

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

-----	X	
BENJAMIN ROBERTS,	:	
Plaintiff	:	
	:	No. 3:12 CV 1222 (JAM)
	:	
v.	:	
	:	
TRIPLANET PARTNERS, LLC et al.,	:	APRIL 7, 2016
Defendants	:	
	:	
-----	X	

ORDER

WHEREAS, upon consideration of oral argument of counsel at a hearing held before this Court on April 4, 2016 ["April 4 Hearing"], such hearing having been convened for purposes of addressing Plaintiff's Motion for Examination of Judgment Debtors, dated August 10, 2015 (Dkt. #294); and upon consideration of this Court's previous order of February 19, 2016 (Dkt. #304), that Defendants Sophien Bennaceur and Imed Bennaceur appear in Court for an Examination of Judgment Debtor ["EJD"] and produce (i) copies of their federal income tax returns for 2013 and 2014, (ii) written responses to the Post-Judgment Interrogatories previously served upon them, (iii) a list of all bank and investment accounts in which either defendant holds an interest, and (iv) a copy of all bank account statements, from May 2014 to the present, for the Barclays Geneva account previously disclosed by defendant Imed Bennaceur ["Documents"], and upon consideration of this Court's previous order of March 28, 2016 (Dkt. #310), commanding Sophien Bennaceur to appear in person at the April 4 Hearing, and permitting, on consent of Plaintiff, Imed Bennaceur to appear for his EJD via video-conferencing from Tunisia on a date to be determined by the Court;

WHEREAS, Sophien Bennaceur and Imed Bennaceur had actual notice of the Court's Orders;

WHEREAS, Sophien Bennaceur and Imed Bennaceur had been in communication with their counsel of record, Attorney Earle Giovanniello, about the April 4 Hearing, the Orders compelling the production of the Documents, and their appearance for their EJDs;

WHEREAS, Sophien Bennaceur failed to produce any of the Documents, and, although his counsel appeared, he failed to appear in Court at the April 4 Hearing;

WHEREAS, Imed Bennaceur submitted a Declaration, dated March 23, 2016 (Dkt. #307), which included production of some, but not all, of the Documents he was ordered to produce, and which included Imed Bennaceur's request that his EJD be conducted via video-conferencing from Tunisia;

WHEREAS, while Imed Bennaceur was subsequently excused, on consent of Plaintiff, from personally appearing in Court for the April 4 Hearing, he nonetheless failed to produce a "list of all bank and investment accounts" in which he holds an interest, and he failed to provide responses to the Judgment Debtor Interrogatories;

WHEREAS, during the April 4 Hearing, Imed Bennaceur's counsel confirmed he was in communication with Imed about coordinating Imed's EJD from Tunisia and, in conjunction therewith, Plaintiff requested that Imed's EJD take place in the American Embassy in Tunis, Tunisia; and

WHEREAS, at the April 4 Hearing, Plaintiff made a showing that Defendants are affiliated with certain entities, namely, Alpha 22, LLC (a Florida limited liability company), Alpha 94, LLC (a New York limited liability company), and Metropolitan Hospitality Group,

LLC (a Delaware limited liability company), and/or that these entities received payments from Sophien Bennaceur and/or Imed Bennaceur between 2012 and the present.

IT IS HEREBY

ORDERED, that the Defendant Imed Bennaceur shall appear for his video-conference EJD at a location agreed upon by counsel or in the absence of an agreement, ordered by the Court (in that the United States Embassy in Tunis, Tunisia is no longer a practical location), on May 9, 2016 at 11:00 AM E.S.T (16:00 C.E.T); and it is further

ORDERED, that Sophien Bennaceur and Imed Bennaceur (to the extent he has not already done so), shall produce, on or before April 25, 2016, all Documents set forth in the Court's February 19, 2016 Order, specifically (i) copies of their federal income tax returns for 2013 and 2014, (ii) written responses to the Post-Judgment Interrogatories previously served upon them, (iii) a list of all bank and investment accounts in which they jointly or independently hold an interest, and (iv) a copy of all bank account statements, from May 2014 to the present, for the Barclays Geneva account previously disclosed; and it is further

ORDERED, that, in addition to the Documents to be produced pursuant to the Court's February 19, 2016 Order, Sophien and/or Imed Bennaceur shall produce, on or before April 25, 2016, the following additional documents: (i) copies of all bank statements and tax records, from 2010 to present, for Alpha 22, LLC, (ii) copies of all bank statements and tax records, from 2010 to present, for Alpha 94, LLC, and (iii) copies of all bank statements and tax records, from 2010 to present, for Metropolitan Hospitality Group, LLC.

DATED: New Haven, Connecticut

April 7, 2016

/s/ Joan G. Margolis
The Hon. Joan G. Margolis
United States Magistrate Judge