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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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NORTHERN CALIFORNIA GLAZIERS,
 ARCHITECTURAL METAL AND GLASS
 WORKERS PENSION PLAN, et al.

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No. 08-4487 SC

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Plaintiffs,

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ORDER DISCHARGING
SHOW-CAUSE ORDER

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v.

)

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KENNETH MICHAEL WOLTER,
 Individually and dba DESIGN TECHS
 (aka DESIGN TECH, aka DESIGN
 TECHNOLOGIES),

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Defendant.

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On July 28, 2009, this Court issued an Order to Show Cause

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Why Defendant Should Not Be Held in Contempt. Docket No. 26

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("Show-Cause Order"). The Show-Cause Order was issued to prompt

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compliance with this Court's previous Order, which required

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Defendant Kenneth Michael Wolter ("Wolter") to turn over certain

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documents to Plaintiffs' auditors. Docket No. 18 ("May 26

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Order"). Counsel for Plaintiffs has now informed the Court that,

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as of July 30, 2009, Wolter has submitted the required documents

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to Plaintiffs' auditors. Michele Stafford Decl. ¶ 7.¹

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Counsel for Plaintiffs has reminded the Court that Wolter has

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¹ Michele Stafford, counsel for Plaintiffs, submitted a declaration to establish diligence in attempting to personally serve Wolter with a copy of the Court's Show-Cause Order. Docket No. 28.

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still not complied with the portion of the May 26 Order that awarded Plaintiffs a total judgment of \$3443.66 in attorney fees. Id. Plaintiffs have other mechanisms at their disposal, besides contempt proceedings, that they can use to enforce this judgment against Wolter.

The Court hereby DISCHARGES the Show-Cause Order, and VACATES the show-cause hearing scheduled for August 14, 2009. Plaintiffs are required to serve Wolter with a copy of this Order. Service by mail is acceptable.

IT IS SO ORDERED.

August 10, 2009


UNITED STATES DISTRICT JUDGE