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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:

No. C 10-80253 MISC WHA

JEREMY SHRAMKO,

Debtor,

JEREMY SHRAMKO,

Petitioner,

v.

FREEDOM DEBT RELIEF, LLC,

Respondent.

**ORDER SETTING BRIEFING
SCHEDULE AND HEARING
ON MOTION FOR CONTEMPT
AND ENFORCEMENT OF
SUBPOENA**

The undersigned judge has received the motion for contempt and enforcement of subpoena filed by debtor-petitioner Jeremy Shramko against Freedom Debt Relief, LLC. Mr. Shramko is a debtor in a bankruptcy action pending in the United States Bankruptcy Court for the Middle District of Pennsylvania. On July 21, 2010, debtor's counsel requested a bankruptcy court order requiring Freedom Debt Relief — which is based in Santa Rosa — to submit to an examination under Bankruptcy Rule 2004 (Exh. A). On August 6, the bankruptcy court granted the motion, and ordered that Freedom Debt Relief submit to such an examination (Exh. B). Debtor's counsel then prepared a subpoena with an attached notice of examination, and signed the subpoena

1 pursuant to Bankruptcy Rule 2004(c) (Exh. C). After serving this subpoena on Freedom Debt
2 Relief on August 17 for an examination to occur at 10:00 a.m. on September 7 at a court
3 reporter's office in Santa Rosa, Freedom Debt Relief failed to appear at the noticed examination
4 (Exhs. D and E).

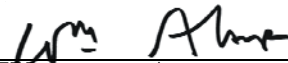
5 The instant motion seeks two forms of relief: (1) a contempt order against Freedom Debt
6 Relief for costs and attorney's fees in the amount of \$2,720 caused by the alleged non-compliance
7 with the debtor's examination subpoena, and (2) an order for Freedom Debt Relief to appear for a
8 debtor's examination, as described in the subpoena, on a date selected by the Court (Br. 5).

9 The following schedule will govern. Freedom Debt Relief shall file an opposition brief to
10 the instant motion no later than **NOON ON THURSDAY, NOVEMBER 4**. Any reply must be filed
11 **BY NOON ON MONDAY, NOVEMBER 8**. Counsel for Mr. Shramko and Freedom Debt Relief must
12 then meet and confer *in person* **FROM 8:00 A.M. UNTIL 11:00 A.M. ON WEDNESDAY,**
13 **NOVEMBER 10**, in the jury room of Courtroom 9 on the 19th floor of the federal courthouse
14 located at 450 Golden Gate Ave. in San Francisco. Counsel shall check-in with chambers on the
15 19th floor at 8:00 a.m. upon arrival. If the dispute is not resolved, the undersigned judge will
16 hold a hearing at 11 a.m. on any remaining issues.* Only counsel present at the meet and confer
17 will be allowed to argue at the hearing.

18 Counsel shall ensure that respondent Freedom Debt Relief is promptly served with a copy
19 of this order, the motion, and all supporting documents and exhibits to the motion.

20
21 **IT IS SO ORDERED.**

22
23 Dated: October 21, 2010.

24 
25 _____
26 WILLIAM ALSUP
27 UNITED STATES DISTRICT JUDGE

28 _____
* The November 10 hearing date replaces the November 18 hearing date
previously noticed by debtor's counsel.