Miami at 400 N Miami

AO 110 (Rev. 06/09) Subpoena to Testify Before a Grand Jury

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SUBPOENA TO TESTIFY BEFORE A GRAND JURY 21-06(MIA)

To: BlueVine
Attn: Mark McCoy
30 Montgomery St Suite 1400,
Jersey City, New Jersey 07302

SUBPOENA FOR:
☐ PERSON ☑ DOCUMENTS(S) OR OBJECT(S)

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.

Place:	Date and Time:
Wilkie D. Ferguson, Jr. United States Courthouse 400 N. Miami Avenue, 7th Floor Miami, Florida 33128	08/04/2022 9:00a.m.

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

SEE ATTACHMENT

In lieu of personal appearance before the Grand Jury, the subpoenaed documents may be provided to AUSA Jonathan Bailyn, 99 NE 4th St. 6th Floor, Miami FL 33132or via email at: jonathan.bailyn@usdoj.gov. If you have any questions, please contact AUSA Jonathan Bailyn at (786) 714-1973.

2021R00182-CN_055

NOTE: Pursuant to the policy of the United States District Court for the Southern District of Florida, all electronic devices, including but not limited to cellphones, pagers, PDAs, laptops, and tape recorders, are prohibited from entering any federal courthouse facility within the Southern District of Florida. Prospective jurors, seated jurors, and witnesses with a subpoena are exempt from this policy only as it pertains to cellphones, with or without cameras, and E-book readers.

Date: 07/22/2022

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

CLERK OF COURT

Signature of Clerk or Deputy Clerk
Angela E. Noble

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

Jonathan Bailyn, AUSA
United States Attorney's Office - SDFL
99 Northeast Fourth Street, 6th Floor
Miami, Florida 33132-2111
Telephone: (305) 961-9071
Email: jonathan.bailyn@usdoj.gov

PROOF OF SERVICE

This subpoena for *(name of individual or organization)* ______________________________
was received by me on *(date)* ______________ .

☐ I served the subpoena by delivering a copy to the named person as follows: ______________

____

______________________________________ on *(date)* ______________ ; or

☐ I returned the subpoena unexecuted because: ______________________________

____ .

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

Date: ______________

____
Server's signature

____
Printed name and title

____
Server's address

Additional information regarding attempted service, etc:

ATTACHMENT

BlueVine
Attn: Mark McCoy
30 Montgomery St Suite 1400,
Jersey City, New Jersey 07302
Phone: 888-216-9619
Served by e-mail to Pppfraud@bluevine.com and to matt.janiga@bluevine.com

Items Demanded:
For the period February 15, 2020, to the present: Please provide all records for any and all accounts, including all accounts, loans, and applications, past or present and open and closed (collectively, "Accounts"), associated with the following businesses, including but not limited to Paycheck Protection Program ("PPP") applications and loans, with such records to include IP address logs or records and device information associated with each such account:

Rendon Holdings LLC
EIN: 83-4402418

Daniela Rendon, P.A.
EIN: 81-4362453

Please forward the documents directly to the individual listed below on or before the return date of this subpoena. E-mail is preferred.

ATTN: AUSA Jonathan Bailyn
99 NE 4th St.
Suite 602
Miami, FL 33132
jonathan.bailyn@usdoj.gov
(786) 714-1973

U.S. Department of Justice

United States Attorney
Southern District of Florida

Major Crimes Section

Jonathan Bailyn, *AUSA*
JLK Federal Justice Building
99 Northeast Fourth Street,6th Floor
Miami, Florida 33132-2111
Tel. (305)961-9071

July 22, 2022

BlueVine
Attn: Mark McCoy
30 Montgomery St., Suite 1400
Jersey City, New Jersey 07302

RE: Federal Grand Jury Subpoena – 21-06(MIA)
Control Number: 2021R00182_CN055

Dear Sir/Madam:

Pursuant to an official criminal investigation of a suspected federal offense being conducted by a Federal Grand Jury in the Southern District of Florida, you have been called upon to furnish the documents and information described in the attached subpoena.

