



3.31(c)(2) and 3.34(c), on the grounds that: (i) the remaining discovery sought from Sigma is unreasonably cumulative; (ii) Complaint Counsel has had ample opportunity to obtain the information now sought; and (iii) the burden of the proposed discovery on Sigma outweighs the benefit.

Complaint Counsel asserts that it has been meeting and conferring with counsel for

(c) Admissibility of third party documents. Extrinsic evidence of authenticity as a condition precedent to admissibility of documents received from third parties is not required with respect to the original or a duplicate of a domestic record of regularly conducted activity by that third party that otherwise meets the standards of admissibility described in paragraph (b) if accompanied by a written declaration of its custodian or other qualified person that it is a true and correct copy of the original.

any Act of Congress or rule prescribed by the Supreme Court pursuant to statutory authority, certifying that the record:

(1) was 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;

(2) was kept in the course of the regularly conducted activity; and

(3) was made by the regularly conducted activity as a regular practice

Counsel notes, Sigma need not present those same witnesses in response to the subpoena.

Depositions for purposes of establishing authenticity of documents

the record keeping practices of the business. See Rule 3.43(c) (permitting a written declaration from a document's "custodian or other qualified person"); *Commodities Future Trading Commission v. Dinos*, 504 F.2d 408, 415 (5th Cir. 2010) ("The Commission is entitled to the