

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

DOCKETED
MAY 06 2003

IN RE: Letter Rogatory Request)
from Sweden Ministry of Justice)
for Assistance in the Criminal) No.
Matter of Per Bjorklund and Tania)
Bjorklund)

03C 2957
JUDGE MAROVICH
MAGISTRATE JUDGE NOLAN

APPLICATION FOR ORDER PURSUANT TO
TITLE 28, UNITED STATES CODE, SECTION 1782

The United States of America petitions this Court for an Order pursuant to 28 U.S.C. § 1782 and its own inherent authority appointing Stephen D. Andersson as Commissioner to collect evidence from witnesses within the jurisdiction of this Court and to take such other action as is required to execute the request made by the Sweden Ministry of Justice.

Respectfully submitted,

PATRICK J. FITZGERALD
UNITED STATES ATTORNEY

By:


Stephen D. Andersson
Assistant United States Attorney

FILED-EDS
03 MAY -2 AM 11:42
CLERK
U.S. DISTRICT COURT

11

DOCKETED

MAY 06 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE: Letter Rogatory Request)
from Sweden Ministry of Justice)
for Assistance in the Criminal)
Matter of Per Bjorklund and Tania)
Bjorklund)

No. JUDGE MAROVICH

03C 2057

MEMORANDUM OF LAW IN SUPPORT OF APPLICATION FOR ORDER
MAGISTRATE JUDGE NOLAN

This memorandum is submitted in support of the application of the United States for an order requiring persons within the jurisdiction of this Court to provide testimony and evidence requested by the Sweden Ministry of Justice for use in a criminal proceeding in Sweden and appointing a commissioner to collect it. The application is based upon the attached letter rogatory.

As set forth in the letter rogatory, the requesting court has commenced a criminal investigation in Sweden. In brief, a preliminary investigation is in progress against Per Bjorklund and Tania Bjorklund concerning suspicion of gross tax crimes during the period 2 August 2000 to 1 August 2002 and again Per Bjorklund concerning suspicion of gross accountancy crime during the period 31 December 1999 to 31 December 2001, all of the above in Malmo, Sweden. Applicable enactments comprise Chapter 4 of the Tax Crime Act and Chapter 11, Section 5 of the Criminal Code.

Per Bjorklund and Tania Bjorklund invoke two agreements, concluded on 15 December 1999 and 30 September 2000, respectively, with an American company concerning sole sales right to the

U.S. DISTRICT COURT
CLERK
MAY 2 2003
JUDGE NOLAN

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American company's products. As partial payment under these agreements, in 2001 a total amount of \$60,000 was transferred via SEB in Malmo to Selfreliance Ukrainian American Federal Credit Union, 2332 West Chicago Avenue, Chicago, Illinois 60656, account number 32650001. According to Per Bjorklund and Tania Bjorklund, the payments to this account have been made to Western Humidor Corporation. The owner of this company was questioned and has denied any knowledge of the agreements as well as having received the money. It is of utmost importance to the investigation, 1) to learn who the holder of the above-mentioned bank account is, 2) to have statements of this account for the period from 1 January 2001 up to the present, and 3) to have information as to what account(s) Per Bjorklund and Tania Bjorklund may hold in this bank, as well as statements of account for the period from 1 January 2001 to the present. Tania Bjorklund may have used her maiden name, Guzzo, or her parents' last name, Raphaelli.

This Court, pursuant to its statutory and inherent authority, may (1) order that persons within this district shall provide the evidence requested for use in a proceeding in a foreign country, (2) appoint a person to gather such evidence, and (3) establish the procedure pursuant to which the evidence requested shall be produced.

1. Authority to grant a foreign request for assistance

Title 28, Section 1782, provides in pertinent part that:

The district court of the district in which a person resides or is found may order him to give his testimony or statement or to produce a document or other thing for use in a proceeding in a foreign . . . tribunal. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign . . . tribunal or upon the application of any interested person

Section 1782 was enacted:

. . . to improve United States judicial procedures for .
. . obtaining evidence in the United States in connection
with proceedings before foreign and international
tribunals

Sen. Rep. No. 1580, 88th Cong., 2d Sess. 1 (1964), reprinted in
1964 U.S. Code Cong. & Admin. News 3782 [hereinafter 1964
U.S.C.C.A.N.]. By enacting Section 1782, Congress reaffirmed the
inherent authority of district courts to grant foreign judicial
assistance. In re Request for Assistance from Ministry of Legal
Affairs of Trinidad and Tobago, 648 F. Supp. 464 (S.D.Fla. 1986),
aff'd, 848 F.2d 1151, 1154 (11th Cir. 1988), cert. denied, 488 U.S.
1005 (1989) [hereinafter Trinidad and Tobago]. More significantly,
its enactment reflected Congress' desire to **increase** the power of
district courts to respond to foreign requests for judicial
assistance. In re Letters Rogatory from the Tokyo District, Tokyo,
Japan, 539 F.2d 1216, 1218 (9th Cir. 1976) [hereinafter Japan I].
In sum, Section 1782 is a Congressional invitation to district
courts to affirmatively act to execute foreign requests for
judicial assistance.

a. Source of the foreign request for assistance

Foreign requests for judicial assistance may be made by a foreign court or tribunal, including an investigating magistrate or juge d'instruction. In re Letter of Request from the Government of France, 139 F.R.D. 588, 590-591 (S.D.N.Y. 1991) [hereinafter France]; In re Letter of Request for Judicial Assistance from the Tribunal Civil de Port-Au-Prince, Republic of Haiti, 669 F. Supp. 403, 405-406 (S.D.Fla. 1987) [hereinafter Haiti]. Foreign requests may also be made by "any interested person," such as a foreign legal affairs minister or public prosecutor. In re: Letters Rogatory from the Tokyo District Prosecutor's Office, Tokyo, Japan, 16 F.3d 1016 (9th Cir. 1994) [hereinafter Japan II]; In re Letter of Request from the Crown Prosecution Service of the United Kingdom, 870 F.2d 686, 690 (D.C. Cir. 1989) [hereinafter United Kingdom]; Trinidad and Tobago, 648 F.Supp. at 466-67.

b. Purpose for the foreign request for assistance

Foreign requests for judicial assistance must be for the purpose of securing evidence "for use in a proceeding in a foreign . . . tribunal." This includes evidence needed in proceedings before investigating magistrates as well as in proceedings before conventional courts. 1964 U.S.C.C.A.N. at 3788; Haiti, 669 F. Supp at 405-406. Section 1782 contemplates that district courts will facilitate evidence gathering prior to litigation; Congress amended Section 1782 to eliminate the need for a "pending"

proceeding with the intention of expanding the availability of U.S. judicial procedures for obtaining evidence in the United States in connection with proceedings before foreign tribunals. Even so, where no proceeding before a foreign tribunal is currently pending, district courts should consider whether a proceeding can reasonably be expected to commence. As Judge (now Justice) Ginsburg explained:

[T]o guard against abuse of section 1782, the district court must insist on reliable indications of the likelihood that proceedings will be instituted within a reasonable time.

United Kingdom, 870 F.2d at 692.¹

¹ The several circuit courts that have focused on the proximity to a proceeding before a foreign tribunal that should exist before a district court provides assistance under Section 1782 have produced no single standard. In re Request for International Judicial Assistance (Letter Rogatory) for the Federative Republic of Brazil, 936 F.2d 702, 707 (2d Cir. 1991) [hereinafter Brazil] (proceeding must be "imminent"); United Kingdom, 870 F.2d at 690 (proceeding must be "reasonably contemplated"); Trinidad and Tobago, 848 F.2d at 1154-56 (proceeding must be "very likely to occur"). See also Japan I, 539 F.2d at 1218 (assistance requested "for use in completion of the investigation and in future trials").

The Department of Justice disagrees with the Second Circuit position that the proceeding in the foreign jurisdiction must be "imminent" before a district court may grant judicial assistance. Nonetheless, such is the law in that circuit and Assistants filing for commissioner appointments within that circuit must so apprise district courts. Whether, in support of commissioner appointments, the Second Circuit's standard should be brought to the attention of district courts in other circuits (and, if so, whether it should be otherwise distinguished) is left to the discretion of the Assistants and the rules governing their circuits and districts.

2. Authority to appoint a commissioner

Section 1782 further provides in pertinent part that:

The district court . . . may direct that the testimony or statement [of a person who resides or is found within the district] be given or the document or other thing be produced, before a person appointed by the court.

A district court customarily appoints or "commissions" a person ("commissioner") to collect evidence on behalf of the district court and authorizes the commissioner to submit the evidence collected to the requesting foreign court or authority. With requests for assistance in criminal matters, a district court typically appoints an Assistant United States Attorney as commissioner. However, a district court also may commission a foreign authority together with (or in lieu of) an Assistant United States Attorney. See, e.g., In re Letter of Request from the Supreme Court of Hong Kong, 138 F.R.D. 27, 29 (S.D.N.Y. 1991) [hereinafter Hong Kong].

Application to a district court for appointment of a commissioner to execute a foreign request for judicial assistance is handled ex parte. United Kingdom, 870 F.2d at 688; Japan I, 539 F.2d at 1219.

