

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

JAMES RIVER EQUIPMENT, VIRGINIA, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 5:13-cv-28160

JUSTICE ENERGY COMPANY, INC.,

Defendant.

ORDER

The Court entered a *Memorandum Opinion and Order* (Document 59) on January 5, 2016, granting a motion to hold the Defendant in civil contempt and imposing a \$30,000 per day sanction. On February 25, 2016, the Court entered judgment in favor of the United States for a total civil contempt sanction of \$1,230,000. The Fourth Circuit Court of Appeals affirmed the civil contempt fines in an opinion entered on August 17, 2018. In the months since the Fourth Circuit's decision, the Court has periodically requested status updates. The Court granted a motion for the United States to intervene as an interested party on January 31, 2019, and the United States sought to conduct discovery related to the Defendant's assets. In the most recent status update, filed on April 19, 2019, the parties indicated that review of discovery materials was nearing completion. The United States indicated that after finalizing discovery, it "will determine what collection efforts it will undertake to recover the penalty imposed by the Court." (Joint Status Report, Document 123).

To date, however, Justice Energy has made no payments with respect to a sanction entered more than three years ago. Following careful consideration, the Court **ORDERS** the parties to submit a proposal, no later than **June 6, 2019**, informing the Court as to the date by which payment will be made in full or proposing a schedule of payments, to be completed no later than **January 1, 2020**, for the Court's review.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: May 28, 2019

A handwritten signature in blue ink that reads "Irene C. Berger". The signature is written in a cursive style with a horizontal line underneath it.

IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA