# SEALED

## FILED

#### UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

JUL 3 1 2004

CLERK, U.S. DISTRIPT COURT
WESTERN DISTRICT OF TEXAS

BY

DERUTY CLERK

IN	RE: Request from 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 Romano Prodi	

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#### **ORDER**

Upon application of the United States, and upon review of the request from Italy seeking evidence under the Treaty on Mutual Assistance with the Italian Republic, and the Court having fully considered this matter;

IT IS HEREBY ORDERED, pursuant to the authority conferred by the <u>Treaty</u> between the United States of America and the Italian Republic on Mutual <u>Assistance in Criminal Matters</u>, \_\_ U.S.T. \_\_, as well as 28 U.S.C. §1782 and this court's inherent authority, that Don J. Calvert is appointed as a Commissioner of this Court and is hereby directed to execute the Treaty request as follows:

- 1. take such steps as are necessary, including issuance of commissioner's subpoenas, to collect the evidence requested;
- 2. 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. adopt procedures to collect the evidence requested, consistent with its use in the investigation or proceeding for which Italy has requested



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assistance, which procedures may be specified in the request or provided by or with the approval of the Italian Central Authority under the Treaty;

- 4. seek such further orders of this Court as may be necessary to execute this request; and
- 5. certify and submit the evidence collected to the Office of International Affairs, Criminal Division, United States Department of Justice, or as otherwise directed by that office for transmission to Italy.

IT IS FURTHER ORDERED that, in collecting the evidence requested, the Commissioner may be accompanied by persons whose presence or participation is authorized by the Commissioner, including, without limitation, special agents of the Federal Bureau of Investigation and/or representatives of Italy.

HONORABLE XAVIER RODRIGUEZ UNITED STATES DISTRICT JUDGE Or /AUCO GAYEIA.

Dated: July 31, 2004

# SEALED

# **FILED**

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

JUL 3 1 2004 CLERK, U.S. DISTRICT

IN RE: Request from Italy Pursuant to the Treaty Between the United States of S America and the Italian S Republic on Mutual Assistance in Criminal Matters § in the Matter of Romano Prodi S

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### **ORDER TO SEAL**

The Government's request for an order sealing the Application for Order Pursuant to the Treaty On Mutual Assistance in Criminal Matters and Title 28, United States Code, Section 1782 and the memorandum of law and order attendant thereto is hereby GRANTED. Said recordings and materials attendant thereto in the above entitled and numbered cause are sealed until further order of this court.

Signed at San Antonio, Texas, on this \_3[\_\_ day of July 2004.

HONORABLE X-AVIER RODRIGUEZ-

UNITED STATES DISTRICT COURT JUDGE
ON / ANDO C. GATCIA

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