

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 18-80106-CV-MIDDLEBROOKS/BRANNON

GLOBAL DIGITAL SOLUTIONS, INC.,

Plaintiff,

v.

GRUPO RONTAN ELECTRO METALURGICA,
S.A., JOAO ALBERTO BOLZAN, and JOSE
BOLZAN,

Defendants.

ORDER

THIS CAUSE comes before the Court on Plaintiff's Motion for Court's Seal and Signature on Form Requesting Service of Summons and Complaint Abroad (DE 7). For reasons stated below, Plaintiff's Motion is granted.

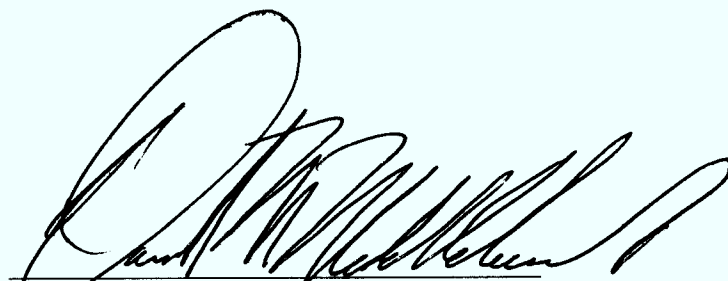
According to the Complaint, Defendants are citizens and residents of Brazil. (DE 1 ¶¶ 4-6). Rule 4(f) authorizes service of process on foreign individuals "by any internationally agreed means of service that is reasonably calculated to give notice." Fed. R. Civ. P. 4(f)(1). Both the United States and Brazil are parties to the Inter-American Convention on Letters Rogatory ("the Convention"). The Additional Protocol to the Inter American Convention on Letters Rogatory ("Additional Protocol") requires that a particular form be used to transmit the service request to the Central Authority of the destination country, and requires that the "[s]ignature and stamp of the judicial or other adjudicatory authority of the State of origin" be placed on the form.¹

¹ <http://www.oas.org/juridico/english/treaties/b-46.html>

Plaintiff attached the required forms to the Motion and moves for the Court's signature and seal to be placed on the completed forms. Having reviewed the Motion, the attached exhibits and being otherwise advised in the premises, it is hereby

ORDERED and ADJUDGED that Plaintiff's Motion is **GRANTED**. The Court will sign and seal the exhibits attached to this Order.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 20 day of August, 2018.



DONALD M. MIDDLEBROOKS
UNITED STATES DISTRICT JUDGE

Copies to: counsel of record

U.S. Department of Justice
United States Marshals Service



**REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL
DOCUMENTS PURSUANT TO THE ADDITIONAL PROTOCOL TO THE
INTER-AMERICAN CONVENTION ON LETTERS ROGATORY**

FORM A

LETTER ROGATORY

1

REQUESTING JUDICIAL OR OTHER
ADJUDICATORY AUTHORITY

Name
U.S. District Court, Southern District of Florida

Address
701 Clematis Street, Room 202
West Palm Beach, FL 33401 USA

2

CASE:
Global Digital Solutions, Inc. v. José C. Bolzan

DOCKET No.:
Case No. 9:18-cv-80106-DMM

3

CENTRAL AUTHORITY OF
THE STATE OF ORIGIN

Name
U.S. Department of Justice c/o ABC Legal

Address
633 Yesler Way
Seattle, WA 98104 USA

4

CENTRAL AUTHORITY OF
THE STATE OF DESTINATION

Name
Ministerio de Justicia

Address
SCN Q 6, Bloco A, 2nd Floor
70716-900 Brasilia, DF, BRAZIL

5

REQUESTING PARTY

Name
Global Digital Solutions, Inc.

Address
777 South Flagler Drive, Suite 800, West Tower
West Palm Beach, FL 33401

6

COUNSEL TO THE REQUESTING PARTY

Name
Carlos Sires, Esq.

Address
401 East Las Olas Blvd. Suite 1200
Fort Lauderdale, FL 33301 USA

PERSON DESIGNATED TO ACT IN CONNECTION WITH THE LETTER ROGATORY

Name _____

Address _____

Is this person responsible for costs and expenses?
YES NO

* If not, check in the amount of _____ is attached

* Or proof of payment is attached

1 Complete the original and two copies of this form; if A(1) is applicable, attach the original and two copies of the translation of this item in the language of the State of destination.
* Delete if inapplicable.

