

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

**IRON WORKERS DISTRICT COUNCIL
OF SOUTHERN OHIO & VICINITY
BENEFIT TRUST, et al.,**

Plaintiffs,

v.

RUNYON ERECTORS, INC.

Defendant.

CASE NO. 3:14-CV-138

JUDGE THOMAS M. ROSE

MAGISTRATE JUDGE MICHAEL R. MERZ

ORDER

Pursuant to Fed. R. Civ. P. 69 and 30(b)(6), this Court grants Plaintiffs Iron Workers District Council of Southern Ohio & Vicinity Benefit, Pension, and Annuity Trusts' ("Plaintiffs") Motion for the Debtors Examination of Runyon Erectors, Inc. ("Defendant") and hereby orders that Defendant, judgment debtor in this Case, appoint an agent pursuant to Fed. R. Civ. P. 30(b)(6) to appear before Magistrate Judge Michael R. Merz on October 29, 2014, at 1:30 P.M. in Courtroom No. 4 and answer upon oath or affirmation questions concerning its property and assets at a judgment debtor examination. The agent appointed by the Defendant shall bring all of the following books, records, papers, documents, and objects to the examination for inspection and copying by Plaintiffs, through their representative:

1. Complete, current, and accurate lists, schedules, and records of Defendant's outstanding notes receivable, accounts receivable, and all other receivables, which records indicate, among other things, the amounts owing thereon and from whom such amounts are owing;

2. Complete, current, and accurate lists, schedules, and records of Defendant's equipment, motor vehicles, furniture, inventory, furnishings, supplies, and other tangible assets of every kind and description, whether real or personal, current depreciation schedules, if any, relating thereto, and complete, current, and accurate lists of liens or other encumbrances thereon;
3. Complete, current, and accurate lists, schedules, and records of the Defendant's stocks, bonds, shares, or interest in all liquid assets or other similar funds, shares or interests in all mutual funds, proprietorship interests, general or limited partnership interests, and all other intangible assets and the corresponding values assigned thereto;
4. Complete, current, and accurate copies of profit and loss statements, income statements, capital statements, balance sheets, and other such similar documents, regardless of how the same may be designated for accounting purposes, relating to every sole proprietorship, and every business concern or venture in which Defendant is or has been within the past three (3) years a general or limited partner or a holder of five percent (5%) or more of the outstanding stock of said concern;
5. Complete and accurate copies of Defendant's federal and state(s) income and state(s) personal property tax return, which Defendant has or should have filed with the appropriate government authorities for its four (4) most recent taxable years;
6. Complete, current, and accurate lists, schedules, and records indicating Defendant's place or places of banking, the types of bank accounts (savings, checking or similar bank accounts) and the account numbers and designations of authority relating thereto, as well as any bank statements or other related documents for each bank

account. As used herein, the term “bank accounts” shall also include all certificates of deposit, savings bonds, and similar instruments, as well as safe deposit boxes and lists, schedules, and records of the contents thereof;

7. Complete, current, and accurate lists, schedules, and records indicating any and all leases of or deeds to real estate with respect to which Defendant is a lessor, lessee, or owner, whether in whole or in part;
8. Complete, current, and accurate lists, schedules, and records indicating any and all bids and contractors for construction work (be it as a general, prime, or subcontractor) prepared by the Defendant during the last two (2) calendar years; and
9. Complete, current, and accurate copies of any consulting, independent contracting, advising, or any other such contract or agreement that Defendant has entered into with another party to provide services to another person, entity, corporation, or business of any kind over the last two (2) calendar years.

Plaintiffs’ counsel shall make service of this Order on Defendant and file appropriate proof of service.

September 10, 2014.

s/ Michael R. Merz

United States Magistrate Judge