

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

UNITED STATES OF AMERICA,

Petitioner,

v.

RICHARD EBERT, JR.,

Respondent.

ORDER

10-cv-297-wmc

A hearing was held on this court's order to show cause why respondent Richard Ebert, Jr. should not be adjudged in civil contempt (Dkt. #9) on November 3, 2010 at 8:30 a.m. The government was represented by Assistant United States Attorney Richard Humphrey; respondent Ebert appeared in person. At the hearing, Mr. Ebert acknowledged having no excuse other than "procrastination" for his repeated failures (1) to comply with the IRS Summons (Dkt. #2, Ex. 1) served on March 4, 2010, or (2) to comply with this court's order to enforce IRS Summons (Dkt. #6) entered and mailed on August 6, 2010. Ebert further acknowledged taking no steps to bring himself into compliance since issuance of the order to show cause.

Now, therefore, IT IS ORDERED that:

1. Respondent Richard Ebert, Jr. is adjudged in contempt of this court.
2. Respondent Ebert is ordered to cooperate fully with IRS officer Deborah Karwacki to ensure full compliance with the IRS summons no later than this Friday, Nov. 5, 2010.
3. This order to show cause hearing is held over until Monday November 8, 2010,

at 8:30 a.m., at which time Mr. Ebert is again required to appear in person, as is IRS Revenue Officer Deborah Karwacki or her fully-authorized designee, absent notification from the United States Attorney's Office that Mr. Ebert has brought himself into full compliance with the IRS summons.

4. The United States of America may serve and file a written motion on or before Tuesday, November 9, 2010, for such further penalty or relief as it believes is warranted against Richard Ebert, Jr., if any, for his contempt of court; and respondent shall have until Monday, November 15, 2010, to serve and file any written response to that motion.

Entered this 3rd day of November, 2010.

BY THE COURT:

/s/

WILLIAM M. CONLEY

District Judge