

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Tim. Mackey, et al.,  
*as Trustee of the Minnesota Laborers Health and Welfare Fund*

Plaintiffs,

v.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Andrew Jutila,  
*d/b/a AJ's Companies,*  
*d/b/a Andrew Jutila Companies,*

Defendant.

Civ. No. 13-432 (MJD/LIB)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois [Docket No. 40], and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That Plaintiffs' Motion for an Order to Show Cause, [Docket No. 29], is **GRANTED**.
2. That Defendant Andrew Jutila is found in contempt of court.
3. That Defendant is directed to pay the Clerk of Court five-thousand-dollars (\$5,000.00) as a sanction for his willful failure to comply with this Court's Order to Compel, [Docket No. 27].

4. That the fine described in Paragraph 2.a, supra, may be expunged by further Order of this Court only upon a showing that Defendant has fully complied with this Court's Order to Compel, [Docket No. 27], by no later than seven (7) days after the date of this Order.

DATED: February 10, 2014  
At Minneapolis, Minnesota

s/Michael J. Davis  
Michael J. Davis, Chief Judge  
United States District Court