

August 30, 2019

**VIA FEDERAL EXPRESS**

██████████, AUSA  
United States Attorney's Office  
1 St. Andrew's Plaza  
New York, NY 10007

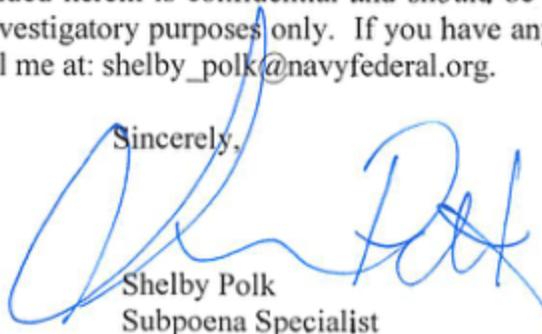
RE: Grand Jury Subpoena No. ██████████  
██

Dear Attorney ██████████,

Please find the enclosed documents in response to the grand jury subpoena served on Navy Federal Credit Union. Upon receipt, please email me or call me at ██████████ to obtain the password for the enclosed disk.

The information provided herein is confidential and should be used in connection with a judicial proceeding or for investigatory purposes only. If you have any questions or need additional information, please email me at: [shelby\\_polk@navyfederal.org](mailto:shelby_polk@navyfederal.org).

Sincerely,



Shelby Polk  
Subpoena Specialist

- Copy/Subpoena
- Copy/Membership Application
- Copy/Member Profile
- Copy/AL Screen
- Copy/Statements
- Copy/Transaction Details
- Copy/Credit Card Application
- Copy/Credit Card Statements
- Invoice
- Certification Statement

**United States District Court**  
**SOUTHERN DISTRICT OF NEW YORK**

TO: Navy Federal Credit Union  
820 Follin Lane  
Vienna, VA 22180-4907  
Attn: Subpoena Compliance

AUG 23 9:12:02

**GREETINGS:**

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the GRAND JURY of the people of the United States for the Southern District of New York, at the United States Courthouse, 40 Foley Square, Room 220, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: September 2, 2019 Appearance Time: 10:00 a.m.

to testify and give evidence in regard to an alleged violation of :

18 U.S.C. §§ 201, 371, 1001, 1346, 1519, 2

and not to depart the Grand Jury without leave thereof, or of the United States Attorney, and that you bring with you and produce at the above time and place the following:

**Please see attached rider. Personal appearance is not required** if the requested records are (1) produced on or before the return date to Assistant U.S. Attorney [REDACTED] of the United States Attorney's Office, 1 St. Andrew's Plaza, New York, NY 10007. Tel: [REDACTED], email: [REDACTED], and (2) accompanied by an executed copy of the attached Declaration of Custodian of Records. Ref No. [REDACTED].

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York  
August 19, 2019

*Geoffrey S. Berman*

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

[REDACTED]  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Telephone: [REDACTED]  
Email: [REDACTED]



**RIDER**

(Grand Jury Subpoena to Navy Federal Credit Union, dated August 19, 2019)

Ref. No. [REDACTED]

**REQUEST:**

For the following account, and any other account controlled by the account holder of one of the below accounts:



Please provide any and all documents, to include, but not limited to those identified below, for the period **January 1, 2019 until the present:**

- a. Account opening documents, including applications and signature cards;
- b. Records of account holders for debit and credit cards linked to the accounts;
- c. Account statements and ledgers;
- d. Images of checks (both front and back) deposited in account;
- e. Images of canceled checks (both front and back) drawn on account;
- f. Images of cashier's checks (both front and back) and depositing bank account information;
- g. Account deposit slips, withdrawal slips, debit & credit memos, and cash tickets;
- h. Detailed wire transfer records, ACH transfer records (including routing/account numbers funds transferred to/from), money orders, and traveler's check records;
- i. All credit card and line of credit records, including, but not limited to: applications, monthly statements, billing slips, and records evidencing the source of payment (copies of checks, ACH records (including routing/account numbers funds transferred to/from), or cash received slips);
- j. Customer information associated with the account, including name(s), address(es), telephone number(s), e-mail address(es), and any other identifying or contact information.

