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6 Attorneys for Plaintiffs

7 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 (OAKLAND DIVISION)

9 CALIFORNIA SERVICE EMPLOYEES
HEALTH & WELFARE TRUST FUND,
10 MIKE GARCIA, Trustee, CHARLES
GILCHRIST, Trustee, RAYMOND C. NANN,
11 Trustee, and LARRY T. SMITH, Trustee, and
CALIFORNIA SERVICE EMPLOYEES
12 HEALTH & WELFARE TRUST FUND
derivatively on behalf of ADVANCE
13 BUILDING MAINTENANCE, INC.

14 Plaintiffs,

15 vs.

16 ADVANCE BUILDING MAINTENANCE,
INC., XL HOG, INC. and FORREST I.
17 NOLIN, individually,

18 Defendants.

Case No.: C 06-03078 CW BZ

~~PROPOSED~~ ORDER REGARDING
ADMINISTRATIVE MOTION TO FILE
UNREDACTED VERSIONS UNDER
SEAL AND REDACTED PUBLIC
RECORDS VERSIONS OF PLAINTIFFS'
MOTION FOR: (1) PURSUANT TO 28
U.S.C. § 636(e)(6), MAGISTRATE JUDGE
ZIMMERMAN TO CERTIFY THE FACTS
CONCERNING ACTS OF CIVIL
CONTEMPT OF DEFENDANT FORREST
I. NOLIN AND ISSUE AN ORDER FOR
DEFENDANT FORREST I. NOLIN TO
APPEAR BEFORE JUDGE WILKEN TO
SHOW CAUSE WHY HE SHOULD NOT
BE HELD IN CIVIL CONTEMPT; AND
(2) PURSUANT TO 28 U.S.C. § 636(e)(6)
AND FED. R. CIV. P. 37(b)(2)(A), JUDGE
WILKEN TO FIND DEFENDANT
FORREST I. NOLIN IN CONTEMPT OF
TWO PRIOR COURT ORDERS, THE
RELATED SUPPORTING
DECLARATION AND A RELATED
[PROPOSED] ORDER

22 UPON consideration of Plaintiffs' Administrative Motion To File Unredacted Versions
23 Under Seal And Redacted Public Records Versions Of Plaintiffs' Motion For: (1) Pursuant To 28
24 U.S.C. § 636(E)(6), Magistrate Judge Zimmerman To Certify The Facts Concerning Acts Of Civil
25 Contempt Of Defendant Forrest I. Nolin And Issue An Order For Defendant Forrest I. Nolin To
26 Appear Before Judge Wilken To Show Cause Why He Should Not Be Held In Civil Contempt;
27 And (2) Pursuant To 28 U.S.C. § 636(E)(6) And Fed. R. Civ. P. 37(B)(2)(A), Judge Wilken To
28

1 Find Defendant Forrest I. Nolin In Contempt Of Two Prior Court Orders, The Related Supporting
2 Declaration And A Related [Proposed] Order

3 It is hereby ORDERED that:

4 Plaintiffs' Administrative Motion To File Unredacted Versions Under Seal And Redacted
5 Public Records Versions Of Plaintiffs' Motion For: (1) Pursuant To 28 U.S.C. § 636(E)(6),
6 Magistrate Judge Zimmerman To Certify The Facts Concerning Acts Of Civil Contempt Of
7 Defendant Forrest I. Nolin And Issue An Order For Defendant Forrest I. Nolin To Appear
8 Before Judge Wilken To Show Cause Why He Should Not Be Held In Civil Contempt; And (2)
9 Pursuant To 28 U.S.C. § 636(E)(6) And Fed. R. Civ. P. 37(B)(2)(A), Judge Wilken To Find
10 Defendant Forrest I. Nolin In Contempt Of Two Prior Court Orders, The Related Supporting
11 Declaration And A Related [Proposed] Order is granted.

12 Plaintiffs shall, pursuant to Civil Local Rule 79-5 [General Order No. 62(5)], file on the
13 Court's Electronic Case Filing ("ECF") system Unredacted Versions Under Seal And Redacted
14 Public Records Versions of:

15 (1) Motion For: (1) Pursuant To 28 U.S.C. § 636(E)(6), Magistrate Judge Zimmerman To
16 Certify The Facts Concerning Acts Of Civil Contempt Of Defendant Forrest I. Nolin And Issue
17 An Order For Defendant Forrest I. Nolin To Appear Before Judge Wilken To Show Cause Why
18 He Should Not Be Held In Civil Contempt; And (2) Pursuant To 28 U.S.C. § 636(E)(6) And Fed.
19 R. Civ. P. 37(B)(2)(A), Judge Wilken To Find Defendant Forrest I. Nolin In Contempt Of Two
20 Prior Court Orders;

21 (2) Declaration Of Kristen Mcculloch In Support Of Motion For: (1) Pursuant To 28
22 U.S.C. § 636(E)(6), Magistrate Judge Zimmerman To Certify The Facts Concerning Acts Of Civil
23 Contempt Of Defendant Forrest I. Nolin And Issue An Order For Defendant Forrest I. Nolin To
24 Appear Before Judge Wilken To Show Cause Why He Should Not Be Held In Civil Contempt;
25 And (2) Pursuant To 28 U.S.C. § 636(E)(6) And Fed. R. Civ. P. 37(B)(2)(A), Judge Wilken To
26 Find Defendant Forrest I. Nolin In Contempt Of Two Prior Court Orders;

27 (3) [Proposed] Order Regarding Plaintiffs' Motion For Contempt Sanctions Related To
28 Defendant Forrest I. Nolin's Contempt Of Two Prior Court Orders.

1 Plaintiffs shall also file on the Court's ECF system an Unredacted Public Records Versions
2 of the related [Proposed] Order Certifying Facts And Order For Defendant Nolin To Appear
3 Before The Honorable Judge Claudia Wilken To Show Cause Why He Should Not Be Adjudged
4 In Contempt By Reason Of The Facts So Certified.

5 IT IS SO ORDERED:

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7 Dated: 6 July 2010


8 HON. BERNARD ZIMMERMAN
9 U.S. DISTRICT COURT MAGISTRATE JUDGE
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