

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

WHITEHALL SPECIALTIES, INC.,

Plaintiff,

v.

STEVEN J. DELAPORTAS, IONIAN FOODS,
LLC, and DEL SUNSHINE, LLC,

Defendants.

ORDER

04-C-436-C

On January 7, 2005, this court received the January 5, 2005 affidavit of Steven Delaportas and the undated and unsworn declaration of Attorney Gregory Shanaberger, both in response to this court's January 3, 2005 order directing a response to plaintiff's allegations that defendants may have submitted false service certifications in this case.

Delaportas and Shanaberger admit that they backdated the certifications from December 20, 2004 to December 17, 2004; they claim, however, that they were recreating certifications that they actually had signed on December 17, 2004 that were unavailable to mail because Delaportas had left that packet of documents in a car to which he did not have immediate access. Although this explanation leaves ample room for skepticism, I am

declining to hold a show-cause hearing at this time. If, however, there are future problems of a similar nature in this case, then the consequences shall be dire.

Entered this 11th day of January, 2005.

BY THE COURT:

BARBARA B. CRABB
District Judge