

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

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BENJAMIN ROBERTS,	:	
Plaintiff	:	
	:	No. 3:12 CV 1222 (JAM)
	:	
v.	:	
	:	
TRIPLANET PARTNERS, LLC et al.,	:	APRIL 7, 2016
Defendants	:	
	:	
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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 bank and investment accounts" in which he holds an interest, and failed to provide responses to the Judgment Debtor Interrogatories; and

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.

IT IS HEREBY ORDERED, that the Defendant Sophien Bennaceur appear in Court, at the Richard C. Lee United States Courthouse, 141 Church Street, New Haven, Connecticut, the County of New Haven, and the State of Connecticut, on **April 25, 2016**, at **11:00 AM**, and show cause why orders should not be issued (i) finding Sophien Bennaceur in contempt

of court for (a) failing to produce any Documents at or before the April 4 Hearing, and (b) failing to personally appear for his EJD in Court at the April 4 Hearing, in violation of this Court's Orders of February 19, 2016 and March 28, 2016, and (ii) sanctioning Sophien Bennaceur, pursuant to the Court's inherent powers, by entering further orders, including but not limited to, issuing a civil arrest warrant directed at Sophien Bennaceur and awarding Plaintiff his attorney's fees and costs; and it is further

ORDERED, that the Defendant Imed Bennaceur show cause before this Court, appearing by video conference, at the Richard C. Lee United States Courthouse, 141 Church Street, New Haven, Connecticut, the County of New Haven, and the State of Connecticut, on **May 9, 2016**, at **11:00 AM**, which is the scheduled date for his EJD, why an order should not be issued finding Imed Bennaceur in contempt of court for failing to produce all of the Documents required by the Court's Orders of February 19, 2016; and it is further

ORDERED that personal service of a copy of this Order to Show Cause upon Sophien Bennaceur's and Imed Bennaceur's counsel of record, shall be deemed good and sufficient service thereof.

DATED: New Haven, Connecticut

April 7, 2016

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