

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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WATERKEEPER ALLIANCE INC.,

Plaintiff,

-against-

SPIRIT OF UTAH WILDERNESS, INC.,
d/b/a GREAT SALT LAKEKEEPER, or
GREAT SALT LAKE WATER KEEPERS,
Defendant.

10-cv-1136 (NSR)
ORDER

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NELSON S. ROMÁN, United States District Judge:

Plaintiff Waterkeeper Alliance, Inc. (“Plaintiff”) commenced this action asserting claims against Defendant Spirit of Utah Wilderness, Inc. (“SUW”) and its officers for, inter alia, trademark infringement. By Opinion and Order, dated January 22, 2020, this Court granted Plaintiff’s motion seeking to hold Defendant SUW and its officers, specifically Jeffrey Salt (“Mr. Salt”) in further contempt and for an order of imprisonment. (ECF No. 171.) Pursuant to that Opinion and Order, the Court directed Mr. Salt, as an officer and principal of Defendant SUW, to surrender to the United States Marshal for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, on March 23, 2020 by 2:00 pm to be incarcerated until such time as he purged Defendant SUW and himself of the contempt. (*Id.*) Since March 23, 2020, the Court has granted Mr. Salt fourteen extensions to the deadline for his surrender. (ECF Nos. 183, 187, 189, 194, 201, 205, 209, 213, 218, 225, 227, 231, 234, & 239.)

On October 22, 2021, the Court ordered Mr. Salt to show cause in writing by November 12, 2021 why the Court should not issue a warrant for his arrest pursuant to 18 U.S.C. § 401. (ECF No. 246.) On November 12, 2021, Mr. Salt submitted a letter motion requesting the Court not issue an arrest warrant. (ECF No. 248.) The letter attached an affidavit discussing Mr. Salt’s

personal finances, bank account statements and tax returns, and letters from two of Mr. Salt's medical providers. (*Id.*)

Although Mr. Salt has now provided information showing that he is unable to pay the financial penalties imposed by the Court as well as additional information about his medical condition, Mr. Salt failed to provide a good cause basis for failing to comply with the Court's Orders, requiring Mr. Salt:

- Provide Waterkeeper and the Court with a complete list identifying with specificity all instances in which Mr. Salt has used the Waterkeeper Marks after May 8, 2015, including in documents, correspondence, and on the internet; and
- Provide answers to any written interrogatories and document requests filed by Waterkeeper with respect to the Affidavit, Defendant's personal finances, and Defendant's compliance with the Orders.

Therefore, the Court will issue an arrest warrant and deliver it to the US Marshal Service for the arrest of Jeffrey Salt. Execution of the arrest warrant is stayed until January 17, 2022 at 2:00 PM to allow Mr. Salt time to produce the outstanding documents.

The Clerk of Court is kindly directed to terminate the motion at ECF No. 248.

Dated: November 16, 2021
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge