

The document below is hereby signed.

Dated: October 27, 2011.



*S. Martin Teel, Jr.*

**S. Martin Teel, Jr.  
U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re	)	
	)	
GB HERNDON AND ASSOCIATES,	)	Case No. 10-00945
INC.,	)	(Chapter 11)
	)	Not for Publication in
Debtor.	)	West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER DENYING DEBTOR'S CORRECTED  
MOTION TO COMPEL PRODUCTION OF DOCUMENTS IN RESPONSE TO SUBPOENA

The Debtor's Corrected Motion to Compel Production of Documents seeks to enforce a request to produce documents under Fed. R. Civ. P. 37 (and does not seek, as the title of its motion suggests, to enforce production under a subpoena).<sup>1</sup> The requested documents relate to the loan that Adams National Bank (now Premier Bank, Inc.) made to the debtor. Rule 37 applies to contested matters under Fed. R. Bankr. P. 9014. The only pending contested matter in which a Rule 37 request could be pursued is Premier Bank's motion to convert this case to chapter 7. Premier

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<sup>1</sup> The request for production was contained in a notice of deposition. It is the same request that the court's memorandum decision of August 29, 2011, addressed and erroneously assumed was made by a subpoena (because the debtor erroneously referred to it as a subpoena).

