

STATE OF NEW MEXICO
HOUSE OF REPRESENTATIVES
57TH LEGISLATURE —2026

NEW MEXICO EPSTEIN TRUTH COMMISSION
(Special Committee Established Pursuant to House Resolution 1)

LEGISLATIVE SUBPOENA DUCES TECUM

TO: SANTA FE INSTITUTE
Santa Fe Institute
c/o Registered Agent, or alternatively c/o David Krakauer, President
1399 Hyde Park Road
Santa Fe, NM 87501

YOU ARE HEREBY COMMANDED, pursuant to the New Mexico Epstein Truth Commission to produce and permit inspection and copying of the documents, electronically stored information, and tangible things described herein at the time, date, and place specified below:

DATE OF COMPLIANCE: Tuesday, June 30, 2026

TIME: 4:00 p.m. MDT

PLACE: Fadduol, Cluff, Hardy & Conaway, P.C.

3301 San Mateo Blvd. NE

Albuquerque, New Mexico 87110

Telephone: 505-243-6045

Should electronic compliance be sought, please contact our office at the number above and email info@nmtruthcommission.com

I. AUTHORITY

THIS SUBPOENA is issued by the New Mexico Epstein Truth Commission (“Commission”), a Special Committee of the New Mexico House of Representatives duly constituted by House Resolution 1, adopted unanimously by the House of Representatives of the State of New Mexico on February 16, 2026, 57th Legislature, Second Session (hereinafter “HR1”).

HR1 expressly vests the Commission with “all necessary powers and process, including the powers to conduct hearings, compel the attendance of witnesses, administer oaths and issue subpoenas.” HR1 further provides that after the legislature adjourns sine die, subpoenas “shall be enforced in any court with jurisdiction over the process and shall be in compliance with the applicable rules of the court.”

The Commission derives its investigative authority from Article 4, Section 2 of the Constitution of New Mexico, which vests the Legislature with “all powers necessary to the legislature of a free state,”

expressly including “the indispensable power of inquiry, through which either chamber of the legislature may conduct investigative procedures to secure information necessary to legislate, to provide general oversight of the administration of government, the expenditure of public money and the use of public resources.” HR1, Whereas Clauses.

The Commission is further authorized by Article 4, Section 35 of the Constitution of New Mexico, which vests the House of Representatives with the sole power of impeachment, conferring a unique duty to oversee the conduct of state officers and compelling the investigation of allegations of misconduct.

The Commission’s investigative authority is further supported by controlling federal authority. The United States Supreme Court has held that the power of inquiry, with process to enforce it, is an essential auxiliary to the legislative function. *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927). A legislative body cannot legislate effectively without the means to obtain information from others. *Id.* at 175. The Supreme Court has recently reaffirmed this principle. *Trump v. Mazars USA, LLP*, 591 U.S. 848, 862 (2020). A legislative subpoena is valid if the investigation has a legitimate legislative purpose and the specific inquiry is pertinent to that purpose. *Watkins v. United States*, 354 U.S. 178, 187 (1957). The investigation need not produce legislation; it must deal with a subject on which legislation “could be had.” *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 506 (1975).

This subpoena satisfies the three-part test adopted by the New Mexico Supreme Court in *In re Investigation No. 2 of the Governor’s Organized Crime Prevention Commission*, 1978-NMSC-022, 91 N.M. 516, 577 P.2d 414 (*Jaramillo*), applying *United States v. Morton Salt Co.*, 338 U.S. 632, 652 (1950): (1) the inquiry is within the authority of the issuing body — HR1 is a House resolution adopted by unanimous vote through regular legislative procedures, vesting the Commission with subpoena power in plain terms; (2) the demand is not too indefinite — this subpoena identifies the respondent, the subject matter, and the documents required with specificity; and (3) the information sought is reasonably relevant — the records commanded bear directly on the legislative purposes stated in HR1, Sections A through E, including whether existing law failed to prevent the alleged conduct at Zorro Ranch and what legislative remedies are needed. The New Mexico Supreme Court held in *Jaramillo* that investigative subpoenas issued by a non-accusatory body are administrative in nature and do not require probable cause. *Id.* at 518, 577 P.2d at 416.

The Commission is charged with investigating Zorro Ranch and related allegations of criminal activity, public corruption, and the use of public money and resources, to determine whether legislative or other action is needed in accordance with the purposes set forth in HR1, Sections A through E.

