

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

ART BROKERS USA INC., a
Florida corporation,
PUBLICIDAD EXTERNA LIMITADA,
a foreign corporation,

CASE NO: CACE-05-013997

Division 13

Plaintiffs,

v.

FERNANDO BOTERO ANGULO,
individually,

Defendant.

**SUBPOENA DUCES TECUM TO JUAN
CARLOS BOTERO WITHOUT DEPOSITION**

THE STATE OF FLORIDA:

To: Juan Carlos Botero
2465 South Bayshore Drive PH 101
Coconut Grove, Florida 33133

YOU ARE COMMANDED to appear at the offices of the Garfinkel Trial Group, 300 N. Maitland Avenue, Maitland, Florida 32751-4724, on November 3, 2005 2005, at 1:00 p.m. and to have with you at that time and place the documents described on the attached Exhibit "A."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may mail or deliver the copies to the attorney whose name appears on the subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.

If you fail to (1) appear as specified; or (2) furnish the records instead of appearing as provided above; or (3) object to this subpoena, you may be in contempt of court.

DATED ON October 3, 2005

Alan B. Garfinkel, Esq.
FOR THE COURT
Fla. Bar No.: 0813796
Garfinkel Trial Group
300 N. Maitland Avenue
Maitland, Florida 32751-4724
Telephone: 407.539.3900
Facsimile: 407.539.0211

Attorney for Plaintiffs

Exhibit "A"

1. All documents, whether in paper or electronic form, evidencing any communication between you and your father, Fernando Botero, at any time relating in any way to the Museo de Antioquia ("Museum") or his donation of works of art to the Museum, including but not limited to all letters, e-mails, faxes, notes and memos.
2. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to the marketing or selling of reproductions of any work of art donated by Fernando Botero to the Museum or to the commercialization and such work of art, including but not limited to all letters, e-mails, faxes, notes and memos.
3. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to Fernando Botero's donation of art to the Museum, including but not limited to all letters, e-mails, faxes, notes and memos.
4. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to Marlene Moonjian, including but not limited to all letters, e-mails, faxes, notes and memos.
5. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to Art Brokers USA, Inc., including but not limited to all letters, e-mails, faxes, notes and memos.

6. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to Alvaro Vargas, including but not limited to all letters, e-mails, faxes, notes and memos.

7. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to Publicidad Externa Limitada, including but not limited to all letters, e-mails, faxes, notes and memos.

8. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to reproductions of your father Fernando Botero's work in the form of "giclees", including but not limited to all letters, e-mails, faxes, notes and memos.

9. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to the right or authorization to reproduce Fernando Botero's work in any form, including but not limited to all letters, e-mails, faxes, notes and memos.

10. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to the unauthorized reproduction of Fernando Botero's art work, including but not limited to all letters, e-mails, faxes, notes and memos.

11. All documents, whether in paper or electronic form, evidencing any communication between you and any person or entity at any time relating in any way to authorizing the reproduction of Fernando Botero's art work, including but not limited to all letters, e-mails, faxes, notes and memos.

12. All documents, whether in paper or electronic form, evidencing any communication between you and any employee or representative of the Museum at any time relating in any way to Fernando Botero's art work that he donated to the Museum, including but not limited to all letters, e-mails, faxes, notes and memos.

13. All agreements and other documents, whether in paper or electronic form, evidencing the creation of any e-mail account used by you during the last five years.

14. All documents, whether in paper or electronic form, evidencing any communication between you and Enrique Michelsen at any time relating in any way to Fernando Botero's art work, including but not limited to all letters, e-mails, faxes, notes and memos.

15. All documents, whether in paper or electronic form, evidencing any communication during the five years preceding the date of this subpoena between you and any person or entity (other than your father Fernando Botero) that was authorized to reproduce Fernando Botero's art work, including but not limited to all agreements, letters, e-mails, faxes, notes and memos.

16. All documents, whether in paper or electronic form, made at any time by which you were given any authority to act or speak on behalf of your father, Fernando Botero, including but not limited to all powers of attorney, agreements letters, e-mails, faxes, notes and memos.

17. All documents, whether in paper or electronic form, evidencing any communication between you and George Restrepo made during the six years preceding the date of this subpoena, including but not limited to all letters, e-mails, faxes, notes and memos.

18. All documents, whether in paper or electronic form, made at any time relating to the opening of a store or shop in Coconut Grove by your wife or you, including but not limited to all contracts, letters, e-mails, faxes, notes and memos.