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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

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10 UNITED STATES OF AMERICA,

11 Petitioner,

12 v.

13 BRIAN BRUMBAUGH,

14 Respondent.  
15

CASE NO. MC09-5012RBL

NOTICE OF HEARING AND  
ORDER TO SHOW CAUSE  
REGARDING CONTEMPT OF  
COURT

16 On September 17, 2009, respondent was directed by the Court to appear before  
17 investigating Revenue Officer Janelle Lourdeau, or any other proper agent, officer,  
18 or employee of the Internal Revenue Service, to testify and produce records as previously  
19 demanded. Doc. 10. Respondent has not complied with the Court's order, and now, petitioner  
20 asks this court to proceed with a hearing to consider holding respondent in contempt of court.  
21 Doc. 12. After reviewing the motion and the balance of the record, the undersigned finds and  
22 orders as follows:  
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24 1. Respondent is hereby given notice and directed to appear on **February 24, 2010, at**  
25 **10:00 a.m.**, at the United States Courthouse, 1717 Pacific Avenue, Tacoma, Washington, 98402,  
26 in Courtroom D, for the court to conduct an evidentiary hearing pursuant to 28 U.S.C. §636(e) to

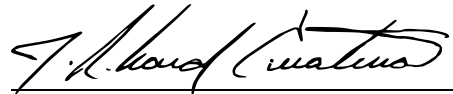
1 certify facts to the Honorable Ronald B. Leighton who may thereafter issue an order of  
2 contempt. **Respondent shall take further notice that if he fails to appear as directed above,**  
3 **a warrant will be issued for his arrest.**

4           2. The undersigned notes that Judge Leighton's previous order for enforcement of the  
5 summons was sent to respondent's post office box in Gig Harbor using United States Postal  
6 Service's certified mail. On October 13, 2009, the letter was returned to the Clerk of the court as  
7 unclaimed. Doc. 11.

8           3. To ensure respondent has proper notice of the above evidentiary hearing the court  
9 directs that a copy of this order shall be personally served upon respondent within 14 days of the  
10 date of this Order, by the U.S. Marshal. Respondent's address of record is: **5055 Borgen Blvd.**  
11 **NW, Gig Harbor, WA, 98332.** Proof of service shall be filed as soon as practicable.

12           4. The Clerk shall forward copies of this Order to the attorneys for the United and  
13 provide a copy of this Order to the U.S. Marshal.

14           Dated this 20<sup>th</sup> day of January, 2010.

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19 J. Richard Creatura  
20 United States Magistrate Judge  
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