

UNITED STATES DISTRICT COURT
for the
District of Virgin Islands

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Virgin Islands Lieutenant Governor's Office
Division of Banking, Insurance, and Financial Regulations,



YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Table with 2 columns: Place: St. Thomas Grand Jury, Date and Time: 04/30/2020 9:00 am

You must also bring with you the following documents, electronically stored information, or objects (blank if not applicable):

NOTE: THIS SUBPOENA CAN BE COMPLIED WITH BY PROVIDING THE REQUESTED DOCUMENTS LISTED WITHIN THE SUBPOENA ATTACHMENT TO THE AGENT SERVING THIS SUBPOENA IN HIS/HER CAPACITY AS A REPRESENTATIVE OF THE FEDERAL GRAND JURY PRIOR TO THE ABOVE LISTED DATE AND TIME. IT WILL THEN NOT BE NECESSARY FOR YOU TO APPEAR. PLEASE INCLUDE THE GRAND JURY SUBPOENA NUMBER FOUND IN THE TOP RIGHT HAND CORNER OF THE ISSUED SUBPOENA IN ALL RESPONSIVE CORRESPONDENCES.

PLEASE PROVIDE THE REQUESTED INFORMATION IN ELECTRONIC FORMAT.

Date: April 7, 2020

Redacted signature area, CLERK OF COURT, SUBPOENA, and court seal

Signature of Clerk or Deputy Clerk

Redacted name area, ESQUIRE

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:



PROOF OF SERVICE

This subpoena for *(name of individual or organization)* Virgin Islands Lieutenant Governor's Office
was received by me on *(date)* April 7, 2020 .

I served the subpoena by delivering a copy to the named person as follows: _____
DOLACE McLEAN LT GOVERNOR'S OFFICE
_____ on *(date)* 4/8/2020 ; or

I returned the subpoena unexecuted because: _____
_____ .

I declare under penalty of perjury that this information is true.

Date: 4/8/2020


Server's signature


Printed name and title


Server's address

Additional information regarding attempted service, etc:

SUBPOENA ATTACHMENT

Virgin Islands Lieutenant Governor's Office
Division of Banking, Insurance, and Financial Regulations
[Redacted]

Please provide any and all records relating to the following:

Please provide any and all documents pertaining to SOUTHERN COUNTRY INTERNATIONAL, a banking business registered in the Virgin Islands. Documents should include all applications, attachments, and associated documents submitted on behalf of SOUTHERN COUNTRY INTERNATIONAL to obtain the approval to operate as a bank.

If possible, please provide this information in an electronic format.

Send responses and direct any questions to:

[Redacted]
Federal Bureau of Investigation
[Redacted]

**U.S. Department of Justice****Gretchen C.F. Shappert***United States Attorney
District of Virgin Islands*

*Main Office: Ron de Lugo Federal Building & United States Courthouse
5500 Veterans Drive, Suite 260
St. Thomas, VI 00802-6424
Phone: [REDACTED]
Fax: [REDACTED]*

*Branch Office:
1108 King Street, Suite 201
Christiansted, St. Croix, VI 00820-5080
Phone: [REDACTED]
Fax: [REDACTED]*

Keeper of the Records

RE: Grand Jury Subpoena

Dear Sir/Madam:

Pursuant to an official investigation being conducted by a federal Grand Jury in the District of the Virgin Islands of suspected violations of federal and related territorial criminal laws, your company is requested to furnish to the Grand Jury the documents described in the attached subpoena.

You are requested not to disclose the existence of this subpoena, nor the fact of your compliance therewith, to anyone, including particularly the customer, for a period of ninety (90) days from the date of compliance with the subpoena. While you are not required to comply with this non-disclosure request, any such disclosure by the company could impede the investigation and thereby interfere with the enforcement of federal criminal law.

You may address any questions regarding this request to the Assistant United States Attorney whose name and number appears on the subpoena.

