

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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GEORGE S. HOFMEISTER FAMILY TRUST, et  
al,

Plaintiffs,

v.

Case No. 06-CV-13984-DT

FGH INDUSTRIES, LLC, et al,

Defendants.

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**ORDER REQUIRING DEFENDANT'S RESPONSE TO PLAINTIFF'S OUTSTANDING  
DOCUMENT LIST AND SCHEDULING STATUS CONFERENCE**

In an October 30, 2008 telephone status conference with counsel for Plaintiff George S. Hofmeister Family Trust and counsel for Defendants Daniel Fuhrman and William Gruits, the court was informed that a number of documents, which the court compelled Defendants to produce in its November 7, 2007 order, appear to remain outstanding. Some are alleged to be non-existent. Plaintiff informed the court that a list of the non-produced items was recently provided to Defendant. By agreement of both counsel, and in preparation for the next status conference,

IT IS ORDERED that Defendants Daniel Fuhrman and William Gruits provide to Plaintiff a descriptive, detailed, and sworn response to Plaintiff's list of outstanding documents, including the production status of each document, on or before **4 p.m. on November 5, 2008**. If Defendants wish to assert a document on Plaintiff's list does not exist, Defendants must provide specific facts to explain the absence.<sup>1</sup>

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<sup>1</sup> For example, if the non-produced document were a 2001 tax return, an appropriately specific response could be "this document does not exist because there

Further, IT IS ORDERED that the parties attend, via telephone, a status conference with the court at **3:45 p.m. on November 6, 2008**. The court asks Defendants counsel to provide a courtesy copy of the Defendants' sworn statement to the court in preparation for the conference.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: October 31, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 31, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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was no tax return prepared or filed for tax year 2001.”