The Central Authority signing this letter rogatory has the honor to transmit to you in triplicate the documents listed below and, in conformity with the Protocol to the Inter-American Convention on Letters Rogatory:

* A. Requests their prompt service on:

José Carlos Bolzan
Av. Prof. Olavo Avalone, nº 600, Colina das Estrelas, 18273-740, Tatuí, SP, Brazil

The undersigned authority requests that service be carried out in the following manner:

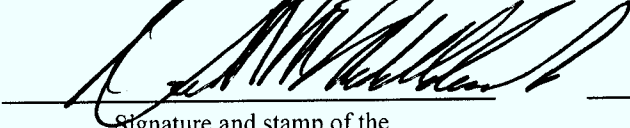
- * (1) In accordance with the special procedure or additional formalities that are described below, as provided for in the second paragraph of Article 10 of the above-mentioned Convention; or
- * (2) By service personally on the identified addressee or, in the case of a legal entity, on its authorized agent; or
- * (3) If the person or the authorized agent of the entity to be served is not found, service shall be made in accordance with the law of the State of destination.

* B. Requests the delivery of the documents listed below to the following judicial or administrative authority:
Authority:

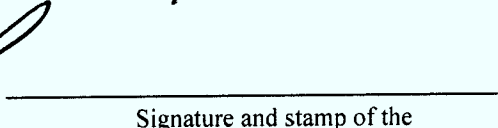
(1) Summons - José Carlos Bolzan; (2) Complaint

* C. Requests the Central Authority of the State of destination to return to the Central Authority of the State of origin one copy of the documents listed below and attached to this letter rogatory, and an executed Certificate on the attached Form C.

Done at WAB this 20 date of August 2018



Signature and stamp of the
judicial or other adjudicatory
authority of the State of origin



Signature and stamp of the
Central Authority of the
State of origin

Title or other identification of each document to be delivered:

(Attach additional pages, if necessary.)

* Delete if inapplicable.

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE INTER-AMERICAN
CONVENTION ON LETTERS ROGATORY**

FORM B

ESSENTIAL INFORMATION FOR THE ADDRESSEE¹

To (Name and address of the person being served)

José Carlos Bolzan

Av. Prof. Olavo Avalone, nº 600, Colina das Estrelas, 18273-740, Tatuí, SP, Brazil

You are hereby informed that (Brief statement of nature of service)

You are being served with a summons and complaint filed against you in the U.S. District
Court for the Southern District of Florida

A copy of the letter rogatory that gives rise to the service or delivery of these documents is attached to this document. This copy also contains essential information for you. Also attached are copies of the complaint or pleading initiating the action in which the letter rogatory was issued, of the documents attached to the complaint or pleading, and of any rulings that ordered the issuance of the letter rogatory.

ADDITIONAL INFORMATION

I *

FOR SERVICE

A. The document being served on you (original or copy) concerns the following:

Complaint for Breach of Contract with Global Digital Solutions, Inc.

B. The remedies sought or the amount in dispute is as follows:

Damages or Specific Performance

C. By this service, you are requested:

To appear and respond.

D. * In case of service on you as a defendant you can answer the complaint before the judicial or other adjudicatory authority specified in Form A, Box I (State place, date and hour):

U.S. District Court for the Southern District of Florida within 21 days of service.
701 Clematis Street, Room 202, West Palm Beach, FL 33401 USA

* You are being summoned to appear as:

Defendant.

¹ Complete the original and two copies of this form in the language of the State of origin and two copies in the language of the State of destination.

* Delete if inapplicable.

* If some other action is being requested of the person served, please describe:

n/a

E. If you fail to comply, the consequences might be:

Judgment by default will be entered against you for the relief demanded in the complaint.

F. You are hereby informed that a defense counsel appointed by the Court or the following legal aid societies are available to you at the place where the proceeding is pending.

Name: n/a

Address:

The documents listed in Part III are being furnished to you so that you may better understand and defend your interests.

II *

FOR INFORMATION FROM JUDICIAL OR ADMINISTRATIVE AUTHORITY

To: Ministerio de Justicia

SCN Q 6, Bloco A, 2nd Floor

70716-900 Brasilia, DF, BRAZIL

(Name and address of the judicial or administrative authority)

You are respectfully requested to furnish the undersigned authority with the following information:

The completed Certificate of Execution (Form C) after service of the attached documents has been accomplished.

