

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 14-mc-21380-ALTONAGA

**IN RE: Request from the Italy Pursuant to
the Treaty Between the United States of America
and the Italian Republic on Mutual Assistance in
Criminal Matters in the Matter of Unknown (Aldo Moro)**

ORDER APPOINTING COMMISSIONER

Upon application of the United States, and upon review of the Request from Italy dated March 5, 2014 seeking evidence pursuant to the Treaty Between the United States of America and the Italian Republic of on Mutual Assistance in Criminal Matters, U.S. - Italy, November 9, 1982, as supplemented by the 2006 U.S. - Italy Mutual Legal Assistance Instrument, (the “Treaty”), for use in a criminal investigation, prosecution, or procedure related to the prosecution in Italy, and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by the Treaty and 18 U.S.C. § 3512, as well as this Court’s inherent authority, that Assistant United States Attorney Brian K. Frazier (or a substitute or successor designated by the Office of the United States Attorney) and is appointed as Commissioner (the “commissioner”) of this Court and hereby directed to execute the Treaty Request and to take such steps as are necessary to collect the evidence requested. In doing so, the commissioner:

1. May issue commissioner’s subpoenas to be served at any place within the United States on persons (natural and legal) ordering them or their representatives to appear and to testify and produce evidence located within the United States;

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2. Shall provide notice with respect to the collection of evidence to those persons identified in the Request as parties to whom notice should be given (and no notice to any other party shall be required);

3. Shall adopt procedures to collect the evidence requested consistent with its use in the investigation, prosecution or other proceeding for which Italy has requested assistance, which procedures may be specified in the Request or provided by or with the approval of the Ministry of Justice under the Treaty;

4. May, in collecting the evidence requested, be accompanied by persons whose presence or participation is authorized by the commissioner, including, without limitation, special agents and/or representatives of Italy who, as authorized or directed by the commissioner, may direct questions to any witness;

5. May seek such further orders of this Court as may be necessary to execute this Request, including orders to show cause why persons served with commissioner's subpoenas who fail to produce evidence should not be held in contempt, and including protective orders to regulate the use of the evidence collected;

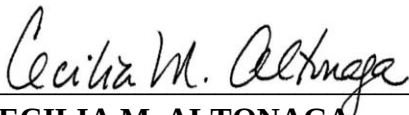
6. Shall certify and submit the evidence collected to the Office of International Affairs, Criminal Division, U.S. Department of Justice, or as otherwise directed by that Office for transmission to Italy; and,

7. May provide copies of the evidence collected to persons identified in the Request as parties to whom such copies should be given (and to no other persons).

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IT IS FURTHER ORDERED that any person from whom the commissioner seeks to collect evidence may, for good cause shown, oppose the giving of evidence, or the circumstances thereof, by motion timely filed with this Court, a copy of which shall be provided contemporaneously to the commissioner.

DONE AND ORDERED in Chambers, at Miami, Florida, this 17th day of April, 2014.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record