## UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

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UNITED STATES	: :	Civ. No. 3:16MC00212(AWT)
ν.	:	
JOHNATHAN ESPINAR	:	January 4, 2017
	x	

## ORDER RE: SHOW CAUSE HEARING

On January 4, 2017, the Court held a Show Cause Hearing as to why the respondent Johnathan Espinar ("respondent") should not be held in contempt for failing to obey this Court's Orders. Assistant United States Attorney Natalie Elicker appeared for the petitioner United States ("petitioner"), and was accompanied by Revenue Officer Doreen M. Murray. The respondent appeared at the hearing. After an off-the-record examination by the Revenue Officer, the petitioner indicated that the respondent has now provided certain documents that were in the possession of his accountant, in partial satisfaction of the April 7, 2016, Internal Revenue Service Summons. However, complete compliance has not been achieved. The petitioner indicated that the respondent has agreed to contact six additional entities to obtain relevant records subject to the April 7, 2016, summons.

Accordingly, the Court **ORDERS** as follows:

On or before the close of business of January 6, 2017, the respondent shall make a formal request for the relevant

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documents to each of the following entities: (1) the Town of Farmington Assessor's Office; (2) The City of Hartford Assessment Division; (3) Nationstar Mortgage LLC; (4) T.D. Bank; (5) Advantage Payroll Services; and (6) the respondent's personal and business insurance company. Each request shall be made either in person, or in writing, in addition to any communications by phone. The respondent shall document all efforts to obtain the relevant records, including but not limited to maintaining copies of all written requests sent for the records, and documenting the contact information for each individual communicated with at each entity contacted by the respondent.

If any of the remaining records are not received by **January 20, 2017,** the respondent shall submit a second round of requests to each entity that has not responded, and shall again document all efforts to obtain the relevant records.

As materials are received, the respondent shall provide them promptly to the Revenue Officer.

On or before 4:00 p.m. on January 27, 2017, the respondent shall file a report, informing the Court of the status of each of the requests to the above entities, and of whether the relevant documentation has been provided to the petitioner. This report shall be hand-filed with the Office of the Clerk at the

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United States Courthouse, 141 Church Street, New Haven, Connecticut, on or before 4:00 p.m. on January 27, 2017.

The respondent is hereby **ORDERED** to appear before the undersigned **on February 21, 2017, at 10:00 a.m.,** in Courtroom 5 of the United States Courthouse, 141 Church Street, New Haven, Connecticut for a continued Show Cause Hearing.

The respondent is hereby advised that failure to comply with any portion of this Court's Order may result in the imposition of sanctions. As discussed in open court at today's hearing, failure to comply with the Court's Orders may result in the issuance of an order of civil contempt and a warrant for the respondent's arrest.

This is not a Recommended Ruling. This is a case management order which is reviewable pursuant to the "clearly erroneous" statutory standard of review. <u>See</u> 28 U.S.C. §636(b)(1)(A); Fed. R. Civ. P. 72(a); and D. Conn. L. Civ. R. 72.2. As such, it is an order of the Court unless reversed or modified by the District Judge upon motion timely made.

SO ORDERED at New Haven, Connecticut, this 4th day of January, 2017.

/s/ HON. SARAH A. L. MERRIAM UNITED STATES MAGISTRATE JUDGE