

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE :

APPLICATION UNDER 28 U.S.C. § 1782 TO TAKE DISCOVERY FROM BROOKFIELD INFRASTRUCTURE PARTNERS L.P., BROOKFIELD ASSET MANAGEMENT LTD., BROOKFIELD CORPORATION, CAHILL GORDON & REINDEL LLP, KPMG LLP, THE BANK OF NOVA SCOTIA, SCOTIA CAPITAL (USA) INC., SCOTIA HOLDINGS (USA) LLC, ARUP LATIN AMERICA S.A., ARUP AMERICAS, INC., CITIBANK, N.A., WELLS FARGO, N.A., JPMORGAN CHASE & CO., THE CLEARING HOUSE PAYMENTS COMPANY L.L.C., AND THE FEDERAL RESERVE BANK OF NEW YORK

Case No. 1:24-mc-00533

ORDER

Upon consideration of the application for an order under 28 U.S.C. § 1782 (the “Application”) to take discovery from Brookfield Infrastructure Partners L.P., Brookfield Asset Management Ltd., Brookfield Corporation, Cahill Gordon & Reindel LLP, KPMG LLP, The Bank of Nova Scotia, Scotia Capital (USA) Inc., Scotia Holdings (USA) LLC, Arup Latin America S.A., Arup Americas, Inc., Citibank, N.A., Wells Fargo, N.A., JPMorgan Chase & Co., The Clearing House Payments Company L.L.C., and The Federal Reserve Bank Of New York (together, the “Discovery Subjects”) submitted by the Metropolitan Municipality of Lima (“MML”)—and all papers submitted in support, including the Declaration of Richard Allemant and the Declaration of Scott Curtis Nielson, this Court finds that (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied, and (2) the factors identified by the United States Supreme

Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004) weigh in favor of granting the application.

It is therefore **ORDERED** that:

1. The Application is **GRANTED**;
2. The Applicant is authorized to take discovery relating to the issues identified in its application from the Discovery Subjects in accordance with the Federal Rules of Civil Procedure and the Rules of this Court, including by serving on the Discovery Subjects a subpoena duces tecum for a deposition and the production of the documents listed in the form subpoenas attached as Exhibits A–L to the Declaration of Scott Curtis Nielson;
3. The Discovery Subjects are hereby directed to comply with the subpoenas in accordance with the Federal Rules of Civil Procedure and the Rules of this Court, to produce all responsive documents and make witnesses available for deposition within thirty (30) days from the date of this Order; and
4. This Court shall retain such jurisdiction as is necessary to effectuate the terms of such subpoenas.
5. The grant of the Application is without prejudice to a challenge to the subpoenas, including their scope, and potential reconsideration of the application of the § 1782 factors. *See Gushlak v. Gushlak*, 486 F. App'x 215, 217 (2d Cir. 2012) (summary order).

IT IS SO ORDERED

New York, New York

Dated: __November 22, 2024



LEWIS J. LIMAN
United States District Judge