

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA and	:	
MATTHEW LOPES REVENUE	:	
OFFICER, INTERNAL REVENUE	:	CIVIL ACTION No. 11-6591
SERVICE	:	CIVIL ACTION No. 11-6592
	:	
	:	
v.	:	
	:	
MICHAEL J. AMABILE	:	
	:	

ORDER

AND NOW, this 26th day of June, 2012, after a hearing on the United States’ Motion to enforce the IRS summonses issue in the above-captioned matters at which defendant Michael J. Amabile, proceeding pro se, attended, testified, and made arguments, and upon consideration of the United States’ motion, Mr. Amabile’s response and arguments, and the testimony of IRS Officer Matthew Lopes and Mr. Amabile, it is ORDERED that:

- (1) The United States’ motion is GRANTED;
- (2) Mr. Amabile shall COMPLY with the May 11, 2001 IRS Summonses and appear before the plaintiff revenue officer or his designee, and bring with him all non-privileged responsive documents in his possession, custody or control no later than July 9, 2012. To the extent that Mr. Amabile believes that certain of those documents are protected by the Fifth Amendment, he shall, no later than July 9, 2012, produce to the Court those documents along with a privilege log identifying each such document so that the Court may make a determination as to whether he must provide to the Government any or all of the documents in question;

- (3) If the United States Attorney's Office certifies that Mr. Amabile has failed to appear before the plaintiff revenue officer on or before July 9, 2012 and Mr. Amabile has not produced to the Court any documents that he believes to be subject to privilege under the Fifth Amendment, then the Court will issue a warrant to the United States Marshal to arrest Mr. Amabile; and
- (4) Upon such arrest, Mr. Amabile shall be committed to the custody of the U.S. Marshal for this District for confinement at the Federal Detention Center in Philadelphia, or such other federal facility as may hereafter be determined by the Bureau of Prisons to be more suitable;
- (5) Mr. Amabile shall be held in custody until further order of Court to be entered when Mr. Amabile purges himself of contempt by complying with the IRS summonses by having his designee appear before the plaintiff revenue officer or his designee and produce all non-privileged documents responsive to the May 11, 2011 IRS summonses in Mr. Amabile's possession, custody or control and/or by providing to the Court all documents for which he claims a privilege along with a privilege log identifying each such document so that the Court may make a determination as to whether he must provide to the Government any or all of the documents in question.
- (6) The United States shall report to the Court on a weekly basis the status of its efforts to obtain compliance with the summonses; and
- (7) The United States or Mr. Amabile shall immediately inform the Court

when Mr. Amabile has complied with the terms of this Order.

The U.S. Marshal is directed to take all appropriate measures to effectuate this order

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.