3. Authority to establish the evidence-collecting procedure

Section 1782 further provides in pertinent part that:

To the extent that the order does not prescribe otherwise, the testimony or statement shall be taken, and the document or other thing produced, in accordance with the Federal Rules of Civil Procedure.

A district court empowers a commissioner to collect the evidence using the procedure prescribed by the court. A district court has "complete discretion in prescribing the procedure to be followed." 1964 U.S.C.C.A.N. at 3789. When a district court's order fails to specify a procedure by which a commissioner is to collect the evidence, the Federal Rules of Civil Procedure apply. Japan II, 16 F.3d 1016; Hong Kong, 138 F.R.D. at 32. However, as Section 1782 makes clear, when a district court does specify a procedure other than one in accordance with the Federal Rules of Civil Procedure, the alternative procedure shall apply. France, 139 F.R.D. at 590-591.

a. Commissioner's subpoena

If a district court so orders, a commissioner may use the attached form, entitled commissioner's subpoena, to obtain the requested evidence. See, e.g., United States v. Erato, 2 F.3d 11, 12-13 (2d Cir. 1993) (incorporating in pertinent part the district court's order directing the use of commissioner's subpoenas). The commissioner's subpoena is a creation of neither the Federal Rules of Criminal Procedure nor the Federal Rules of Civil Procedure, but is an order of the district court for the production of evidence in accordance with Section 1782. See 28 U.S.C. 1651. Upon authorization by a district court, a commissioner may issue such commissioner's subpoenas as are necessary to execute the request in the relevant district.

b. Notice of evidence taking

If a district court so orders, a commissioner may collect the evidence in accordance with procedures -- including those involving notice -- requested by the requesting court or authority.² In the absence of a request for a specific procedure, a district court can assume that the requesting court or authority has provided such notice as the foreign law requires, or that the foreign law does not require notice and the requesting court or authority does not consider notice to be necessary or useful. In sum, if the requesting state has not requested notice, no notice need be provided. Accordingly, to the extent that a request does not ask

² Historically, United States authorities have executed requests for judicial assistance in criminal matters without notification to actual or potential targets of investigations, or even to parties in proceedings, in order to protect against compromising foreign investigations and proceedings. Moreover, United States authorities customarily rely on the requesting courts and authorities to provide such notice directly to the relevant parties as foreign law requires. Finally, requesting courts and authorities routinely request that United States executing authorities follow particular, stated notice procedures when such procedures are necessary or useful under the foreign law or practice. For example, foreign requests frequently ask (1) that a person to be interviewed (generally a defendant or suspect) be given notice of applicable testimonial privileges (e.g., against self-incrimination) at the time of the interview and (2) that a defendant and defense counsel be permitted to be present during the taking of testimony of a witness and be given sufficient notice to make arrangements.

The AUSA should consider including the above or similar text in the body of the memorandum of law where the AUSA believes an explanation of the rationale for limiting notice would be useful to persuade the district court to sign the order. Otherwise, it need not be included.

for specific notice procedures, a district court should authorize a commissioner to take the evidence without notice to any party other than the recipient of the commissioner's subpoena.

4. The Present Request

Based upon the facts set forth in the letter rogatory from the Sweden Ministry of Justice, the request is clearly one contemplated by Congress when, in enacting Section 1782, it expanded the authority of federal courts to assist foreign tribunals. This request pertains to potential tax violations by Per Bjorklund and Tania Bjorklund, which will result in judicial proceedings in Sweden if the evidence requested, along with other evidence gathered by the Swedish authorities demonstrates that tax violations were committed.

Congress intended that the United States set an example to other nations by making judicial assistance generously available. Trinidad and Tobago, 848 F.2d at 1153-54. Accordingly, the government asks this Court, in the interests of comity, to issue the attached order under Section 1782 granting assistance for a proceeding in Sweden, appointing Assistant United States Attorney Stephen D. Andersson as commissioner, and authorizing him to take the actions necessary, including the issuance of commissioner's subpoenas, to collect the evidence requested and to adopt such procedures in the receipt of the evidence as are consistent with the intended use thereof in Sweden.

Respectfully submitted,

PATRICK J. FITZGERALD
UNITED STATES ATTORNEY


Stephen D. Andersson
Assistant United States Attorney

Attachment A

OffshoreAlert 

BB
GB



REGERINGSKANSLIET

JU BIRS 2003/684

Stockholm, 12 March 2003

**Ministry of Justice
Sweden**

*Division for Criminal Cases and
International Judicial Co-operation
Harriet Birkeland
Telephone +46 8 405 5046
Fax +46 8 405 46 76
E-mail harriet.birkeland@justice.ministry.se*

U.S. Department of Justice
Criminal Division
Office of International Affairs
1301 New York Avenue N.W.
Washington D.C. 20005
U.S.A.

RECEIVED INTERNATIONAL
AFFAIRS
MAR 12 AM 10:57
CRIMINAL DIVISION

Request for legal assistance in a criminal matter

Dear Sir/Madam,

I have the honour to enclose herewith a letter of request issued by District Public Prosecutor Jerry Ruijsenaars at the Southern Department of the Economic Crimes Authority in Malmö, Sweden.

The request is made in relation to an ongoing preliminary investigation concerning suspicion of gross tax crimes.

Due to the fact that a person involved in this investigation was served a travel prohibition on 20 February 2003 with duty to report and prohibited to leave the Country, the Prosecutor is kindly asking for your urgent attention to this request.

The Ministry of Justice is much grateful for your kind assistance to arrange for the requested measures to be executed.

Yours faithfully,

Harriet Birkeland
Harriet Birkeland
Desk Officer

Postal address
SE-103 33 Stockholm
SWEDEN

Telephone
+46 8 405 10 00

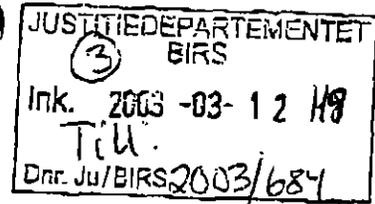
E-mail: registrator@justice.ministry.se
X400: S=Registrator; O=Justice; P=Ministry; A=SIL; C=SE

Visitors' address
Rosenbad 4

Fax
+46 8 20 27 34

Telex
178 20 PREMIER S

182-17566



(Emblem)
ECONOMIC CRIME AUTHORITY
 Southern Department, 1st Chamber
 District Prosecutor Jerry Ruijsenaars
 040-665 54 21

Page 1 (3)

Date:
04.03.2003Diary No.:
C 01-3-134-02

Department of Justice
 BIRS
 Attn. Ingmari Olsson

103 33 Stockholm

(Stamp:
 DEPARTMENT OF JUSTICE
 1 BIRS
 Filed: 05.03.2003 H 9
 Diary No. Ju/BIRS 2003/684)

Legal assistance in the United States of America

A preliminary investigation is in progress against Per Björklund and Tania Björklund concerning suspicion of gross tax crimes during the period 2 August 2000 – 1 August 2002 with a total amount of withheld tax of fully MSEK 5 and against Per Björklund concerning suspicion of gross accountancy crime during the period 31 December 1999 – 31 December 2001, all of the above in Malmö. Applicable enactments comprise Chapter 4 of the Tax Crime Act and Chapter 11, Section 5 of the Criminal Code: legal wording, see Annex.

Per Björklund and Tanla Björklund invoke two agreements, concluded on 15 December 1999 and 30 September 2000, respectively, with an American company concerning sole sales right to the American company's products. As partial payment under these agreements, in 2001 a total amount of USD 60,000 was transferred via SEB in Malmö to Selfreliance Ukrainian American Federal Credit Union, 2332 West Chicago Avenue, Chicago Illinois 60656, account number 32650001. According to Per Björklund and Tanla Björklund, the payments to this account have been made to Western Humidor Corporation, 3013 N. Rancho Drive, Las Vegas Nevada 89130. The owner of this company has been questioned by us and in this context denied any knowledge of the agreements as well as having received the money. We suspect that the above agreements are not real and that the payments to this account finally have found their way to Per Björklund and Tanla Björklund. The latter has stated that besides loans, she also has an account with this bank (however not with this number).

It is of the utmost importance to the investigation, (i) to learn who the holder of the above-mentioned bank account is (ii) to have statements of this account for the period as from 1 January 2001 and up to today and (iii) to have information as to what account(s) Per Björklund and Tania Björklund may hold in this bank, as well as statements of account for the period as from 1 January 2001 and up until today. Tanla Björklund may have used her maiden name, Guzzo, or her parents' last name, Raphaelli.

On 20 February 2003, Per Björklund was served a travel prohibition by the Malmö District Court with duty to report (prohibition against leaving the Skåne County). For this reason I would appreciate speediest possible handling of this matter.

(Sgd) Jerry Ruijsenaars

Postal address:
 P.O.Box 17069
 211 42 MALMÖ

Street address:
 Storgatan 43

Telephone:
 040-665 54 00

Telefax:
 040-665 54 91

SFST

Page 1 (1)

Section 2. Whoever otherwise than orally intentionally submits incorrect information to an authority or neglects to supply an authority with tax return, statement of account or other statutory information, thereby causing risk of tax being withheld from the community or incorrectly credited or returned to himself/herself or some other party, shall be sentenced for tax crime to imprisonment for a maximum of two years. Act (1996:658)

Section 3. If the crime referred to in Section 2 is to be regarded as insignificant, the perpetrator shall be sentenced for tax offence to fines. Act (1996:658).

Section 4. If the crime referred to in Section 2 is to be regarded as gross, the perpetrator shall be sentenced for gross tax crime to imprisonment for a minimum of six months and a maximum of six years.

(Handwritten:

That the above wording of Section 2 and Section 4
of the Tax Crime Act is applicable is hereby certified

Ex Officio

Sgd. Jerry Ruijsenaars

District Prosecutor)

STATUTES/Applicable (illegible) /General Penal Law/Criminal Code, 1962. Page 1 (1)

Section 5. Whoever intentionally or by negligence disregards the obligation to keep accounts pursuant to the Annual Accounts Act (1999:1078) by omitting to record business transactions or to keep accounting documents or by submitting incorrect accounting information or otherwise, shall, if the company's course, financial results or position as a result of this cannot be assessed in substance from the accounting, be sentenced for accountancy crime to imprisonment for a maximum of two years or, if the crime is insignificant, to fines. If the crime is gross, the perpetrator shall be sentenced to imprisonment for a minimum of six months and a maximum of four years. The first paragraph is not applicable if the obligation to keep accounts pertains to a legal person who does not pursue trade, as referred to in Chapter 2, Section 2 of the Annual Accounts Act. Act 1999:1081 which gained legal force on 1 January 2000, 1994:1222 which gained legal force on 1 January 1996, 1986:43.

(Handwritten:

That the above wording of Chapter 11, Section 5
of the Criminal Code is applicable is hereby certified

Ex Officio

Sgd. Jerry Ruijsenaars

District Prosecutor)

Attachment B

OffshoreAlert 

COMMISSIONER'S SUBPOENA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

TO: Selfreliance Ukrainian American Federal Credit Union
2332 West Chicago Avenue
Chicago, Illinois 60656

I, Commissioner Stephen D. Andersson, Assistant United States Attorney for the Northern District of Illinois, acting pursuant to an Order of the District Court and under the authority of Title 28, United States Code, Section 1782, for the purpose of rendering assistance to Sweden, command that you appear before me in Room 5072, in the building located at 219 S. Dearborn Street, in the city of Chicago, in the state of Illinois, on May 30, 2003 at 9:30 a.m., to provide documents regarding an alleged violation of:

the laws of Sweden, namely, Chapter 4 of the Tax Crime Act and Chapter 11, Section 5 of the Criminal Code, among other alleged violations,

and that at the time and place aforesaid you provide the following, any and all documents and materials with respect to:

1) the holder of account number 32650001 (including, but not limited to, signature cards and any documents reflecting the establishment of this account), 2) statements of account 32650001 for the period from 1 January 2001 up to the present, and 3) what account(s) Per Bjorklund and Tania Bjorklund have held, as well as statements of these accounts, if any, for the period from 1 January 2001 to the present. Tania Bjorklund may have used her maiden name, Guzzo, or her parents' last name, Raphaelli.

For failure to attend and provide said documents, you will be deemed guilty of contempt and liable to penalties under the law.

Dated:

COMMISSIONER STEPHEN D. ANDERSSON
Assistant United States Attorney for the
Northern District of Illinois
Telephone 312.353.5372

Served on _____ this ____ day of May, 2003.

Special Agent

Federal Bureau of Investigation

Case 5

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

IN RE: Letter Rogatory Request from Sweden Ministry of Justice for Assistance in the Criminal Matter of Per Bjorklund and Tania Bjorklund

DEFENDANTS

030 2957

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney'S (Firm Name, Address, and Telephone Number) Stephen D. Andersson, Assistant U.S. Attorney United States Attorney's Office 219 S. Dearborn St., Chicago, IL 60604 (312) 353-5372

Attorneys (If Known) JUDGE MAROVICH DOCKETED MAY 06 2003 MAJESTRADO JUDGE NOLAN

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | |
|---|---------------------------------------|----------------------------|---|
| | DEF | | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input checked="" type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input checked="" type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input checked="" type="checkbox"/> 630 Liquor Laws <input checked="" type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input checked="" type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input checked="" type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Title 28, United States Code, Section 1782 -- Letter of Request

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ _____ CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE 5-2-03 SIGNATURE OF ATTORNEY OF RECORD Stephen D. Andersson/ml

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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