

09-X70

# United States District Court

SOUTHERN DISTRICT OF FLORIDA

TO: Custodian of Records  
Majestic Theatre  
247 W. 44<sup>th</sup> Street  
New York, NY

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

FGJ 07-103(WPB)-Tues./No. OLY-60

SUBPOENA FOR:

PERSON

DOCUMENTS OR OBJECT[S]

**YOU ARE HEREBY COMMANDED** to appear and testify before the Grand Jury of the United States District Court at the place, date and time specified below.

PLACE: United States District Courthouse 701 Clematis Street West Palm Beach, Florida 33401	ROOM: Grand Jury Room
	DATE AND TIME: June 26, 2007 1:00 pm*

**YOU ARE ALSO COMMANDED** to bring with you the following document(s) or object(s):

**THE DOCUMENTS LISTED ON ATTACHMENT.**

\*Please coordinate your compliance with this subpoena and confirm the date and time, and location of your appearance with Special Agent [REDACTED], Federal Bureau of Investigation, Telephone: [REDACTED]

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

(BY) DEPUTY CLERK



DATE:

June 13, 2007

This subpoena is issued upon application of the United States of America

Name, Address and Phone Number of Assistant U.S. Attorney

[REDACTED]  
500 So. Australian Avenue, Suite 400

West Palm Beach, FL 33401-6235

Tel. [REDACTED] x3047

Fax [REDACTED]

To be used in lieu of AO110

FORM ORD-227  
JAN.86

EFTA00186942

Custodian of Records  
Majestic Theatre  
247 W. 44<sup>th</sup> Street  
New York, NY  
[REDACTED]

**ATTACHMENT TO GRAND JURY SUBPOENA  
FGJ 07-103 OLY-60**

For the period of December 30, 2004 through January 5, 2005, all records and information, whether stored electronically or in hard copy, referring or relating to theatre tickets/reservations made for or made by:

- (1) [REDACTED]
- (2) Jeffrey Esptein;
- (3) [REDACTED]
- (4) [REDACTED]
- (5) [REDACTED]
- (6) Lesley Groff

A copy of a playbill or program for the show during the period of December 30, 2004 through January 5, 2005.



U.S. Department of Justice

United States Attorney  
Southern District of Florida

500 S. Australian Ave., Suite 400  
West Palm Beach, FL 33401-6235

**APPEARANCE NOTICE**

The attached subpoena requires the production of the records specified to a Federal Grand Jury/Trial in the Southern District of Florida.

A new provision of the Federal Rules of Evidence provides that routine business records may be admitted at trial through the declaration of a custodian, if they are provided sufficiently in advance of trial to allow an opportunity for any challenges to their authenticity. Therefore, you may be able to avoid appearing personally at the grand jury/trial at the time and place specified by completely filling out the attached Certification and Inventory and immediately returning it with the records to **Special Agent** [REDACTED], FBI at the following address:

**Federal Bureau of Investigation  
505 South Flagler Drive, Ste. 500  
West Palm Beach, Florida 33401-5923**

**EARLY VOLUNTARY TURNOVER**

Please note that we are requesting an early voluntary turnover of the materials subpoenaed. The early voluntary turnover date is prior to June 26, 2007.

Sincerely,

R. ALEXANDER ACOSTA  
UNITED STATES ATTORNEY

BY:

[REDACTED]  
ASSISTANT UNITED STATES ATTORNEY

**CERTIFICATION OF BUSINESS RECORDS**

I, the undersigned, \_\_\_\_\_, declare that I am:  
employed by/associated with \_\_\_\_\_ in the  
position of \_\_\_\_\_ and by reason of my  
position am authorized and qualified to make this declaration.

In my employment with the above-named bank/company I am familiar with the  
business records it maintains. The above-named bank/company maintains records of its  
business which are:

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

Among the records so maintained are the attached records itemized in Appendix A,  
Inventory of Documents.

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

Date of execution: \_\_\_\_\_

Place of execution: \_\_\_\_\_

Signature: \_\_\_\_\_

