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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF REPUBLIC OF KAZAKHSTAN FOR ORDER DIRECTING DISCOVERY FROM THE CLEARING HOUSE PAYMENTS COMPANY L.L.C. PURSUANT TO 28 U.S.C. § 1782

Misc. Action No. 22-MC-367

<u>ORDER</u>

Upon consideration of the *ex parte* petition for assistance in aid of foreign proceedings pursuant to 28 U.S.C. § 1782 (the "Petition") submitted by Petitioner Republic of Kazakhstan ("Petitioner"), and all papers submitted in support thereof, the Court finds that (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied and (2) the factors identified in the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), weigh in favor of granting the Petition; and it is further

ORDERED that the Petition is **GRANTED**, and it is further

ORDERED that Petitioner is granted leave to serve this Order and the subpoena attached to the Petition as Exhibit A upon The Clearing House Payments Company L.L.C., and is authorized to issue additional subpoenas for the production of documents and/or depositions of The Clearing House Payments Company L.L.C. as Petitioner reasonably deems appropriate and as is consistent with the Federal Rules of Civil Procedure; and it is further

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ORDERED that The Clearing House Payments Company L.L.C. comply with such subpoenas in accordance with and subject to their rights under, the Federal Rules of Civil Procedure and the Rules of this Court, provided that this Order is without prejudice to any motion to quash or modify the subpoena pursuant to the Federal Rules.

Dated: December 29, 2022

J. PAUL OETKEN United States District Judge