

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

JOINT BOARD OF TRUSTEES
OF THE LANSING GLAZIERS
LOCAL UNION NO. 826 PENSION
AND HEALTH AND WELFARE
TRUST FUNDS,

File No. 2:09-cv-13301

Hon. George Caram Steeh

Plaintiff,

vs

FLINT GLASS SERVICE, L.L.C.,
a Michigan limited liability company,

Defendant.

Thomas M. Hitch (P25558)
McGINTY, HITCH, PERSON,
YEADON & ANDERSON, P.C.
Attorneys for Plaintiff
601 Abbot Road
East Lansing, MI 48823
517/351-0280

ORDER GRANTING EX PARTE MOTION

This matter having come before this Court on the Ex Parte Motion for an Order Compelling Defendant to Appear for a Creditor's Examination, in order to seek discovery of the property or income of the debtor, and this Court having reviewed the Affidavit and Brief filed in support thereof, and this Court finding that the Affidavit demonstrates, to the satisfaction of this Court, that William Churchill, Jr., the Business Manager of the Defendant, Flint Glass Service, L.L.C., is the person most knowledgeable of the finances and assets of Defendant, and this Court

being otherwise fully advised in the premises;

NOW, THEREFORE,

IT IS HEREBY ORDERED that William Churchill, Jr. shall be, and is hereby ordered to appear at the Local 25 Ironworkers Union Hall, 3115 Joyce Street, Burton, Michigan, at 10:00 a.m. on April 20, 2017, for purposes of an examination under oath concerning the property and income of Flint Glass Service, L.L.C.;

IT IS FURTHER ORDERED that William Churchill, Jr. shall produce for examination the following books, papers and records of Flint Glass Service, L.L.C.:

- A. The last twelve months of bank statements.
- B. Federal tax returns for 2015, 2016 and, if available, 2017, for Flint Glass Service, L.L.C.
- C. The fiscal year end financial statements for years 2015 and 2016, showing assets and liabilities as of the end of each fiscal year.
- D. The most current monthly financial report, showing assets and liabilities and the profit and loss statement as of March 30, 2017.
- E. The most current bank statement of any and all checking accounts and savings accounts maintained by Flint Glass Service, L.L.C.
- F. Copies of any bank loans and security agreements, if any, that would impair the assets of the corporation, including accounts receivable.
- G. Any personal notes or other written documents evidencing indebtedness of any third parties to Flint Glass Service, L.L.C.
- H. Copies of deeds showing any interest in land owned by Flint Glass Service, L.L.C.
- I. Copies of any mortgages on any of the real property owned by Flint Glass Service, L.L.C.
- J. Copies of any leases of any of the automobiles or equipment used by Flint Glass Service, L.L.C. in conducting its business.

K. Evidence of federal or state tax liens.

IT IS FURTHER ORDERED AND ADJUDGED that the failure to obey the commands of this Order or appear at the stated time and place may subject William Churchill, Jr. to penalty for contempt of Court.

s/George Caram Steeh
Hon. George Caram Steeh
United States District Judge

Dated: March 27, 2017