

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

VICTOR STANLEY, INC.

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Plaintiff

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vs.

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CIVIL ACTION NO. MJG-06-2662

CREATIVE PIPE, INC., et al.

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Defendants

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ORDER RE: SPOILIATION SANCTIONS

For reasons set forth in the Memorandum And Order Re: Appeal From Order Of Magistrate Judge issued this date and stated on the record of proceedings held this date, the Court hereby Orders that:

1. Pursuant to Fed. R. Civ. P. 37(b)(2)(A)(vii), Defendant Pappas's acts of spoliation shall be treated as contempt of this Court.
2. Pursuant to Fed. R. Civ. P. 37(b)(2)(C), Defendants Mark Pappas and Creative Pipe, Inc. shall pay monetary sanctions equivalent to Plaintiff's attorney's fees and costs associated with all discovery that would not have been untaken but for Defendants' spoliation, as well as the briefings and hearings regarding Plaintiff's Motion for Sanctions.
3. The Court shall, by separate Order and Judgment, impose on said Defendants the obligation to pay, by the end of this week, the agreed minimum amount of \$337,796.37 of such sanctions.

4. The Court refers to Magistrate Judge the matter of providing a report and recommendation regarding determining any additional amount that should be payable by virtue of a supplemental Order and Judgment.

SO ORDERED, on Monday, November 01, 2010.

_____/s/_____
Marvin J. Garbis
United States District Judge