

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

Nexlink Communication, LLC,	:	
	:	
Plaintiff	:	Civil Action 2:12-mc-00047
	:	
v.	:	Judge Graham
	:	
Nick Glassburn, <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendants	:	
	:	

ORDER

This matter is before the Magistrate Judge on plaintiff Nexlink Communication, LLC's ("Nexlink") unopposed motion for defendants to appear and show cause (doc. 7).

Nexlink is the holder of default judgments against defendants in the amount of \$101,189.91. On December 20, 2012, Nexlink subpoenaed defendants related to the underlying default judgments and their finances and assets. Nexlink maintains that the subpoenas were properly served on December 21, 2012. On February 7, 2013, Nexlink filed a motion seeking an order pursuant to Rule 45(c)(2)(B)(i), Fed. R. Civ. P. compelling defendants to produce the documents sought in the subpoenas. On March 7, 2013, the Magistrate Judge ordered defendants Nick Glassburn and Tower Wireless, Ltd. to produce the documents or electronically stored information listed in Exhibit A of the subpoenas and permit their inspection or copying within twenty-one (21) days of

the date of this Order. Defendants were warned that failure to comply with this Order will place defendants in contempt of court.

Defendants have again failed to produce any information or documents in response to the subpoenas of the March 7, 2013 Order. As a result, defendants Nick Glassburn and Tower Wireless, Ltd. are ORDERED to SHOW CAUSE why they should not be held in contempt for their failure to comply with an order of this Court.

Defendants are ORDERED to appear before the Magistrate Judge on May 23, 2013 at 11:00 a.m. in Room 220. If Glassburn and Tower Wireless, Ltd. fully comply with the subpoena before May 18, 2013, Netlink and defendants should file a statement that the subpoena has been complied with and the Court will cancel the May 23, 2013 show cause hearing.

Plaintiff is entitled to award of its attorney fees incurred in bringing its motion to show cause. Plaintiff is ORDERED to submit an itemized statement of such costs and fees and supporting memorandum **within fourteen (14) days of the date of this Order.** Thereafter, defendants may file a brief in opposition within seven (7) days of the date of service of plaintiff's statement and supporting memorandum.

Under the provisions of 28 U.S.C. §636(b)(1)(A), Rule 72(a), Fed. R. Civ. P., and Eastern Division Order No. 91-3, pt. F, 5, either party may, within fourteen (14) days after this Order is filed, file and serve on the opposing party a motion for reconsideration by the District Judge. The motion must specifically designate the Order, or part thereof, in question and the basis for any objection thereto. The District

Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

s/Mark R. Abel
United States Magistrate Judge