

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISIONMARKET AMERICAN INSURANCE
COMPANY,

Plaintiff,

v.

LORN H. OLSEN, ET AL.,

Defendants.

No. 10-11667

District Judge Lawrence P. Zatkoff

Magistrate Judge R. Steven Whalen

ORDER

For the reasons and under the terms stated on the record on January 25, 2011, Plaintiff's Motion for Entry of Judgment or for Other Sanctions Pursuant to Fed.R.Civ.P. 37(b)(2) [Doc. #17] is DENIED.

However, treating this motion as one to compel further discovery, Defendants shall produce to Plaintiff, within 14 days of the date of this Order, all documentation supporting claimed damages, as requested in Plaintiff's interrogatories #10 and #15. If Defendants are unable to produce this supporting documentation, they shall so certify, in writing and under oath, setting forth the efforts taken to obtain the information and the reasons such information cannot be produced. Further, if Defendants do not produce this documentation within 14 days of the date of this Order, they shall be precluded from using any such unproduced documentation in any future proceeding in this litigation, including dispositive motion practice and trial.

SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Date: January 25, 2011

CERTIFICATE OF SERVICE

I hereby certify on January 25, 2011 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on January 25, 2011: **None.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge R. Steven Whalen
(313) 234-5217