

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

DR. BARRY EPPLEY, MD, DMD,	)	
	)	
Plaintiff,	)	
vs.	)	No. 1:09-cv-386-SEB-JMS
	)	
LUCILLE IACOVELLI,	)	
	)	
Defendant.	)	

To: Rich Bergeron

Rule to Show Cause

Whereas the court has found the defendant and “those acting in concert with her” in civil contempt of this court’s orders, sanctioning the defendant herself, and


Whereas no sanctions were imposed against any specific individual other than the defendant, and

Whereas “[u]nder *Federal Rule of Civil Procedure* 65(d)(2), an injunction binds not only the parties to the injunction but also nonparties who act with the named party, and a court may find a nonparty in contempt if that person has actual knowledge of the court order and either abets the party named in the order or is legally identified with him,” *Blockowicz v. Williams*, 2009 WL 4929111 (N.D.Ill. Dec. 21, 2009)(internal quotations and citations omitted), and

Whereas the filings in this action reveal that you, Rich Bergeron, are among those acting in concert with the defendant, you shall have through **January 19, 2010**, in which to **show cause** in writing why you, too, should not be found in contempt of this court’s orders and sanctioned accordingly.

**IT IS SO ORDERED.**

Date: 12/31/2009

  
 SARAH EVANS BARKER, JUDGE  
 United States District Court  
 Southern District of Indiana

Distribution:

Gary P. Price  
gprice@lewis-kappes.com

Todd Arthur Richardson  
trichardson@lewis-kappes.com

Joseph Peter Rompala  
jrompala@lewis-kappes.com

Lucille Iacovelli  
3 Deer Hollow Road  
Forestdale, MA 02644

Rich Bergeron  
141 Green Street  
Abington, MA 02351