

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**MICHAEL H. WILLIAMSON, et al.,
Plaintiffs,**

v.

**RECOVERY LIMITED
PARTNERSHIP, et al.,
Defendants.**

**Case No. 2:06-cv-292
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Terence P. Kemp**

ORDER

On October 12, 2012, this Court issued a Temporary Restraining Order and scheduled a hearing on the matter for October 16, 2012. (Doc. No. 819.) As a result of that hearing, the Court extended until October 30, 2012 the current Temporary Restraining Order with two clarifications, and set another hearing for October 30, 2012. (Doc. No. 824.) Shortly before that hearing, Plaintiffs filed their Motion for Emergency Authorization for Further Discovery Under Fed. R. Civ. P. 34(a)(2) and For Extension of the Temporary Restraining Order as Well as an Expansion of its Scope. That motion addresses (A) the withdrawal of portions of an affidavit, (B) a request for an extension of the current Temporary Restraining Order and additional discovery.

A. Affidavit

The initial declaration of Michael R. Szolosi, Jr. (Doc. No. 818-1) is withdrawn and stricken at his request to the extent the contents conflict with the information set forth on pages 3 and 4 of the motion filed on October 30, 2012 (Doc. No. 827).

B. Temporary Restraining Order and Discovery

The Court permits the Temporary Restraining Order to expire and to be replaced by this Order issued under Rule 34 of the Federal Rules of Civil Procedure. Defendant Thomas G.

Thompson is **ORDERED** to **PRESERVE** the following items in the custody of his counsel that were found and brought to Plaintiffs' attention by an unrelated third party, who entered Thompson's property at the express authorization of the realtor of that property who, at that time, considered the property abandoned. (See Doc. Nos. 825, 826.)

1. Five or more blue plastic boxes with the name "Professional Coin Grading Service" and serial numbers on them.
2. A bank statement in the name of Harvey Thompson, indicating more than a one million dollar balance.
3. The numerous Bank wraps labeled with "\$10,000.00" markings, which may be dated "March, 2008."
4. The boxes of galvanized pipe, threaded on the ends, with caps and sealant in or near the bank wraps described above.
5. The book that describes living invisibly and the book mark that is in it.
6. All cassette and mini cassette tapes.

At Defendants' request, the Court will permit briefing on the issue of whether these preserved items will be made available to Plaintiffs. That briefing shall follow the procedure set out in Rule 7.2 of the Court's Local Rules. The Court will schedule a hearing on this issue if necessary.

IT IS SO ORDERED.

10-31-2017
DATE



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE