



*U.S. Department of Justice*

*United States Attorney  
District of New Mexico*

ERB RCVD 05/06/09 AM11:21

*Post Office Box 607  
Albuquerque, New Mexico 87103*

*505/346-7274  
505/346-7224  
FAX 505/346-7296*

April 28, 2009

Custodian of Records  
New Mexico Educational Retirement Board  
701 Camino de los Marquez  
Santa Fe, New Mexico 87502

Re: **Grand Jury Subpoena**

To Whom It May Concern:

You have been served with a subpoena duces tecum issued by a federal grand jury in connection with a criminal investigation being conducted in this district. That subpoena directs you to produce information on June 9, 2009, before the grand jury in Albuquerque, New Mexico.

As a convenience to you, you may, if you wish, deliver the requested documents to Special Agent John D. Fay, Federal Bureau of Investigation, 4200 Luecking Park Avenue NE, Albuquerque, New Mexico 87107, (505) 889-1300, in lieu of personally appearing before the grand jury. Should you choose this option, please prepare the documents in some type of sealed package and mark on the package, in bright red letters if possible, "**GRAND JURY MATERIALS, DO NOT OPEN,**" and turn them over to the agent who requested them in a sealed condition.

If you have any questions, please feel free to contact me at (505) 346-7274.

Sincerely,

GREGORY J. FOURATT  
United States Attorney

A handwritten signature in black ink, appearing to read "Paula G. Burnett".

PAULA G. BURNETT  
Assistant United States Attorney

# United States District Court

FOR THE

NEW MEXICO

ERB RCUV 05/06/09 AM11:21

DISTRICT OF \_\_\_\_\_

TO:

Custodian of Records  
New Mexico Educational Retirement Board  
701 Camino de los Marquez  
Santa Fe, New Mexico 87502

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

PERSON  DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

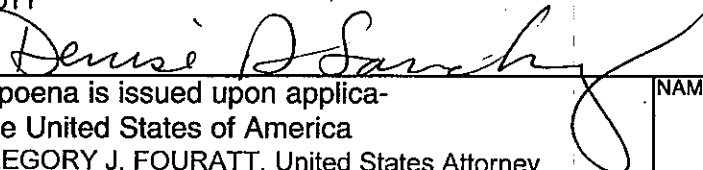
PLACE	PETE V. DOMENICI UNITED STATES COURTHOUSE 333 Lomas Blvd., NW Albuquerque, New Mexico 87102	ROOM	Grand Jury Room.
		DATE AND TIME	June 9, 2009

YOU ARE ALSO COMMANDED to bring with the following document(s) or object(s):\*

**SEE ATTACHMENT**

Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK	Matthew J. Dykman, CLERK	DATE	April 28, 2009
(BY) DEPUTY			

This subpoena is issued upon application of the United States of America GREGORY J. FOURATT, United States Attorney	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Paula G. Burnett, AUSA P.O. Box 607 Albuquerque, New Mexico 87103 (505) 346-7274 0256809065
--	--

\*If not applicable, enter "none"

ERB RCU 05/06/09 AM 11:21

For the period 01/01/2003 to present, inclusive, the following documents, records, or items, regardless of storage format:

- 1) Contracts, or other agreements, between the New Mexico Educational Retirement Board (ERB) and any firms, individuals, or entities investing funds or providing investment advice to or on behalf of the ERB.
- 2) Any documents listing the placement agents, brokers, or third party marketers associated with #1 above.
- 3) Contracts, or other agreements, between the ERB and Aldus Equity.
- 4) Correspondence, via e-mail or otherwise, between the ERB and Aldus Equity.
- 5) Correspondence, e-mails, documents or records relating to any placement agents or brokers.
- 6) Any documents or records generated by Aldus Equity which were provided to the ERB.
- 7) Requests for Proposals (RFPs) associated with #1 above.
- 8) A list of respondents to the RFPs in #7 above.
- 9) A list of firms selected by ERB staff to be interviewed by the ERB investment committee associated with #7 above.
- 10) A list of firms interviewed by the ERB investment committee.
- 11) Meeting minutes of meeting in which Aldus Equity was present.
- 12) Records of payments to Aldus to include instruments documenting payments.
- 13) A list of companies in which Aldus proposed that the ERB invest.