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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SETH D. HARRIS, Acting  
Secretary of Labor, United  
States Department of Labor,  
  
Plaintiff,  
  
v.  
  
ORLAND SAND & GRAVEL  
CORPORATION,  
  
Defendant.

No. 2:11-CV-01706 JAM-AC

**AMENDED ORDER FINDING DEFENDANT  
ORLAND SAND & GRAVEL CORPORATION  
AND DALE "DOC" BOGART IN CIVIL  
CONTEMPT**

Upon the Motion of Plaintiff SETH D. HARRIS, Acting Secretary of Labor, United States Department of Labor, and the declarations and exhibit filed in support thereof, and by adoption of the findings of Magistrate Judge Alison Claire on June 20, 2013,

IT IS THEREFORE ORDERED that Defendant Orland Sand & Gravel Corporation ("OSC") and its owner, Dale "Doc" Bogart, are in contempt of this court for their failure to comply with this Court's order, dated March 12, 2013.

IT IS FURTHER ORDERED that:

- 1. The mining operation and any other business of

1 Defendant OSG shall be enjoined for a period of twelve (12)  
2 months effective as of August 7, 2013;

3 2. OSG and Bogart shall be jointly and severally liable  
4 for a coercive monetary sanction of \$500 per day for each day  
5 beyond fourteen (14) days from August 7, 2013 that Bogart remains  
6 in violation of this Court's order dated March 12, 2013. This  
7 sanction shall be paid to the United States Treasury, c/o Mine  
8 Safety and Health Administration, 991 Nut Tree Road, Vacaville,  
9 California 95687; and

10 3. Bogart shall be taken into custody by the United States  
11 Marshal Service and confined for a period of thirty (30) days, or  
12 until he can show that he is in compliance with this Court's  
13 order dated March 12, 2013, whichever occurs first.

14 IT IS SO ORDERED.

15 Dated: September 18, 2014

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17 JOHN A. MENDEZ,  
18 UNITED STATES DISTRICT JUDGE  
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