

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS E. PEREZ,
Secretary of Labor, United States
Department of Labor,

Petitioner,

vs.

BRYAN A. MCFARLAND,

Respondent.

4:16CV3066

ORDER

This matter is before the Court on the Petition to Enforce Subpoena (Filing No. 1) filed by Thomas E. Perez, Secretary of Labor, U.S. Department of Labor (Secretary). The Secretary applied to this Court for an Order requiring Respondent Bryan A. McFarland to appear and testify, and to produce the records, papers, and documents set forth in a subpoena *duces tecum* issued by the Regional Administrator, Wage and Hour Division, U.S. Department of Labor, and duly served upon Bryan A. McFarland. Having considered the matters set forth in the Secretary's filing herein,

IT IS ORDERED:

1. Bryan A. McFarland shall appear and **SHOW CAUSE** why he should not be ordered by this Court to comply with the subpoena *duces tecum* issued to him by the Regional Administrator, Wage and Hour Division, U.S. Department of Labor.

2. Bryan A. McFarland shall serve and file with the clerk of this Court, no later than **June 10, 2016**, a response to the Petition, specifically admitting or denying each allegation of the Petition, and setting forth any cause why the Petition should not be granted.

3. Bryan A. McFarland shall appear before the undersigned magistrate judge in the District Court of the United States for the District of Nebraska, in Courtroom No. 7, Second Floor, **Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on the 29th day of June, 2016, at 9:00 a.m.**, to show cause why

Bryan A. McFarland should not be compelled to comply with the summons served on him on December 14, 2015, by the U.S. Department of Labor.

4. An Investigator from the Wage and Hour Division, U.S. Department of Labor, shall serve copies of this Order to Show Cause and the Petition and supporting documents on Bryan A. McFarland, within thirty (30) days of the date of this Order and file proof of service with the Clerk of the Court within five (5) business days after such service.

Dated this 26th day of April, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge