

-13-83

Judge,

Show Cause hearing as to why defendant should not be held in contempt.

On 3-21-83, the Court received a letter from John Bays, Jr., stating that he is not the president of the defendant corporation. He advised the Court as to who the president was.

Donald

LAW OFFICES

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TIMOTHY W. MCAFEE  
JACK KENNEDY

August 30, 1982

Honorable G. Wix Unthank  
United States District Judge  
P. O. Box 131  
Pikeville, Kentucky 41501

Re: Harrison Combs, et al vs. G & B Coal Company, Inc.  
CA No. 79-184  
Our File 20819

Dear Judge Unthank:

I am enclosing herewith original and one copy of a motion requesting that I be permitted to withdraw as counsel for the defendant in the above-styled action. If same meets with Your Honor's approval, I would respectfully request that the enclosed Order be entered with a copy of same forwarded to the defendant and counsel of record.

Thank you very much.

Very truly yours,

*Carl E. McAfee*  
CARL E. MCAFEE

CEM/sgo

enclosures

cc: G & B Coal Company, Inc.  
(Via Certified Mail)

Bruce A. Levy, Esquire

Walter P. O'Connell, Esquire

*Is this before judgment or after?*

TO: Judge  
FROM: Donald  
DATE: 2-22-83  
RE: 79-184

Harrison Combs, et al, vs. G & B Coal Company, Inc.

Shoe Cause hearing, Wed., 2-23-83, at 9:00 a.m.

Synopsis:

Plffs have moved the Court to impose sanctions against defendant because def. has not complied with the Court's Order of 8-25-82 directing def. to answer the interrogatories served on it by plffs on 6-9-82. The Court gave def. to 9-24-82 to answer said interrogs.

The Court's Order provided def. that failure to answer the interrogs. within the prescribed time would result in a finding of contempt and an appropriate fine.

ASSIGNED FOR HEARING ON SHOW CAUSE AT PIKEVILLE JUDGE UNTHANK

DATE FEBRUARY <sup>23</sup>24, 1983 AT <sup>9:30</sup>10:30 A. M.

PIKEVILLE CIVIL ACTION NO. 79-184

HARRISON COMBS, JOHN J. O'CONNELL  
and PAUL R. DEAN, as Trustees of  
the UNITED MINE WORKERS OF AMERICA  
HEALTH AND RETIREMENT FUNDS

E. Calvin Golumbic  
Bruce A. Levy

BS:

G & B COAL COMPANY, INC.

1/20/83 #33 MOTION, of plffs to impose sanctions