

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Board of Trustees of Ohio Laborers' Fringe Benefit Programs,	:	
	:	Civil Action 2:12-cv-00832
Plaintiff	:	Judge Marbley
v.	:	Magistrate Judge Abel
Amroc Construction, Inc., & Marco Noce,	:	
Defendants		

Certification and Recommendation

On February 6, 2013, the Magistrate Judge issued an Order compelling defendants Amroc Construction, Inc. and Marco Noce to appear for deposition on March 6, 2013 and produce the payroll documents requested by plaintiff. Defendants failed to appear for deposition. On June 18, 2013, Plaintiff Board of Trustees of Ohio Laborers' Fringe Benefit Programs obtained default judgment against defendants Amroc Construction, Inc. and Marco Noce.

On September 18, 2013, the Magistrate Judge issued an Order requiring defendants to appear for a Show Cause Hearing on October 18, 2013. Defendants failed to appear for the Show Cause Hearing. Notice of the Show Cause Hearing was served on defendants by ordinary mail.

Under the provisions of 28 U.S.C. § 636(e)(4), the above facts are CERTIFIED to the United States District Judge. Defendants are ORDERED to contact attorney Steve Ball (614.447.8550) within fourteen (14) days of the date of this Order, produce payroll documents and appear for deposition. If defendants fail to do so, defendants are ORDERED to appear before the Magistrate Judge on November 8, 2013 at 10:30 a.m. If defendants fail to do so, it is RECOMMENDED that the District Judge issue an arrest warrant for defendant Marco Noce.

The Clerk of Court is DIRECTED to mail a copy of this Order to defendants Marco Noce, 3210 Scranton Road, Cleveland, Ohio 44109-1656 and Amroc Construction, Inc., 3210 Scranton Road, Cleveland, Ohio 44109-1656 by ordinary and certified mail.

s/Mark R. Abel
United States Magistrate Judge