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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 HOTEL EMPLOYEES AND RESTAURANT
10 EMPLOYEES INTERNATIONAL UNION
WELFARE FUND, by and through its Fiduciary
11 Tom Zumtobel; SOUTHERN NEVADA
CULINARY AND BARTENDERS PENSION
12 TRUST FUND, by and through its Fiduciary
Angie Ambrose,

13 Plaintiffs,

14 vs.

15 KEPHART & CORTI PRODUCTIONS, INC. dba
16 THE COMEDY STOP, a Nevada Corporation;
TROPICANA LAS VEGAS, INC., a Nevada
17 Corporation; ROBERT KEPHART, individually;
JOHN DOES 1-5; ROE ENTITIES 1-5,

18 Defendants.
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Case No.: 2:09-CV-02043-GMN-PAL

ORDER SCHEDULING
JUDGMENT DEBTOR
EXAMINATION OF ROBERT
KEPHART

20 Pursuant to the Application of Judgment Creditors Hotel Employees and Restaurant
21 Employees International Union Welfare Fund and the Southern Nevada Culinary and Bartenders
22 Pension Trust Fund (collectively "Judgment Creditors") for issuance of this Court's Order
23 Scheduling Judgment Debtor Examination of Robert Kephart and Production of Documents, and
24 Good Cause Appearing therefor,

25 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

26 1. Judgment Debtor Robert Kephart ("Judgment Debtor") shall personally appear
27 before this Court on August, 9, 2011 at 9:00 a.m. and shall be
28 sworn to tell me the truth and give testimony at a subsequent Judgment Debtor Examination.

- 1 • Judgment Debtor's federal and state income tax returns for the past five (5) years;
- 2 • Judgment Debtor's most recent pay stub(s);
- 3 • Judgment Debtor's checking account records;
- 4 • Judgment Debtor's savings account records;
- 5 • Title or other evidence of Judgment Debtor's ownership of real estate;
- 6 • Documents regarding any equitable or beneficial ownership of any real estate
- 7 owned by the Judgment Debtor;
- 8 • Titles or other evidence of Judgment Debtor's ownership of automobiles, trucks,
- 9 vans, campers, motorcycles, snowmobiles or other motor vehicles of any type or
- 10 description;
- 11 • All notes or other loans due the Judgment Debtor;
- 12 • All lawsuits, claims or causes of action by the Judgment Debtor against any other
- 13 person, persons or companies;
- 14 • All stocks, bonds or similar instruments owned by the Judgment Debtor;
- 15 • All written or oral trusts of which the Judgment Debtor is a beneficiary;
- 16 • All accounts of any kind in which any person is holding any item of value for the
- 17 Judgment Debtor for safekeeping or as a custodian or trustee;
- 18 • Evidence of any safe deposit boxes;
- 19 • Leases in which the Judgment Debtor has the right to receive rent or anything else
- 20 of value; and
- 21 • Estates of which the Judgment Debtor is an heir, devisee or legatee.

22 4. Judgment Creditors shall utilize their best reasonable efforts to personally serve
23 the Judgment Debtor with a copy of this Order. Nonetheless, this Order shall be deemed served
24 upon the Judgment Debtor upon proof of attempted service at the last known addresses of the
25 Judgment Debtor.


26 5. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor
27 Examination herein scheduled, or to produce the documents referred to above, this Court may

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1 adjudicate the Judgment Debtor guilty of civil contempt of its orders and may issue a warrant or
2 seizure order to compel compliance with this Order.

3 DATED and DONE this 12th day of July, 2011.

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U.S. Magistrate Judge

Submitted by:
CHRISTENSEN JAMES & MARTIN

By: /s/ Sara D. Cope
Sara D. Cope, Esq.
*Attorneys for Plaintiffs/
Judgment Creditors*