

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Samuel Edeh,

Plaintiff,

Civ. No. 10-2860 (RHK/JSM)  
**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
AND FOR BENCH WARRANT**

v.

D. Scott Carruthers Attorneys at Law a/k/a  
D. Scott Carruthers and Associates, LLC, and  
Dennis Scott Carruthers individually,

Defendants.

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This matter is before the Court on the September 20, 2011 Report and Recommendation of Magistrate Judge Janie S. Mayeron (Doc. No. 42) (the “R&R”). In the R&R, Judge Mayeron recommended that Plaintiff’s Motion for Contempt be granted and that the Court issue a bench warrant for the arrest of Defendant Dennis Scott Carruthers, in order to compel his compliance with the Court’s June 20, 2011 Order (Doc. No. 34) regarding post-judgment discovery. No Objections to the R&R have been filed.

Having carefully considered the R&R, the undersigned agrees with the Magistrate Judge that Carruthers is in contempt of Court and that no sanction short of his arrest will be effective in compelling compliance with the Court’s Order for post-judgment discovery.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS**

**ORDERED:**

1. The R&R (Doc. No. 42) is **ADOPTED** in its entirety;

2. Plaintiff's Motion for Contempt (Doc. No. 35) is **GRANTED**, and Carruthers is **HELD IN CONTEMPT** of the Court's June 20, 2011 Order commanding him to respond to post-judgment discovery; and

3. The United States Marshal is **COMMANDED** to arrest Defendant Dennis Scott Carruthers and bring him before United States Magistrate Judge Janie S. Mayeron to address his failure to comply with this Court's previous Order regarding post-judgment discovery (Doc. No. 34). The United States Marshal is further **COMMANDED** to detain Carruthers until he purges his contempt by complying with that Order. The Clerk of the Court is **DIRECTED** to issue any process necessary to effectuate this bench warrant.

Dated: October 11, 2011

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge