

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

SHEET METAL WORKERS LOCAL  
UNION NO. 224, et al.,

Plaintiffs,

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Case No. 3:11-cv-045

-vs-

District Judge Walter Herbert Rice  
Magistrate Judge Michael R. Merz

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COMMERCIAL INDUSTRIAL  
SERVICES,

Defendant.

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**ORDER**

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On Plaintiffs' Motion (Doc. No. 12), the Court set this matter for a judgment debtor examination on September 7, 2011. Defendant failed to appear and the Court advised counsel of the possibility of proceeding in contempt.

On January 3, 2012, the Court ordered Plaintiffs' counsel to advise whether they intended to proceed or whether the matter has become moot.

Plaintiffs' counsel has now advised this Court that Defendant appears to be out of business. Therefore, the matter of contempt is now moot.

February 17, 2012.

s/ **Michael R. Merz**  
United States Magistrate Judge