

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE APPLICATION OF
ISABELLA HRANOV
FOR AN ORDER TO TAKE DISCOVERY
PURSUANT TO 28 U.S.C. §1782

21-mc-751(PKC)

ORDER

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CASTEL, District Judge:

The Court has reviewed the ex parte application for discovery of Deutsch Bank AG or in the alternative to Deutsch Bank Trust Corporation for use in a proceeding before a foreign tribunal. The Court has considered the mandatory factors, 28 U.S.C. § 1782, as well as the discretionary factors, Intel Corp. v. Advanced Micro Devices, Inc., 542 U.S. 241, 264-65 (2004), and preliminarily finds that that they are satisfied, except as to the undue burden factor as to which the Court will modify the request.

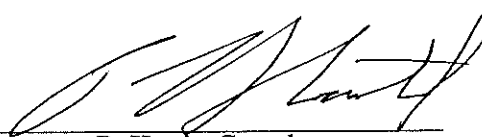
The Court will grant the application to the limited extent that Applicant may serve a subpoena under Rule 45, Fed. R. Civ. P., upon either Deutsch Bank AG or in the Deutsch Bank Trust Corporation.¹ The subpoena may seek the production of documents covered by items 1-4 and 6 of the document requests and testimony of a Rule 30(b)(6) witness on matters covered by items 1-4 and 6 of the document request. The request for an order allowing a forensic expert to examine certain systems and storage and retrieval apparatus is denied.

The Applicant shall serve a copy of this Order with the subpoena.

Motion (Doc 1) is GRANTED in part and DENIED in part; the motion should be terminated.

¹ Applicant does not seek to issue a subpoena to both entities. Applicant appears to be at sea as to the proper party to serve but that is Applicant's responsibility to determine and not the Court's, especially in the ex parte context.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Kevin Castel', written over a horizontal line.

P. Kevin Castel
United States District Judge

Dated: New York, New York
September 22, 2021