**CERTIFICATE OF AUTHENTICITY OF BUSINESS RECORDS PURSUANT TO
FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, _____, certify under penalty of perjury as follows:
(Name)

I am the _____ of _____
(Title) (Company Name)

and as such am the Custodian/Responsible Officer regarding the following described records,
which are being produced along with this certification:

[Empty rectangular box for description of records]

(Description of Records)

I know and declare that:

- These records were made at or near the time the events or matters they describe occurred;
- These records were created by someone having personal knowledge of the events or matters they describe;
- These records were kept in the course of regularly conducted activity of the company named above;
- It is the regular practice of this company to generate these records;
- This certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

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

[Empty rectangular box for date]

Date

[Empty rectangular box for signature]

Signature

[Empty rectangular box for printed name]

Printed name

[Empty rectangular box for title]

Title

[Empty rectangular box for company]

Company

[Empty rectangular box for contact number]

Contact number

PLEASE RETURN COMPLETED FORM WITH DOCUMENTS

NOTE: THIS SUBPOENA CAN BE COMPLIED WITH BY PROVIDING THE REQUESTED DOCUMENTS TO THE AGENT SERVING THIS SUBPOENA IN HIS/HER CAPACITY AS A REPRESENTATIVE OF THE FEDERAL GRAND JURY PRIOR TO THE DATE AND TIME LISTED ON THE SUBPOENA. IT WILL THEN NOT BE NECESSARY FOR YOU TO APPEAR.

INSTRUCTIONS FOR PRODUCTION OF RECORDS & CERTIFICATION

- I. General
 - A. Records existing as **Electronically Stored Information (ESI)** shall be produced in electronic form and shall include text data and image data held:
 - 1. In your record retention systems; and/or
 - 2. By your technology, data, or other service provider(s).
 - B. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.
- II. Text Data
 - A. Text data relating to transactions shall be produced within a data file:
 - 1. Using a delimited ASCII text data format; or
 - 2. Using software that can export to a commonly readable, non-proprietary file format without loss of data.
 - B. Text data files relating to transactions shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).
- III. Image Data
 - A. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.
 - B. Image data of items associated with transactions (e.g., checks and deposit slips) shall be:
 - 1. Produced in individual graphic data files with any associated endorsements; and
 - 2. Linked to corresponding text data by a unique identifier.
- IV. Encryption/Authentication
 - A. ESI may be transmitted in an encrypted container. Decryption keys and/or passwords shall be produced separately at the time the data are produced.
 - B. Authentication, such as hash coding, may be set by agreement.
 - C. Affidavits or certificates of authenticity may be included as part of the electronic production.
- V. Cost Reimbursement
 - A. Costs that are reasonably necessary and have been directly incurred in searching for, reproducing, or transporting records may be reimbursable. See the *Right to Financial Privacy Act*, 12 U.S.C., Section 3415 and Federal Reserve Board *Regulation S*, 12 C.F.R., Part 219 (revised effective 1/1/2010).

FINANCIAL INSTITUTION CERTIFICATION REGARDING AVAILABILITY OF RECORDS IN ELECTRONIC FORMAT
 (TO BE COMPLETED FOR RECORDS PRODUCED IN PAPER)

I, _____ am Custodian/Responsible Officer regarding the following described:
 (Name)

Records, which are being produced along with this certification:

I know and certify that these records, if produced in paper, were not available in ESI (electronically stored information) format, or were produced in paper at the specific request of the Government.

 Date

 Signature

 Printed Name

 Title

 Company

PLEASE RETURN COMPLETED FORM WITH DOCUMENTS

**U.S. Department of Justice****Gretchen C.F. Shappert***United States Attorney
District of Virgin Islands*

*Main Office: Ron de Lugo Federal Building & United States Courthouse
5500 Veterans Drive, Suite 260
St. Thomas, VI 00802-6424
Phone: [REDACTED]
Fax: [REDACTED]*

*Branch Office:
1108 King Street, Suite 201
Christiansted, St. Croix, VI 00820-5080
Phone: [REDACTED]
Fax: [REDACTED]*

To recipient of grand jury subpoena:

Law enforcement officials have served upon you a grand jury subpoena that requires the production of the items specified on the date indicated. You may comply with this subpoena in one of three ways:

1. Deliver the requested items to the law enforcement official serving the subpoena;
2. Mail the requested items to the law enforcement official serving the subpoena at the specified address by certified mail, return receipt requested, in sufficient time to reach that law enforcement official by the compliance date; or
3. Appear in person to present the requested items to the grand jury on the compliance date.

Records provided in compliance with the subpoena will remain in the custody of the grand jury until the grand jury investigation and related proceedings are completed.

Please complete the enclosed Declaration Certifying Records of Regularly Conducted Activity and return it with the records. *Returning this completed form may eliminate the necessity of your having to appear in person in court in the future.*

You may address any questions regarding this request to the Assistant United States Attorney whose name and number appears on the subpoena.