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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES YEAGER, et al.,
Plaintiffs,
v.
CONNIE BOWLIN, et al.,
Defendants.

No. 2:08-cv-0102 WBS CKD
ORDER AND
ORDER TO SHOW CAUSE RE: CONTEMPT

This matter came on regularly for hearing January 8, 2014 for a judgment debtor examination of deponent Victoria Yeager. No appearance was made for plaintiff or the deponent. Mark Serlin appeared for defendants and judgment creditors . Upon review of the docket and hearing the arguments of counsel, and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

In this action plaintiff Charles Yeager is a judgment debtor. His wife, Victoria Yeager, was ordered to appear personally on January 8, 2014 before the undersigned for an examination to answer concerning property of the judgment debtor in her possession or control. ECF No. 192. See Fed. R. Civ. P. 69; Cal. Code Civ. P. §§ 708.110-708.205. The order was personally served on Victoria Yeager on December 9, 2013. ECF No. 194. At the appointed time for examination, Victoria Yeager failed to appear.

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1 Defendants requested issuance of a bench warrant for arrest of Victoria Yeager for
2 violation of the court order. That request will be denied without prejudice. Deponent Victoria
3 Yeager, however, will be directed to show cause why she should not be held in contempt for
4 violation of the court's order.

5 At the hearing, defense counsel represented that plaintiff's attorney of record, Don Lesser,
6 no longer represents plaintiff for purposes of the judgment debtor proceedings. Counsel will be
7 afforded an opportunity to withdraw as attorney of record.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. Deponent Victoria Yeager is ordered to show cause in writing, no later than January
10 22, 2014, why she should not be held in contempt for failure to comply with the court's order
11 directing her appearance for a judgment debtor examination.

12 2. No later than January 22, 2014, defendants may submit by letter brief points and
13 authorities in support of the request for issuance of a bench warrant.

14 3. No later than January 22, 2014, counsel Don Lesser may submit a request to withdraw
15 as attorney of record for plaintiffs.

16 4. The Clerk of Court is directed to serve a copy of this order and all further orders of the
17 court on plaintiff Charles Yeager and deponent Victoria Yeager at 15995 Pleasant Valley Road,
18 Penn Valley, CA 95946.

19 Dated: January 9, 2014

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21 CAROLYN K. DELANEY
22 UNITED STATES MAGISTRATE JUDGE
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