

1 ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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11	BOARD OF TRUSTEES OF THE SHEET METAL)	NO. C 11 5251 PJH(KAW)
	WORKERS, et al.,)	
12		
	Plaintiffs,)	
13		(PROPOSED)
	vs.)	<u>ORDER OF EXAMINATION</u>
14		
	ENERGY MANAGEMENT INC., etc.,)	
15		
	Defendant.)	
16	_____)	

17 To: David E. Pine, President and Custodian of Records of
Corporate Judgment Debtor
18 Energy Management Inc.
40827 Capa Drive
19 Fremont, CA 94539

20 You the above named custodian of records and officer of
21 judgment debtor ARE HEREBY ORDERED to appear personally on Thursday
22 November 1, 2012 at 11:00 a.m. at 1301 Clay Street, Courtroom 4, 3rd
23 Floor, Oakland, CA 94612 before the Magistrate Kandis A. Westmore then
24 and there to be examined on oath concerning your property or other
25 matters material to the proceedings.

26 You are ordered to bring with you the following documents:

- 27 1. The corporation's bylaws, share register and minute
- 28 book;

1 2. Title documents to all equipment and vehicles of debtor;

2 3. All lists and schedules of rented, leased and owned
3 equipment of debtor;

4 4. Copies of all real property and personal property leases
5 wherein debtor is a party;

6 5. Copies of all tax bills, deeds, contracts, deeds of
7 trust or deposit receipts relating to all real and personal property
8 in which any interest is held;

9 6. Annual Financial Statements and all monthly financial
10 statements for 2012;

11 7. Federal tax returns for the last year reported;

12 8. All bank statements, deposit slips and canceled checks
13 for all accounts for January 2012 to the present;

14 9. The last tax return filed with the Franchise Tax Board;

15 10. Copies of all purchase orders, change orders accepted
16 bids, and contracts which relate in any way to work performed by
17 debtor during the period from January 1, 2012 to date;

18 11. All accounts receivable lists generated by the Company
19 in 2012;

20 12. Cash Disbursement Journals for 2012;

21 13. All documents related to any loans to debtor or by
22 debtor by any present or former shareholders, officers or employees
23 of debtor;

24 14. All documents related to any completed, pending or
25 failed sale of substantially all corporate assets during the last
26 three years.

27 15. All personal guarantees made by any officer, agent or
28 shareholder for the benefit of debtor.

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NOTICE TO JUDGMENT DEBTOR. IF YOU FAIL TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THIS ORDER, YOU MAY BE SUBJECT TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER REQUIRING YOU TO PAY THE REASONABLE ATTORNEYS' FEES INCURRED BY THE JUDGMENT CREDITOR IN THIS PROCEEDING.

Dated: 08/30/12


Magistrate Kandis A. Westmore