II. COMMAND FOR PRODUCTION OF DOCUMENTS

YOU ARE HEREBY COMMANDED, pursuant to the lawful authority of the New Mexico Epstein Truth Commission and House Resolution 1, to produce before the Commission, through its designated counsel, true, complete, and legible copies of all documents, records, and electronically stored information described herein, no later than:

YOU ARE HEREBY COMMANDED, pursuant to the New Mexico Epstein Truth Commission to produce and permit inspection and copying of the documents, electronically stored information, and tangible things described herein at the time, date, and place specified below:

DATE OF COMPLIANCE: Tuesday, June 30, 2026

TIME: 4:00 p.m. MDT

PLACE: Fadduol, Cluff, Hardy & Conaway, P.C.

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FAILURE TO COMPLY WITH THIS SUBPOENA will require the Commission to seek judicial enforcement. Pursuant to HR1, 4:4-8, after the legislature adjourns sine die, process shall be enforced in any court with jurisdiction over the process in compliance with the applicable rules of that court. Enforcement proceeds by verified petition captioned: *In re Investigation of Zorro Ranch Pursuant to House Resolution 1, 57th Legislature, State of New Mexico; State of New Mexico ex rel. Special Committee of the House of Representatives Investigating Zorro Ranch, Petitioner, v. [Respondent]*. The court will hold a show-cause hearing at which you may raise all defenses.

III. DOCUMENTS AND RECORDS TO BE PRODUCED

You are commanded to produce ALL documents, records, data, and electronically stored information (“ESI”) in the custody, possession, or control of the Santa Fe Institute (“SFI”), its President, officers, trustees, board members, legal counsel, agents, employees, faculty (including resident, external, and visiting faculty), former officers and employees, and contractors relating to Jeffrey Epstein, any entity or foundation associated with him (including but not limited to the Jeffrey Epstein VI Foundation, Gratitude America Ltd., Enhanced Education (J. Epstein Virgin Islands Foundation Inc.), Epstein Interests, and any other affiliated entities or foundations), and any donations, grants, gifts, research funding, or other financial contributions made by or on behalf of Epstein to the Santa Fe Institute or any of its researchers, **for the period January 1, 1993 through the present**. This command includes without limitation the following categories:

A. Financial Records — Donations, Grants, and Contributions

1. All records of any donation, grant, gift, contribution, pledge, or other transfer of funds from Jeffrey Epstein, any Epstein-affiliated entity or foundation, or any person or entity acting on Epstein’s behalf, to the Santa Fe Institute or to any individual researcher, faculty member, or program affiliated with SFI, including but not limited to records identifying the donor, the amount, the date, the designated purpose, and the account or fund into which the contribution was deposited.
2. All financial statements, ledgers, account records, bank statements, wire transfer records, receipts, acknowledgment letters, and tax-related documents (including IRS Forms 990, 990-PF, and donor acknowledgment records) reflecting or relating to any contribution from Epstein or any Epstein-affiliated entity.

3. All records of any internal or external audit, review, or investigation conducted by or on behalf of SFI relating to donations received from Epstein or any Epstein-affiliated entity, including the 2019 audit referenced in public statements by the SFI President.
4. All records reflecting or relating to SFI's decision to donate \$25,000 to the Solace Crisis Treatment Center (formerly Solace Sexual Assault Services) in December 2019, including internal deliberations, board actions, and communications regarding that decision.

B. Use of Donated Funds and Research Supported

5. All records reflecting how donations, grants, or contributions from Epstein or any Epstein-affiliated entity were allocated, spent, or disbursed by SFI, including budgets, expenditure reports, grant summaries, and fund accounting records.
6. All records identifying any research project, program, fellowship, conference, publication, or other academic activity funded in whole or in part by Epstein or any Epstein-affiliated entity, including but not limited to research conducted by or for Murray Gell-Mann, Geoffrey West, or any other SFI-affiliated scientist.
7. All records reflecting any direct payments, stipends, travel funding, or other financial support provided to any individual SFI researcher, faculty member, or affiliate using funds originating from Epstein or any Epstein-affiliated entity, including the \$25,000 provided to Murray Gell-Mann for travel in 2010.
8. All records of any research output, publication, report, or deliverable produced with funding from Epstein or any Epstein-affiliated entity, including any acknowledgment of Epstein's support in published works.
9. All records reflecting SFI's ethical funding policy developed in 2019 in response to the Epstein scandal, including drafts, deliberations, board resolutions, and final adopted policies.