**INSTRUCTIONS FOR PRODUCTION OF DOCUMENTS:**

1. All transactions-based information, include wire and ACH transfers, withdrawals/deposits, charges/payments, and bank account activity should be provided in **electronic spreadsheet format** (either Microsoft Excel or similarly compatible format). Specifically:
  - a. For **wires and other types of transfers**, the account holder name, account number, and bank name of both the originator and beneficiary of the transaction should be clearly stated in separate fields.
  - b. **Cash and check transactions** should be indicated within a transaction type field.
    - i. **Check transactions** should include the name of the payee in the recipient field. Additionally, check images should be attached in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained, and named in a manner that uniquely associates them with the relevant transaction record(s).
    - ii. **Cash withdrawals** should be indicated with CASH written in the recipient field.

- iii. Cash deposits should be indicated with CASH written in the sender/originator field.
  - c. Field headers should be included for each column of data, and a data dictionary or other explanation of the contents of each column provided.
2. Where more than one account is being requested, each account's transaction records should be returned in a separate file.
  3. All document images are to be produced in electronic PDF format. Where images of checks, deposit slips, withdrawal slips, or cash tickets are being produced, they should be produced no more than two per page.
  4. In lieu of an appearance you may comply with this subpoena by providing the requested information, along with a business records certification pursuant to Fed. R. Evid. 803(6) to Assistant U.S. Attorney [REDACTED] of the United States Attorney's Office, 1 St. Andrew's Plaza, New York, NY 10007. Tel: [REDACTED], email: [REDACTED].

Declaration of Custodian of Records

Pursuant to 28 U.S.C. § 1746, I, the undersigned, hereby declare:

My name is Shelby Polk  
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration.

I am in receipt of a Grand Jury Subpoena, dated August 19, 2019, and signed by Assistant United States Attorney [REDACTED], requesting specified records of the business named below. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records provided herewith and in response to the Subpoena:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity; and
- (3) were made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/30/19  
(date)

[Signature]  
(signature of declarant)  
Shelby Polk, subpoena specialist  
(name and title of declarant)  
Dawson Federal Credit Union  
(name of business)  
5550 Heritage Oaks Dr  
(business address)  
Tensacola, FL 32526

Definitions of terms used above:

As defined in Fed. R. Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term "business" as used in Fed. R. Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.



U.S. Department of Justice

United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 19, 2019

**Re: Grand Jury Subpoena**

This letter describes the procedure for requesting reimbursement for subpoenaed records.

12 CFR part 219 (subpart A), issued by the Board of Governors of Federal Reserve System under section 1115 of the Right to Financial Privacy Act (12 U.S.C. § 3415), sets the rates and conditions for reimbursement of costs directly incurred by financial institutions in assembling or providing customer financial records to a government authority pursuant to the Act. No costs are reimbursable if the records are those of a corporation or a partnership comprised of more than five individuals.

If reimbursement is authorized, and the estimated billing to the government will exceed \$500, advance permission is necessary from [REDACTED] at [REDACTED].

If the subpoenaed records indicated on the rider are eligible for reimbursement, please complete section B of the enclosed form OBD-211, which will serve as your invoice, and return it with a copy of the subpoena to the following address:

U.S. Attorney's Office - SDNY  
Accounts Payable  
86 Chambers Street, 3<sup>rd</sup> floor  
New York, NY 10007  
[REDACTED]

Please send your invoice to the above address within 60 days of the submission of the subpoenaed records. If no invoice is received within 120 days, funds will not be available to pay the invoice.

Thank you for your cooperation in this matter.

Very truly yours,

GEOFFREY S. BERMAN  
United States Attorney

By: [REDACTED]

[REDACTED]  
Assistant United States Attorney  
[REDACTED]

Enclosure: OBD- 211

EFTA00124816

This form shall be used when requesting financial records of individuals and partnerships of five or fewer individuals under the RFPA.

1 Tracking Number:	2 Date Order Prepared:	3 USAO Number:
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**Section A - Authorization and Purchase Order**

4 Name and Address of Financial Institution: <b>Navy Federal Credit Union</b>	Funding Certification & Authorization:	A. <i>N/A</i> Budget Official Signature: _____ Funding Available: _____ Date: _____ B. _____ Approving Official Signature: _____ Date: _____
5 Deliver Records To: See attached subpoena for delivery instructions	Send Completed USA-211 Form & Invoice To: U.S. Attorney's Office - SDNY Budget / Fiscal Unit 86 Chambers Street, 3rd Floor New York, NY 10007	6 Return Date: See attached

7 Remarks: Do not proceed with compliance if the total cost will exceed \$ 500.00 without prior approval. To obtain approval, call the requestor listed in Item 8. If invoicing for these services is expected to exceed 120 days, please notify the United States Attorney's Office immediately to ensure funds remain available for payment. Please see the attached Important Notice for additional information on invoicing and other requirements for reimbursement.

