

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:10CV49
)	
v.)	
)	
GEORGE E. FOX,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

A Show Cause hearing was held this date regarding the defendant’s failure to comply with the government’s summons demanding the respondent to respond to the Internal Revenue Service’s summons, Form 6637, requiring George E. Fox to give testimony and produce for examination, books, papers, records, or other data described in the summons.

The defendant appeared pro se at the show cause hearing. The court took judicial notice of the government’s complaint. The defendant admitted the summons was issued for a legitimate purpose; the information sought is relevant to that purpose; the information is not already within the Commissioner's possession; and the government had followed the appropriate administrative steps for enforcement of the summons. The defendant cited no defenses to enforcement of the summons and agreed to produce the documents requested.

Accordingly,

IT IS ORDERED:

- 1) The defendant shall meet with Revenue Officer Philip J. Ubben on Friday, May 21, 2010 at 11:00 a.m. at 208 N. 5th Street, Suite B, in Norfolk, Nebraska, and shall at that time:

Give testimony and to bring for examination the following information related to the collection of the tax liability of the person identified above for the periods shown:

All documents and records in Mr. Fox' possession or control regarding assets, liabilities, or accounts held in his name or for his benefit which he wholly or partially owns, or in which he has a security interest. These records and documents include but are not limited to: all bank statements, checkbooks, canceled checks, saving account passbooks, records or certificates of deposit for the period from 01/01/2009 To 09/30/2009

The defendant, Mr. Fox, shall also include all current vehicle registration certificates, deeds or contracts regarding real property, stocks and bonds, accounts, notes and judgments receivable, and all life or health insurance policies.

- 2) Failure to comply with this order may be deemed contempt of court and may subject the defendant, Mr. Fox, to possible arrest and court-ordered sanctions.

DATED this 5th day of May, 2010.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge