

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

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OPERATING ENGINEERS' LOCAL 324  
FRINGE BENEFIT FUNDS,

Plaintiff,

v.

Case No. 10-15072

DEMREX INDUSTRIAL SERVICES, INC., et al.,

Defendants.

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**ORDER CONTINUING HEARING ON PLAINTIFF'S  
"MOTION FOR DEFAULT JUDGMENT . . ."**

Pending before the court is Plaintiff Operating Engineers' Local 324 Fringe Benefits Funds' "Motion for Default Judgment or Other Appropriate Remedy for Failure to Provide Discovery." The court held a hearing on the motion on September 22, 2011, at which time it indicated that it would continue the hearing and order Defendants to appear personally when the hearing is resumed on October 4, 2011. Accordingly,

IT IS ORDERED that the September 22, 2011, hearing on Plaintiff's "Motion for Default Judgment . . ." is CONTINUED until **October 4, 2011, at 11:00 a.m.**

IT IS FURTHER ORDERED that corporate representatives from Defendants Demrex Industrial Services Inc. and Alchem Environmental Services, Inc. and individual Defendants Barry Portnoy, Jason Goldberg, and Mark Bailey are DIRECTED to appear personally at the October 4, 2011, hearing. The hearing will be cancelled if Plaintiff submits a memorandum to the court prior to the hearing stating that

Defendants reasonably satisfied Plaintiff's discovery requests. Plaintiff shall not unreasonably withhold satisfaction.

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

Dated: September 26, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 26, 2011, by electronic and/or ordinary mail.

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