

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DOUGLAS DYNAMICS, LLC,

Plaintiff,

v.

BUYERS PRODUCTS COMPANY,

Defendant.

ORDER

09-cv-261-wmc

The court held a telephonic hearing on September 30, 2010, on plaintiff's renewed motion for sanctions under Fed. Civ. P. 37(b). After hearing from both sides, the court orders as follows:

1. Not later than Tuesday, October 5, 2010, defendant Buyers Products Company shall provide Rick Bero of The Bero Group access to its VISUAL database and accounting system onsite, and facilitate his review of that material in good faith, including making Ms. Marion Mantel available to assist in his live search and recovery of data available on the VISUAL system.
2. Defendant shall also immediately provide the following:
 - a. Audited financial statements for Buyers Products Company, Progressive Powder Coating and TRACOM from 2007 to 2009.
 - b. Unmodified and unredacted invoices related to the sale of any SnowDogg assemblies involved in this suit, whether categorized by part numbers, product codes, product lines or assembly names or numbers.
3. Mr. Bero and The Bero Group are cautioned, consistent with the obligations of the protective order in this case, to ensure that none of the information gleaned in this production be made available or disclosed in any form to anyone affiliated with

Douglas Dynamics other than the following outside counsel: Aaron Olejniczak, George Solveson, Edward Williams and Daniel Hanrahan. Counsel is also cautioned to ensure the data is used only for purposes of this suit, kept strictly confidential and, if necessary, filed under seal.

4. The court will reserve any award of monetary sanctions until after the upcoming trial of this matter.

Entered this 30th day of September, 2010.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge