

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PNC BANK,

Plaintiff,

v.

Civil Case No. 16-cv-13258
Honorable Linda V. Parker

LEGAL ADVOCACY, P.C., f/k/a
NORMAN YATOOMA &
ASSOCIATES, P.C. and NORMAN
YATOOMA,

Defendants.

_____/

**OPINION AND ORDER GRANTING PLAINTIFF'S MOTION TO
COMPEL CREDITOR'S EXAMINATION OF NORMAN A. YATOOMA
[ECF No. 213]**

On September 9, 2016, Plaintiff PNC Bank commenced this lawsuit alleging a breach of promissory note and breach of the guaranty against Defendant Legal Advocacy, P.C., f/k/a Norman Yatooma & Associates, P.C. and Defendant Norman A. Yatooma (collectively "Defendants"). (ECF No. 1.) On February 11, 2020, a Judgment was entered in favor of Plaintiff against Defendants, jointly and severally, in the amount of \$2,141,524.68. (ECF No. 86.) The matter is presently before the Court on Plaintiff's Motion to Compel Creditor's Examination of Legal Advocacy and Norman A. Yatooma. (ECF No. 213.) On October 18, 2021, Defendants filed a response to the motion stating that they "do not disagree to sit

for a creditors exam” but asking that the exam be held via Zoom and on specified dates in October. (ECF No. 214 at Pg ID 2072.)

On October 19, 2021, Defendant Legal Advocacy filed a “Notice of Automatic Stay [] By Virtue of [their] Bankruptcy Filing”. (ECF No. 215.) Plaintiff filed a reply on the same date requesting “an [o]rder [c]ompelling Defendant Norman Yatooma individually to appear for a creditor’s examination at a date and time mutually agreeable to the parties...”. (ECF No. 216 at Pg ID 2088.)

Plaintiff is entitled to the relief it seeks. *See* Fed. R. Civ. P. 69(a)(2); Mich. Comp. Laws § 600.6104.

Accordingly,

IT IS ORDERED that Plaintiff’s Motion to Compel Creditor’s Examinations of Norman A. Yatooma is **GRANTED**, and Defendant shall appear for creditor's examination within thirty (30) days of this Opinion and Order.

IT IS FURTHER ORDERED that Plaintiff’s Motion to Compel Creditor’s Examination of Defendant Legal Advocacy shall be **DENIED** without prejudice.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: October 25, 2021