8 Name of Requestor: <b>AUSA</b>	9 Telephone Number:	10 Date of request: <b>8/19/2019</b>
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**Section B - Financial Institution Invoice**

No Payment Shall Be Made Unless Expenses Are Itemized Below Or Set Forth On Your Attached Invoice.

11A Invoice Number: 11B Tax ID Number:	Quantity	Unit Price		Amount
		Cost	Per	
11C Service(s)/Records Provided: A. Searching and processing costs (clerical or technical personnel)	1	\$22.00	Hour	22.00
B. Searching and processing costs (management/supervisory personnel)		\$30.00	Hour	
C. Searching and processing costs (computer support specialist)		\$30.00	Hour	
D. Reproduction Costs (Photocopying) - **Note: Copy charges will be disallowed if the information is stored electronically, unless the US Attorney's Office requests paper.		\$0.25	Page	
E. Reproduction Costs (Paper Copies of Microfiche: provide justification)		\$0.25	Frame	
F. Reproduction Costs (Duplicate Microfiche: provide justification)		\$0.50	Microfiche	
G. Storage Media Cost (e.g., Compact Disc, DVD, etc., at Actual Cost)	1	10.00	CD	10.00
H. Transportation Costs (Direct Costs Only)				

In Item #12, I certify that the services invoiced above were not performed relative to any corporate accounts and pertain only to accounts of individuals and partnerships of five or fewer individuals.

12 Signature of Financial Institution Official:	13 Date Signed: 8/30/19	Total Amount Claimed By Financial Institution: 32.00
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**Section C - Receiving Report**

14 I certify that the articles and services listed were received:	15 Date Received:	16 Disallowance (See Attached)	17 Net to Financial Institution
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18 Right to Financial Privacy Act - Public Law 95-630 (12 U.S.C. 3401-3422) Request Pursuant To: (Check One Only)		19 Signature of Approving Official:
SECTION	OBJECT CLASS	
<input checked="" type="checkbox"/> 3404 Customer Authorization	2545	
<input checked="" type="checkbox"/> 3405 Administrative Subpoena or Summons	2545	
<input checked="" type="checkbox"/> 3406 Search Warrant	2545	
<input checked="" type="checkbox"/> 3407 Judicial Subpoena	2545	
<input checked="" type="checkbox"/> 3408 Formal Written Request	2545	
<input checked="" type="checkbox"/> 3413 Grand Jury Subpoena	2545	
<input checked="" type="checkbox"/> 3414 Special Procedures	2545	

20 Funding Source	21 Other Accounting/Fund Information:
Accounting Code:	Program Code: N/A Project Code: N/A
Program	YREGDOC: _____
	Call Number (if applicable):
	OBL Month (YRMO):
	Tax ID Number:

22 Remarks:

To the best of my knowledge, the financial records received, for which we are being billed, are those of an individual or partnership of five or fewer individuals.

Signature of United States Attorney's Office Representative \_\_\_\_\_ Date \_\_\_\_\_

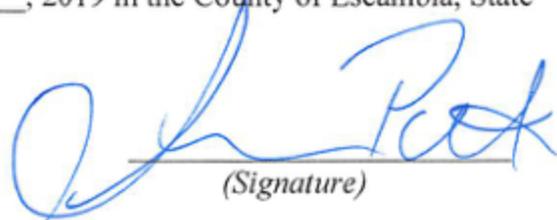
**CERTIFICATION STATEMENT**

The undersigned is a duly authorized custodian of records of NAVY FEDERAL CREDIT UNION and has the authority to certify said records. The enclosed is a true copy of all the records described in the Subpoena / Customer Consent / Authorization Form. Said records were prepared by the custodian or the personnel of NAVY FEDERAL CREDIT UNION in the ordinary course of business and were prepared from records which were themselves prepared at or near the time of the act, condition or event.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on this day August 30, 2019 in the County of Escambia, State of Florida.

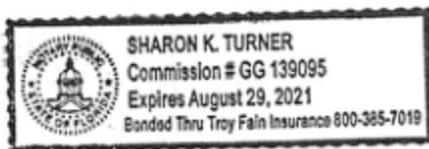
BY:

  
*(Signature)*

Shelby Polk  
*(Print or Type)*

Subscribed and sworn to before me on this 30<sup>th</sup> day of August, 2019.

My commission expires: August 29, 2021.



  
*(Notary Public)*