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KENNETH J. MURPHY  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

2003 MAY 15 A 8:42

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EAST DIVISION

Elaine L. Chao, Secretary of :  
Labor, United States Department :  
of Labor, :

Petitioner : Case No. MS-2-02-037

v. : Magistrate Judge Abel

James E. Miller, :

Respondent :

ORDER

On May 13, 2003, respondent James E. Miller was arrested by the United States Marshal. Mr. Miller then appeared before me. He had brought with him records responsive to the Secretary of Labor's subpoena. Mr. Miller was released from the custody of the United States Marshal. The proceeding before me was adjourned over the lunch hour. Mr. Miller returned, as scheduled, at 2:00 p.m. Following Mr. Miller's arrest, the representative of the Department of Labor had traveled from Cleveland to Columbus. He quickly reviewed the documents brought by Mr. Miller and determined that they were generally responsive to the subpoena. However, Local 144's deposit slips, cancelled checks, and bank statements for the year 2002 were missing.

The hearing was resumed before me. Mr. Miller stated that he had gathered Local 144's deposit slips, cancelled checks, and bank statements for 2002. He or someone else had apparently misplaced them. Mr. Miller agreed to find them and deliver them to the United States Attorney.

It is ORDERED that respondent James E. Miller locate Local 144's deposit slips, cancelled checks, and bank statements for the year 2002 and deliver them to Assistant United States Attorney Christopher Yates, United States Attorney's Office, 303 Marconi Blvd., Second Floor, Columbus, Ohio, on or before **May 30, 2003**.

Mark R. Abel  
United States Magistrate Judge