60, 66 (2d Cir. 2016), *vacated and remanded on other grounds sub nom. Town of Chester, N.Y. v. Laroe Ests., Inc.*, 137 S. Ct. 1645 (2017) (internal quotation marks omitted); *see also* FED. R. CIV. P. 24(a). “[F]ailure to satisfy *any one* of these four requirements is a sufficient ground to deny the application.” *Floyd v. City of New York*, 770 F.3d 1051, 1057 (2d Cir. 2014). “In seeking intervention under this Rule, the proposed intervenor bears the burden of demonstrating that it meets the requirements for intervention.” *Kamdem-Ouaffo v. PepsiCo, Inc.*, 314 F.R.D. 130, 134 (S.D.N.Y. 2016).

Considering these factors, the Court has reviewed Vicky Safra’s motion to intervene and concludes that she is entitled to intervention as of right. Accordingly, the motion to intervene is GRANTED.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 18.

SO ORDERED.

Dated: September 6, 2021
New York, New York



GREGORY H. WOODS
United States District Judge