

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 21, 2025

Lyle W. Cayce
Clerk

No. 24-20372
Summary Calendar

BANCO MERCANTIL DE NORTE, S.A., INSTITUCION DE BANC
MULTIPLE, GRUPO FINANCIERO BANORTE; ARRENDADORA Y
FACTOR BANORTE, S.A. DE C.V.,

Plaintiffs—Appellees,

versus

JUAN JOSE PARAMO,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:23-MC-1188

Before DENNIS, HO, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Plaintiffs-Appellees Banco Mercantil de Norte, S.A., Institución de Banca Múltiple, Grupo Financiero Banorte; and Arrendadora y Factor Banorte, S.A. de C.V., Sociedad Financiera de Objeto Múltiple, Grupo Financiero Banorte (together, the Banorte Parties) filed an *ex parte* request

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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for discovery assistance under 28 U.S.C. § 1782. Defendant-Appellant Juan Jose Páramo filed a motion challenging the Banorte Parties' § 1782 application and seeking to quash the § 1782 subpoena. The district court denied Páramo's motion and he appealed. While the appeal was pending, Páramo responded to the subpoena and invoked his Fifth Amendment right against self-incrimination and his foreign privileges under Mexican law. The Banorte Parties moved to compel and overrule Páramo's invocation of privilege. The district court granted the motion to compel, ordering Páramo to produce relevant documents in response to the subpoena. Páramo filed this second appeal on August 19, 2024.

On August 28, 2024, shortly after Páramo filed his second appeal, we decided his first appeal and vacated the original denial of Páramo's motion to quash. *Banco Mercantil de Norte, S.A. v. Paramo*, 114 F.4th 757 (5th Cir. 2024). We stated that “[a] district court must offer some explanation whenever it grants or denies a motion to quash § 1782 discovery.” *Id.* at 762. Because the district court “did not offer any reasoning to support its ruling beyond a cursory statement that it considered the parties’ filings,” we vacated and remanded for further proceedings. *Id.* On remand, the district court issued a superseding order denying Páramo's renewed motion to quash. Páramo is pursuing a separate appeal of that November 27, 2024, order, and the pendency of that later appeal eliminates any live controversy relating to the district court's earlier order. In light of this, the parties agree the instant appeal is moot, as our court's intervening opinion “eliminated the foundational controversy that underlies this appeal.”

Accordingly, we DISMISS the appeal for want of jurisdiction.