You are requested not to disclose the existence of this subpoena or the fact of your compliance with it; however, you have the right to make your own choice whether or not to make such a disclosure. If you have any questions about this, or if you are considering a disclosure, it would be appreciated if you would contact the undersigned federal prosecutor.

Your cooperation in this matter is greatly appreciated.

Sincerely,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

By: ______________________
Jonathan Bailyn
Assistant United States Attorney

U.S. Department of Justice

United States Attorney
Southern District of Florida

Major Crimes Section

Jonathan Bailyn, *AUSA*
JLK Federal Justice Building
99 Northeast Fourth Street, 6th Floor
Miami, Florida 33132-2111
Tel. (305)961-9071

July 22, 2022

BlueVine
Attn: Mark McCoy
30 Montgomery St., Suite 1400
Jersey City, New Jersey 07302

RE: Federal Grand Jury Subpoena – 21-06(MIA)
Control Number:2021R00182_CN055

Dear Sir/Madam:

As you are aware, quite often production of records by a records custodian of a corporation or bank is frequently followed by the necessity of having that or another designated records custodian testify at a jury trial sometime later. This is necessary in order to lawfully enter the subpoenaed documents into evidence.

Federal law permits us to obtain "certifications" such as the one attached hereto, in place of live testimony. When permitted by the court, these "certifications" could obviate the need for a witness at a trial.

Please complete **paragraph 2** of the ***"Certification of Domestic Records of Regulatory Conducted Activity"*** attached and include in your subpoena response.

If you have any questions regarding the form or anything else regarding the subpoena, please feel free to contact the undersigned at the number indicated in the subpoena.

Sincerely,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

By: ______________________________
Jonathan Bailyn
Assistant United States Attorney

CERTIFICATION OF DOMESTIC RECORDS OF REGULARLY CONDUCTED ACTIVITY

Pursuant to Fed. R. Evidence 902(11)

2021R00182_CN055

The undersigned declarant hereby declares, certifies, verifies or states the following:

1. The declarant is a records custodian or other qualified person who can provide a written declaration regarding the records of regularly conducted business activity which are the subject of this certificatio10

2. The records of regularly conducted business activity ("hereinafter records") which are the subject of this certification are identified as: *[If this is insufficient room in which adequately identify the items certified, complete on a separate sheet and refer to that sheet here.]*

3. The records are originals or duplicate copies of domestic (United States) business records;

4. The records were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

5. The records were kept in the course of a regulatory conducted business activity; and

6. The records were made by the regulatory conducted business activity as a regular practice.

I hereby declare, certify, verify or state, under penalty of perjury, that the foregoing is true and correct.

____
Signature of Declarant

____
Print Name of Declarant

____
Title of Declarant

____
Company Name

____
Business Address and Telephone Number

____
Date of Declaration / Execution

U.S. Department of Justice
Washington, D.C. 20530

Request for Financial Information Under the Right to Financial Privacy Act (RFPA)
(Authorization, Purchase Order and Receiving Report)

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:
R22FLS11005-3585	7/22/2022	2021R00182 055

Section A - Authorization and Purchase Order

4 Name and Address of Financial Institution:
BlueVine, Attn: Mark McCoy 30 Montgomery St Suite 1400,Jerse

Funding Certification & Authorization:
A. Budget Official Signature — Funding Available — Date
B. **MOD on file / Method #2**
Approving Official Signature — Date

5 Deliver Records To:
AUSA Jonathan Bailyn, Email: jonathan.bailyn@usdoj.

Send Completed USA-211 Form & Invoice To:
US Attorney Office, 99 NE 4th St., 6th Floor, Miam

6 Return Date:
8/4/2022

7 Remarks: Do not proceed with compliance if the total cost will exceed $500 without prior approval. To obtain approval, email usafls-subpoenas211@usdoj.gov 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:	9 Telephone Number:	10 Date of request:
AUSA Jonathan Bailyn	305-961-9071	7/22/2022

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:

11C Service(s)/Records Provided:	Quantity	Unit Price Cost	Unit Price Per	Amount
A. Searching and processing costs (clerical or technical personnel)		$22.00	Hour	
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)				
H. Transportation Costs (Direct Costs Only)				

In Item #12, pursuant to 18 U.S.C. § 1001, I certify under penalty of perjury that, to the best of my knowledge, the services invoiced above (or in an invoice submitted along with this certification) accurately identify the actual quantities of hours, pages, and microfiche and that any other charges represent the actual costs of the services or goods being invoiced or, if actual costs cannot be identified, the charges represent good faith estimates of the actual or direct costs. I further certify under penalty of perjury that all services invoiced were not performed relative to corporate accounts and pertain only to accounts of individuals or partnerships of five or fewer individuals.

12 Signature of Financial Institution Official:

13 Date Signed:

Total Amount Claimed By Financial Institution

Section C - Receiving Report

16 Disallowance *(See Attached)*

14 I certify that the articles and services listed were received:

15 Date Received:

17 Net to Financial Institution

18 Right to Financial Privacy Act - Public Law 95-630
(12 U.S.C. 3401-3422) Request Pursuant To: *(Check One Only)*

SECTION		OBJECT CLASS
☐ 3404	Customer Authorization	2545
☐ 3405	Administrative Subpoena or Summons	2545
☐ 3406	Search Warrant	2545
☐ 3407	Judicial Subpoena	2545
☐ 3408	Formal Written Request	2545
☐ 3413	Grand Jury Subpoena	2545
☐ 3414	Special Procedures	2545

19 Signature of Approving Official: Date:

20 Funding Source Accounting Code:
Program

21 Other Accounting/Fund Information:
Program Code: Project Code:
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.

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

IMPORTANT NOTICE

Pursuant to the Right to Financial Privacy Act (RFPA), Title 12, United States Code, Section 3415, financial institutions may be reimbursed for necessary costs actually incurred for producing subpoenaed financial records. **Reimbursement may only be made in connection with financial records of checking, savings, share, loan or credit card accounts if the accounts belong to individuals or partnerships of five or fewer partners.** Reimbursement may only be made to an entity defined as a financial institution under the RFPA. The Federal Reserve Board has established the following guidelines:

1. ***Search and Processing Costs*** – May be billed at the following rates of:
   Clerical/Technical, hourly rate - $22.00
   Computer Support Specialist, hourly rate - $30.00*
   Manager/Supervisory, hourly rate - $30.00

   *If itemized separately, personnel time for computer searches may be paid at the rates set for specialized computer support ***only*** when compliance with the request for information requires that the financial institution use programming or other higher level technical services of specialized computer support in order to reproduce electronically stored information in the format requested by the government authority.

2. ***Reproduction Costs*** – May be billed at the following rates of:
   Photocopy, per page - $0.25**
   Paper copies of microfiche, per frame - $0.25
   Duplicate microfiche, per microfiche - $0.50
   Storage Media (CD, flash storage device, etc.) – Actual Cost***

   **Reimbursement is not permitted on a per-page basis for production of paper documents that had been stored electronically, unless the government specifically requested production of paper documents. ***Storage media may include encryption technologies.

3. ***Transportation Costs*** – If itemized separately, financial institutions may bill for:
   - ✓ Reasonably necessary costs directly incurred to transport personnel to locate and retrieve the requested information, and to deliver such material to the place of examination.
   - ✓ Reasonable measures taken to insure against a data breach, such as the use of registered mail or courier services as required.
   - ✓ No fixed reimbursement will be available for transmittal made by email. However, financial institutions may be reimbursed for personnel costs and other identified costs incurred related to making email transmissions.

REIMBURSEMENTS CANNOT BE MADE FOR RECORDS RELATING TO ACCOUNTS OF:

1. Corporations
2. Large Partnerships (6 or more partners)
3. Associations
4. Trusts
5. State and local government agencies
6. Other legal entities

Unless otherwise requested, all financial record requests should be delivered in an electronic format.

- Section B, item numbers 11 through 13 of the attached form must be completed and returned to the United States Attorney's Office along with an itemized invoice to support reimbursement.
- To assure prompt payment, please submit an invoice within 60 days. Mail should be directed to the attorney whose name and address appears on the subpoena. Please include the appropriate tax ID number.

Note: If invoicing for these services is expected to exceed 120 days, please notify the United States Attorney's Office at USAFLS-Fiscal@usdoj.gov immediately to ensure funds remain available for payment.