

10/4/79

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

In the Matter of

IN BANKRUPTCY

FREDERICK D. ANDERSON,  
f/d/b/a FDA ARCHITECT

No. 78-01225 Vol.

and

COMPONENT CONTRACTORS CORPORATION,  
a Wisconsin Corporation

No. 78-01226 Vol.

Bankrupts

MARATHON COUNTY SAVINGS & LOAN  
ASSOCIATION, KEN VANDERKOY,  
ALAN LANG WELL & PUMP, INC.,  
WAUSAU TILE, INC. and KRALL'S  
MASONRY, INC.

Plaintiffs

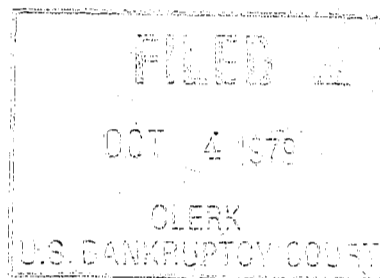
vs.

FREDERICK D. ANDERSON,  
f/d/b/a FDA ARCHITECT

and

COMPONENT CONTRACTORS CORPORATION,  
a Wisconsin Corporation

Defendants.



ORDER ABATING DISCOVERY PROCEEDINGS  
AND GRANTING DEFENDANTS'  
MOTIONS FOR PROTECTIVE ORDERS

The plaintiffs above named having duly filed complaints in each of their respective actions on file herein; and the defendants having duly filed answers thereto; and the plaintiff, Marathon County Savings and Loan Association having duly filed a motion herein for an order compelling discovery and for answering certain interrogatories; and certain of the other plaintiffs having requested discovery proceedings and seeking further examination of the bankrupts' records, all of record herein; and the defendants having filed with the Court in response thereto certain motions requesting protective orders as shown in the proceedings and duly referred to in the briefs of counsel; and oral arguments having been heard by the Court on the respective motions for discovery and answering of interrogatories and for the protective orders; and counsel having filed briefs herein, all of which are

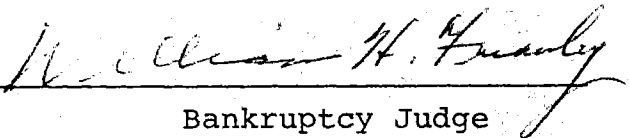
voluminous and very scholarly and citing many authorities; and the Court having duly considered the arguments of counsel, the entire record herein, and the briefs referred to and the authorities cited and referred to by counsel; and it appearing to the Court that the last day for filing objections to discharge has passed, and that the above named plaintiffs, by their attorneys, duly filed their objections to discharge herein; and the basis of the application for the protective orders stems from the fact that certain creditors caused criminal complaints to be filed against the defendant Anderson in the Circuit Court for Marathon County, Wisconsin, and that at the time of the preparation of the briefs five of the complaints had been dismissed and one is still pending; and the defendant Anderson having stated that he has turned over to the Trustee all of the pertinent records of his business as requested and required of him; and his counsel having duly raised the question whether or not to permit discovery at this time and direct the production of the certain documents requested in the motions on file herein; and it appearing that in order for defendant Anderson to be guaranteed his constitutional rights it is proper and reasonable for this Court to enter an order providing that all of the motions for discovery and answering of interrogatories be held in abeyance until said criminal matter, or any other criminal matters hereafter filed, has been completed and finally disposed of; and it further appearing that it be proper that the Court retain jurisdiction to rule on each of said motions of discovery, interrogatories and specific items of the motion for a protective order to a future date following the disposition of said criminal cases in the Circuit Court for Marathon County, Wisconsin. (See Moore's Manual - Federal Practice and Procedure - Vol. 1, Rule 501, 4 APP-20. Moore's Manual - Federal Practice and Procedure - Vol. 2, Page 1470. Harvey's Wisconsin Practice, Volume 3, Page 373.)

NOW, THEREFORE, IT IS ORDERED: That each of the said motions for discovery and for answering of interrogatories and for further discovery of the defendants, or of their agents, servants,

former employees or any other persons having any information relative to said discovery proceedings and the specific motion for protective orders be held in abeyance until the final determination of the criminal cases in the Circuit Court for Marathon County, Wisconsin, and the Court retains jurisdiction to rule on said motions specifically as hereinabove provided subsequent to said final determination of said criminal cases.

Dated: October 4, 1979.

BY THE COURT:

  
Bankruptcy Judge