C. Communications and Correspondence

10. All written, electronic, or otherwise recorded communications, including emails and email attachments, letters, memoranda, text messages, instant or direct messages, voicemail records or transcripts, meeting minutes or notes, and calendar entries, between any officer, trustee, employee, faculty member, agent, or contractor of SFI and Jeffrey Epstein, Ghislaine Maxwell, or any representative, attorney, agent, assistant, or associate acting on behalf of Epstein or Maxwell.
11. All internal SFI communications (including between officers, trustees, faculty, and staff) referencing or relating to Jeffrey Epstein, Ghislaine Maxwell, or any Epstein-affiliated entity, foundation, or donation, including communications regarding the decision to accept or decline funding from Epstein.
12. All communications between SFI and any other institution, university, research center, government agency, law enforcement body, journalist, or media organization concerning Epstein, donations from Epstein, or any investigation or inquiry related to Epstein.
13. All records of any visit by Jeffrey Epstein or Ghislaine Maxwell to SFI premises, or any meeting, event, conference, or gathering at which SFI personnel met with Epstein or Maxwell, whether at SFI facilities, Zorro Ranch, or any other location, including sign-in logs, visitor records, event attendance records, photographs, and calendar entries.
14. Any fundraisers, events, or networking done between SFI and Jeffrey Epstein or Ghislaine Maxwell.

D. Relationship with Epstein-Affiliated Individuals

15. All records reflecting any relationship, arrangement, or understanding between SFI and the Maxwell family or any Maxwell-affiliated entity, including the Robert Maxwell Foundation, and any records of the Robert Maxwell Professorship endowed at SFI, including the original gift agreement, naming records, and any subsequent modifications.
16. All records reflecting any introduction, referral, or connection between Epstein and any SFI researcher, trustee, or officer facilitated by Ghislaine Maxwell, Robert Maxwell, Christine Maxwell, or any other member of the Maxwell family.
17. All records reflecting any benefit, service, or consideration provided by SFI to Epstein in exchange for or in connection with his donations, including but not limited to honorary titles, advisory positions, board memberships, event invitations, introductions to scientists, or access to SFI programs or personnel.
18. All records of any SFI personnel who traveled on any aircraft owned, chartered, or arranged by Epstein or any Epstein-affiliated entity, or who stayed at any property owned or controlled by Epstein, including Zorro Ranch in Stanley, New Mexico.
19. All records relating to Epstein's contacts with SFI-affiliated scientists Geoffrey West, Murray Gell-Mann, David Krakauer, or any other SFI researcher, including invitations, correspondence, meeting records, and any research proposals or funding discussions.

E. Institutional Response and Governance

20. All board minutes, resolutions, agendas, and supporting materials from any meeting of the SFI Board of Trustees or any committee thereof at which Jeffrey Epstein, donations from Epstein, or the institutional response to the Epstein scandal were discussed.
21. All records reflecting SFI's decision-making process regarding the acceptance of Epstein donations before and after his 2008 conviction, including any due diligence, vetting, or review of the donor conducted at any time.
22. All records reflecting any public statement, press release, media response, or official communication issued by SFI regarding its relationship with Epstein, including drafts, internal deliberations regarding such statements, and the September 2019 email from President Krakauer to SFI staff and board.

F. Destruction, Loss, or Alteration of Records

23. All records reflecting the destruction, deletion, loss, removal, transfer, or alteration of any document or record related to Epstein or any Epstein-affiliated entity, including any litigation hold notice, records retention schedule, or records destruction authorization.
24. All records reflecting any effort, directive, or instruction to withhold, restrict access to, or limit disclosure of records related to Epstein or any Epstein-affiliated entity, including the decision to decline to provide a copy of the 2019 internal audit to the public or media.

G. All Other Responsive Records

25. Any and all other documents, records, or ESI in the custody or control of SFI referencing or otherwise relating to Jeffrey Epstein, Ghislaine Maxwell, any Epstein-affiliated entity or foundation, or any donation, contribution, or financial transaction with Epstein, not otherwise captured by Categories A through F above. If SFI or any of its agents are not in possession, custody, or control of any records responsive to this subpoena, please provide the name of the individual or entity which does have possession or control of such records.

IV. DEFINITIONS AND INSTRUCTIONS

1. “Documents” and “Records”

As used herein, “documents” and “records” mean any recorded information in any format or medium, including but not limited to paper documents, emails, text messages, instant messages, voicemails, photographs, maps, GIS or spatial data files, audio or video recordings, databases, spreadsheets, and any other electronically stored information (“ESI”), regardless of whether stored on agency servers, personal devices, removable media, cloud platforms, or backup systems.

2. Format of Production

Produce all responsive records in their native electronic format, including all metadata, where available. Where records must be produced in paper form, provide true and legible copies. Do not produce documents in a format that degrades the quality or legibility of the original.

3. Withheld Records

If any responsive record is withheld in whole or in part on any claimed basis, you must provide a written privilege log identifying: (a) the specific record or category of records withheld; (b) the specific legal basis for withholding; (c) a description sufficient to assess the claim; and (d) the identity of all persons with knowledge of the withheld record. General or conclusory assertions of privilege are insufficient.

4. Continuing Obligation

This subpoena imposes a continuing obligation to supplement your production promptly upon discovering additional responsive records.

5. Relevant Period

“Relevant Period” means January 1, 1993, through the present, inclusive.

V. NOTICE OF PRESERVATION OBLIGATION

Upon receipt of this Subpoena, you and all officers, trustees, employees, faculty, agents, and contractors of SFI are hereby formally notified that you must immediately preserve and protect from destruction, alteration, deletion, or loss any and all records potentially responsive to this Subpoena. This preservation obligation extends to all paper documents, ESI, backup tapes, email archives, text

messages, instant messages, and any other recorded information, whether stored on SFI systems, personal devices, or third-party platforms.

The destruction, concealment, or material alteration of records subject to a legislative subpoena may constitute obstruction of a legislative proceeding and may expose responsible individuals and entities to criminal and civil liability under applicable New Mexico law, including but not limited to NMSA 1978, § 14-3-18 (unlawful destruction of public records) and the New Mexico Governmental Conduct Act, NMSA 1978, §§ 10-16-1 et seq. The Commission further reserves the right to seek preliminary injunctive relief under Rule 1-066 NMRA prohibiting the destruction, alteration, or concealment of any records subject to this Subpoena if there is reason to believe responsive records are at risk.

THIS SUBPOENA IS ISSUED this 5th day of June, 2026, by the New Mexico Epstein Truth Commission, acting pursuant to House Resolution 1, 57th Legislature, Second Session, State of New Mexico.

Representative Andrea Romero

Representative Andrea Romero
Chair, New Mexico Epstein Truth Commission
Special Committee of the House of Representatives
State of New Mexico

FADDUOL, CLUFF, HARDY & CONAWAY, P.C.
Counsel to the New Mexico Epstein Truth Commission
3301 San Mateo Blvd. NE
Albuquerque, New Mexico, 87110
Phone: 505-243-6045
Fax: 505-243-6642

CERTIFICATE OF SERVICE

I hereby certify that on _____, 2026, a true and correct copy of this Subpoena Duces Tecum was served upon the Santa Fe Institute, Attn: David Krakauer, President, 1399 Hyde Park Road, Santa Fe, New Mexico 87501, by:

[X] Personal service

I, being duly sworn, on oath say that I am over the age of eighteen (18) years and that on the _____ day of _____, 2026, in _____ County, I served this subpoena on _____ by delivering to the person named a copy of the subpoena,

[Name]

TO BE PRINTED ON EACH SUBPOENA

1. This subpoena must be served on each party in the manner provided by Rule 1-005 NMRA. If service is by a party, an affidavit of service must be used instead of a certificate of service.
2. A command to produce evidence or to permit inspection may be joined with a command to appear for a deposition or trial.
3. If a person's attendance is commanded, one full day's per diem must be tendered with the subpoena, unless the subpoena is issued on behalf of the state or an officer or agency thereof. See Section 38-6-4 NMSA 1978 for per diem and mileage for witnesses. See Paragraph A of Section 10-8-4 NMSA 1978 for per diem and mileage rates for nonsalaried public officers. Mileage must also be tendered at the time of service of the subpoena as provided by the Per Diem and Mileage Act. Payment of per diem and mileage for subpoenas issued by the state is made pursuant to regulations of the Administrative Office of the Courts. See Section 34-9-11 NMSA 1978 for payments from the jury and witness fee fund.

PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

Subject to Subparagraph (2) of Paragraph D below, a person commanded to produce and permit inspection and copying may, within fourteen (14) days after service of the subpoena or before the time specified for compliance if such time is less than fourteen (14) days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises or within fourteen (14) days after service of the subpoena may file a motion to quash the subpoena and serve the motion on all parties to the action. If an objection is served or a motion to quash is filed and served on the parties, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (1) fails to allow reasonable time for compliance,
- (2) requires a person who is not a party or an officer of a party to travel to place more than one hundred miles from the place where that person resides, is employed or regularly transacts business in person, except as provided below, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or
- (3) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (4) subjects a person to undue burden.

If a subpoena:

- (1) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (2) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (3) requires a person who is not a party or an officer of a party to incur substantial expense to travel, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

DUTIES IN RESPONDING TO SUBPOENA

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is

sufficient to enable the demanding party to contest the claim.