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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

PRIME STAR GROUP, et al.,

Defendants.

Case No. 2:12-cv-00371-APG-GWF

ORDER

This matter is before the Court on Plaintiff's Motion to Compel (ECF No. 87) and Motion for Judgment Debtor Exam (ECF No. 90), filed on March 26, 2018. Plaintiff filed its Memorandum of Points and Authorities (ECF No. 88) on March 26, 2018.

Plaintiff requests that Defendant Kevin Carson be ordered to appear for a judgment debtor examination before a United States Magistrate Judge at a time and place set by the Court pursuant to Nevada Revised Statute § 21.270. On May 15, 2013, the Court entered judgment against Defendant Carson, and on May 19, 2014, the Court ordered Defendant to pay \$131,121.02 in disgorgement and prejudgment interest and a civil penalty in the amount of \$113,866. *See* ECF Nos. 80, 81. Nevada Revised Statute § 21.270 provides that the Court shall, after the entering of the judgment, order the judgment debtor to appear for the examination.

With good cause appearing, the Court orders Defendant Carson to appear for a judgment debtor examination. Plaintiff has not made an adequate showing that there is a need for a United States Magistrate Judge to preside over the judgment debtor examination. Defendant Carson shall appear before this court on **May 9, 2018 at 9:30 am** in Courtroom 3A and shall be sworn to tell the truth and give testimony at the judgment debtor examination. Subject to other arrangements that the parties may agree upon, the judgment debtor examination will take place at the offices of

1 Plaintiff's counsel located in Las Vegas, Nevada immediately after appearing before this court. If
2 issues arise that require a ruling by the Court, the Court will make itself available to hear the
3 requests either telephonically or through a hearing.

4 Plaintiff further requests that Defendant Carson respond to Plaintiff's post-judgment
5 discovery requests in the form of interrogatories and document requests. Plaintiff represents that
6 the parties participated in a meet and confer conference regarding the discovery requests and
7 agreed to grant an extension of time for Defendant to respond. *See* ECF No. 88, pg 3. Plaintiff
8 further represents that Defendant Carson failed to respond to the discovery requests. *Id.* The Court
9 will refrain from ruling on Plaintiff's motion to compel to allow Defendant an opportunity to file
10 an opposition. If the parties cannot reach an agreement regarding the discovery requests prior to
11 the judgment debtor examination, the Court will set a hearing on the motion. Accordingly,

12 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Judgment Debtor Exam (ECF No.
13 90) is **granted**. Defendant Carson shall appear before this Court on **May 9, 2018 at 9:30 am in**
14 **Courtroom 3A** and shall be sworn to tell the truth and give testimony at the judgment debtor
15 examination. Subject to other arrangements that the parties may agree upon, the judgment debtor
16 examination will take place at the offices of Plaintiff's counsel located in Las Vegas, Nevada
17 immediately after appearing before this court

18 **IT IS FURTHER ORDERED** that a copy of this order shall be served upon
19 Defendant at least 14 calendar days before the judgment debtor examination.

20 Dated this 5th day of April, 2018.

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23 GEORGE FOLEY, JR.
24 UNITED STATES MAGISTRATE JUDGE
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