The documents listed in Part III are being furnished to you to facilitate your reply.

* Delete if inapplicable.

III
LIST OF ATTACHED DOCUMENTS

- (1) Summons - José Carlos Bolzan (with translation)
- (2) Complaint and Exhibits (with translation)
- _____
- _____
- _____

(Attach additional pages if necessary.)

Done at WFB Florida this 20th day
of August 2018



Signature and stamp of the
judicial or other adjudicatory
authority of the State of Origin

Signature and stamp of
the Central Authority
of the State of Origin

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE
INTER-AMERICAN CONVENTION ON LETTERS ROGATORY**

FORM C

CERTIFICATE OF EXECUTION¹

To: _____

(Name and address of judicial or other adjudicatory
authority that issued the letter rogatory)

In conformity with the Additional Protocol to the Inter-American Convention on Letters Rogatory,
signed at Montevideo on May 8, 1979, and in accordance with the attached original letter rogatory, the
undersigned Central Authority has the honor to certify the following:

* A. That one copy of the documents attached to this Certificate has been served or delivered as
follows:

Date: _____

At (Address) _____

By one of the following methods authorized by the Convention.

* (1) In accordance with the special procedure or additional formalities that are described below,
as provided for in the second paragraph of Article 10 of the above-mentioned Convention, or

* (2) By service personally on the identified addressee or, in the case of a legal entity, on its
authorized agent, or

* (3) If the person or the authorized agent of the entity to be served was not found, in accordance
with the law of the State of destination: (Specify method used)

¹ Complete the original and one copy in the language of the State of destination.

* Delete if inapplicable.

* B. That the documents referred to in the letter rogatory have been delivered to:

Identity of person _____

Relationship to the addressee _____

(Family, business or other)

* C. That the documents attached to the Certificate have not been served or delivered for the following reason(s):

* D. In conformity with the Protocol, the party requesting execution of the letter rogatory is requested to pay the outstanding balance of costs in the amount indicated in the attached statement.

Done at _____ the _____ day of _____ 20 _____

Signature and stamp of Central Authority of the State of destination

Where appropriate, attach originals or copies of any additional documents proving service or delivery, and identify them.

* Delete if inapplicable.

U.S. Department of Justice
United States Marshals Service



REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS PURSUANT TO THE ADDITIONAL PROTOCOL TO THE INTER-AMERICAN CONVENTION ON LETTERS ROGATORY

FORM A

LETTER ROGATORY

1

REQUESTING JUDICIAL OR OTHER
ADJUDICATORY AUTHORITY
Name
U.S. District Court, Southern District of Florida

Address
701 Clematis Street, Room 202
West Palm Beach, FL 33401 USA

2

CASE:
Global Digital Solutions, Inc. v. João A. Bolzan

DOCKET No.:
Case No. 9:18-cv-80106-DMM

3

CENTRAL AUTHORITY OF
THE STATE OF ORIGIN
Name
U.S. Department of Justice c/o ABC Legal

Address
633 Yesler Way
Seattle, WA 98104 USA

4

CENTRAL AUTHORITY OF
THE STATE OF DESTINATION
Name
Ministerio de Justicia

Address
SCN Q 6, Bloco A, 2nd Floor
70716-900 Brasilia, DF, BRAZIL

5

REQUESTING PARTY
Name
Global Digital Solutions, Inc.

Address
777 South Flagler Drive, Suite 800, West Tower
West Palm Beach, FL 33401

6

COUNSEL TO THE REQUESTING PARTY
Name
Carlos M. Sires, Esq.

Address
401 East Las Olas Blvd., Suite 1200
Fort Lauderdale, FL 33301 USA

PERSON DESIGNATED TO ACT IN CONNECTION WITH THE LETTER ROGATORY

Name _____

Address _____

Is this person responsible for costs and expenses?
YES NO

* If not, check in the amount of _____ is attached

* Or proof of payment is attached

1 Complete the original and two copies of this form; if A(1) is applicable, attach the original and two copies of the translation of this item in the language of the State of destination.
* Delete if inapplicable.

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE INTER-AMERICAN
CONVENTION ON LETTERS ROGATORY**

FORM B

ESSENTIAL INFORMATION FOR THE ADDRESSEE¹

To (Name and address of the person being served)

João Alberto Bolzan

Alameda Cinderela, nº 391, Condomínio Terras de São José, 13306-380, Itu, SP, Brazil

You are hereby informed that (Brief statement of nature of service)

You are being served with a summons and complaint filed against you in the U.S. District
Court for the Southern District of Florida

A copy of the letter rogatory that gives rise to the service or delivery of these documents is attached to this document. This copy also contains essential information for you. Also attached are copies of the complaint or pleading initiating the action in which the letter rogatory was issued, of the documents attached to the complaint or pleading, and of any rulings that ordered the issuance of the letter rogatory.

ADDITIONAL INFORMATION

I *

FOR SERVICE

A. The document being served on you (original or copy) concerns the following:

Complaint for Breach of Contract with Global Digital Solutions, Inc.

B. The remedies sought or the amount in dispute is as follows:

Damages or Specific Performance

C. By this service, you are requested:

To appear and respond.

D. * In case of service on you as a defendant you can answer the complaint before the judicial or other adjudicatory authority specified in Form A, Box I (State place, date and hour):

U.S. District Court for the Southern District of Florida within 21 days of service.
701 Clematis Street, Room 202, West Palm Beach, FL 33401 USA

* You are being summoned to appear as:

Defendant.

¹ Complete the original and two copies of this form in the language of the State of origin and two copies in the language of the State of destination.

* Delete if inapplicable.

* If some other action is being requested of the person served, please describe:

n/a

E. If you fail to comply, the consequences might be:

Judgment by default entered against you for the relief demanded in the complaint.

F. You are hereby informed that a defense counsel appointed by the Court or the following legal aid societies are available to you at the place where the proceeding is pending.

Name: n/a _____

Address: _____

The documents fisted in Part III are being furnished to you so that you may better understand and defend your interests.

II *
FOR INFORMATION FROM JUDICIAL OR ADMINISTRATIVE AUTHORITY

To: Ministerio de Justicia _____
SCN Q 6, Bloco A, 2nd Floor _____
70716-900 Brasilia, DF, BRAZIL _____

(Name and address of the judicial or administrative authority)

You are respectfully requested to furnish the undersigned authority with the following information:

The completed Certificate of Execution (Form C) after service of the attached documents has been
accomplished.

The documents listed in Part III are being furnished to you to facilitate your reply.

* Delete if inapplicable.

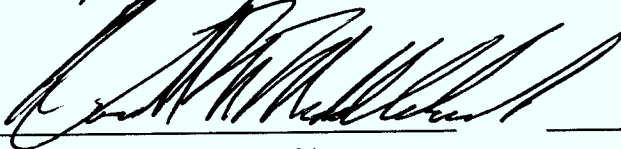
III
LIST OF ATTACHED DOCUMENTS

(1) Summons - João Alberto Bolzan (with translation)

(2) Complaint and Exhibits (with translation)

(Attach additional pages if necessary.)

Done at WPB Florida this 20 day
of August 2018



Signature and stamp of the
judicial or other adjudicatory
authority of the State of Origin

Signature and stamp of
the Central Authority
of the State of Origin

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE
INTER-AMERICAN CONVENTION ON LETTERS ROGATORY**

FORM C

CERTIFICATE OF EXECUTION¹

To: _____

(Name and address of judicial or other adjudicatory
authority that issued the letter rogatory)

In conformity with the Additional Protocol to the Inter-American Convention on Letters Rogatory,
signed at Montevideo on May 8, 1979, and in accordance with the attached original letter rogatory, the
undersigned Central Authority has the honor to certify the following:

- * A. That one copy of the documents attached to this Certificate has been served or delivered as follows:

Date: _____

At (Address) _____

By one of the following methods authorized by the Convention.

- * (1) In accordance with the special procedure or additional formalities that are described below,
as provided for in the second paragraph of Article 10 of the above-mentioned Convention, or

- * (2) By service personally on the identified addressee or, in the case of a legal entity, on its
authorized agent, or

- * (3) If the person or the authorized agent of the entity to be served was not found, in accordance
with the law of the State of destination: (Specify method used)

¹ Complete the original and one copy in the language of the State of destination.

* Delete if inapplicable.

* B. That the documents referred to in the letter rogatory have been delivered to:

Identity of person _____

Relationship to the addressee _____
(Family, business or other)

* C. That the documents attached to the Certificate have not been served or delivered for the following reason(s):

* D. In conformity with the Protocol, the party requesting execution of the letter rogatory is requested to pay the outstanding balance of costs in the amount indicated in the attached statement.

Done at _____ the _____ day of _____ 20 _____

Signature and stamp of Central Authority of the State of destination

Where appropriate, attach originals or copies of any additional documents proving service or delivery, and identify them.

* Delete if inapplicable.

U.S. Department of Justice
 United States Marshals Service



REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS PURSUANT TO THE ADDITIONAL PROTOCOL TO THE INTER-AMERICAN CONVENTION ON LETTERS ROGATORY

FORM A

LETTER ROGATORY¹

1

REQUESTING JUDICIAL OR OTHER
 ADJUDICATORY AUTHORITY
 Name
 U.S. District Court, Southern District of Florida

Address
 701 Clematis Street, Room 202
 West Palm Beach, FL 33401 USA

2

CASE:
 Global Digital Solutions, Inc. v. Grupo Rontan...

DOCKET No.:
 ...Electro Metalurgica, S.A., et al.
 Case No. 9:18-cv-80106-DMM

3

CENTRAL AUTHORITY OF
 THE STATE OF ORIGIN
 Name
 U.S. Department of Justice c/o ABC Legal

Address
 633 Yesler Way
 Seattle, WA 98104 USA

4

CENTRAL AUTHORITY OF
 THE STATE OF DESTINATION
 Name
 Ministerio de Justicia

Address
 SCN Q 6, Bloco A, 2nd Floor
 70716-900 Brasilia, DF, BRAZIL

5

REQUESTING PARTY
 Name
 Global Digital Solutions, Inc.

Address
 777 South Flagler Drive, Suite 800, West Tower
 West Palm Beach, FL 33401

6

COUNSEL TO THE REQUESTING PARTY
 Name
 Carlos Sires, Esq.

Address
 401 East Las Olas Blvd. Suite 1200
 Fort Lauderdale, FL 33301 USA

PERSON DESIGNATED TO ACT IN CONNECTION WITH THE LETTER ROGATORY

Name _____

Address _____

Is this person responsible for costs and expenses?
 YES NO

* If not, check in the amount of _____ is attached

* Or proof of payment is attached

¹ Complete the original and two copies of this form; if A(l) is applicable, attach the original and two copies of the translation of this item in the language of the State of destination.
 * Delete if inapplicable.

The Central Authority signing this letter rogatory has the honor to transmit to you in triplicate the documents listed below and, in conformity with the Protocol to the Inter-American Convention on Letters Rogatory:

* A. Requests their prompt service on:

Grupo Rontan Electro Metalurgica, S.A.
Rod. SP 127, 18277-670, Tatui, SP, BRAZIL

The undersigned authority requests that service be carried out in the following manner:

- * (1) In accordance with the special procedure or additional formalities that are described below, as provided for in the second paragraph of Article 10 of the above-mentioned Convention; or
- * (2) By service personally on the identified addressee or, in the case of a legal entity, on its authorized agent; or
- * (3) If the person or the authorized agent of the entity to be served is not found, service shall be made in accordance with the law of the State of destination.

* B. Requests the delivery of the documents listed below to the following judicial or administrative authority:
Authority:

(1) Summons - Grupo Rontan; (2) Complaint

* C. Requests the Central Authority of the State of destination to return to the Central Authority of the State of origin one copy of the documents listed below and attached to this letter rogatory, and an executed Certificate on the attached Form C.

Done at WRB this 20th date of August 2018

Signature and stamp of the judicial or other adjudicatory authority of the State of origin

Signature and stamp of the Central Authority of the State of origin

Title or other identification of each document to be delivered:

(Attach additional pages, if necessary.)

* Delete if inapplicable.

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE INTER-AMERICAN
CONVENTION ON LETTERS ROGATORY**

FORM B

ESSENTIAL INFORMATION FOR THE ADDRESSEE¹

To (Name and address of the person being served)

Grupo Rontan Electro Metalurgica, S.A.

Rod. SP 127, 18277-670, Tatui, SP, BRAZIL

You are hereby informed that (Brief statement of nature of service)

You are being served with a summons and complaint filed against you in the U.S. District
Court for the Southern District of Florida

A copy of the letter rogatory that gives rise to the service or delivery of these documents is attached to this document. This copy also contains essential information for you. Also attached are copies of the complaint or pleading initiating the action in which the letter rogatory was issued, of the documents attached to the complaint or pleading, and of any rulings that ordered the issuance of the letter rogatory.

ADDITIONAL INFORMATION

**I *
FOR SERVICE**

A. The document being served on you (original or copy) concerns the following:

Complaint for Breach of Contract with Global Digital Solutions, Inc.

B. The remedies sought or the amount in dispute is as follows:

Damages or Specific Performance

C. By this service, you are requested:

To appear and respond.

D. * In case of service on you as a defendant you can answer the complaint before the judicial or other adjudicatory authority specified in Form A, Box I (State place, date and hour):

U.S. District Court for the Southern District of Florida within 21 days of service.
701 Clematis Street, Room 202, West Palm Beach, FL 33401 USA

* You are being summoned to appear as:

Defendant.

¹ Complete the original and two copies of this form in the language of the State of origin and two copies in the language of the State of destination.

* Delete if inapplicable.

* If some other action is being requested of the person served, please describe:

n/a

E. If you fail to comply, the consequences might be:

Judgment by default will be entered against you for the relief demanded in the complaint.

F. You are hereby informed that a defense counsel appointed by the Court or the following legal aid societies are available to you at the place where the proceeding is pending.

Name: n/a _____

Address: _____

The documents fisted in Part III are being furnished to you so that you may better understand and defend your interests.

II *
FOR INFORMATION FROM JUDICIAL OR ADMINISTRATIVE AUTHORITY

To: Ministerio de Justicia _____
SCN Q 6, Bloco A, 2nd Floor _____
70716-900 Brasilia, DF, BRAZIL _____

(Name and address of the judicial or administrative authority)

You are respectfully requested to furnish the undersigned authority with the following information:

The completed Certificate of Execution (Form C) after service of the attached documents has been
accomplished.

The documents listed in Part III are being furnished to you to facilitate your reply.

* Delete if inapplicable.

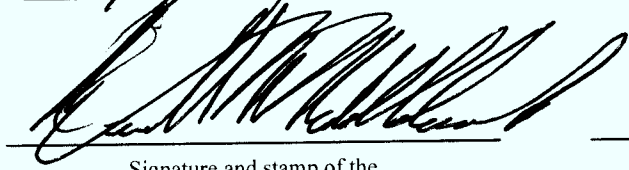
**III
LIST OF ATTACHED DOCUMENTS**

(1) Summons - Grupo Rontan Electro Metalurgica, S.A. (with translation)

(2) Complaint and Exhibits (with translation)

(Attach additional pages if necessary.)

Done at WFB this 20th day
of August 2018



Signature and stamp of the
judicial or other adjudicatory
authority of the State of Origin

Signature and stamp of
the Central Authority
of the State of Origin

**ANNEX TO THE ADDITIONAL PROTOCOL TO THE
INTER-AMERICAN CONVENTION ON LETTERS ROGATORY**

FORM C

CERTIFICATE OF EXECUTION¹

To: _____

(Name and address of judicial or other adjudicatory
authority that issued the letter rogatory)

In conformity with the Additional Protocol to the Inter-American Convention on Letters Rogatory,
signed at Montevideo on May 8, 1979, and in accordance with the attached original letter rogatory, the
undersigned Central Authority has the honor to certify the following:

- * A. That one copy of the documents attached to this Certificate has been served or delivered as follows:

Date: _____

At (Address) _____

By one of the following methods authorized by the Convention.

- * (1) In accordance with the special procedure or additional formalities that are described below, as provided for in the second paragraph of Article 10 of the above-mentioned Convention, or

- * (2) By service personally on the identified addressee or, in the case of a legal entity, on its authorized agent, or

- * (3) If the person or the authorized agent of the entity to be served was not found, in accordance with the law of the State of destination: (Specify method used)

¹ Complete the original and one copy in the language of the State of destination.

* Delete if inapplicable.

* B. That the documents referred to in the letter rogatory have been delivered to:

Identity of person _____

Relationship to the addressee _____
(Family, business or other)

* C. That the documents attached to the Certificate have not been served or delivered for the
*following reason(s):

* D. In conformity with the Protocol, the party requesting execution of the letter rogatory is
requested to pay the outstanding balance of costs in the amount indicated in the attached statement.

Done at _____ the _____ day of _____ 20 _____

Signature and stamp of Central Authority of the State of destination

Where appropriate, attach originals or
copies of any additional documents proving
service or delivery, and identify them.

* Delete if inapplicable.