

plaintiffs, and against MKEK, in the amount of \$594,855.77.² Docket # 118. On July 9, 1984, I granted plaintiffs' motion to amend this judgment to include delay damages, resulting in a total judgment to plaintiffs of \$847,173.97. Docket # 126. On January 26, 1998, I granted plaintiffs' motion to amend the 1984 judgment to include post-judgment interest, resulting in an award of \$3,108,878.50. Docket # 186.

In November of 2001, plaintiffs moved this court to compel MKEK to answer a set of interrogatories seeking to ascertain the nature, identity, and whereabouts of its assets. Docket # 187. On January 23, 2002, plaintiffs' motion was granted and MKEK was ordered to serve its answers within 20 days. Docket # 178. When MKEK failed to comply with the order of January 23, 2002, plaintiffs filed a motion to find MKEK in contempt and impose civil contempt sanctions. Docket # 180. This motion was granted by an order filed on May 13, 2002, which provided that "[i]f MKEK fails to comply fully with the [order of January 23] within 30 days of this order . . . MKEK shall pay to plaintiffs a daily fine in the amount of \$10,000 and the daily fine shall continue until such a time as MKEK complies with the [order of January 23]." Docket # 181.

By May of 2004, MKEK had still not paid anything to plaintiffs or answered

Ohntrup is also a plaintiff in her own right.

² The Ohntrup's complaint named the following as defendants in this action: Firearms Center Incorporated, Lisle Wayne, James Wayne, and Sara Wayne. Docket # 1. On August 8, 1967, the court permitted these defendants permission to join MKEK as a third party defendant. Docket # 8. On November 24, 1981, I dismissed the action against Lisle Wayne, James Wayne, and Sara Wayne with prejudice. Docket # 85.

plaintiffs' interrogatories. Thus, on November 23, 2004, plaintiffs filed two motions. The first was a motion to amend the judgment entered on January 27, 1998 for the purpose of including post-judgment interest to November 10, 2004. Docket # 185. The second was a motion to reduce to judgment the daily fines assessed against MKEK for its continuing civil contempt. Docket # 186. I granted the first motion but deferred consideration of the second. Docket # 187.

On November 28, 2006, plaintiffs filed an amended motion to reduce to judgment the daily fines against MKEK. Plaintiffs' amended motion seeks a judgment of \$16,000,000: a figure arrived at by multiplying \$10,000 (the daily sanction against MKEK) by 1600 days—the number of days from June 14, 2002 (the deadline set by this court's order of May 13, 2002) to November 1, 2006. Docket # 188 at ¶¶ 15-16. MKEK, which remains in civil contempt, has not responded to plaintiffs' amended motion. Docket # 188. Nor has MKEK responded to plaintiffs' original motion. Docket # 186. Accordingly, I will grant plaintiffs' amended motion.³

³ The local rules of this court supply an additional and independent basis for granting plaintiffs' motion. Local Rule 7.1(c) provides that, "in the absence of a timely response, [a] motion may be granted as uncontested except that a summary judgment motion, to which there has been no timely response, will be governed by Fed. R. Civ. P. 56(c)." E.D.Pa. R. Civ. Pro. 7.1 (Motion practice). Roughly four months have elapsed since plaintiffs filed their amended motion. MKEK has neither filed a response to this motion nor requested an enlargement of time within which to file a response. Accordingly, Local Rule 7.1 authorizes this court to grant plaintiffs' motion as uncontested.

Conclusion

And now, upon consideration of plaintiffs' amended motion to reduce to judgment the daily fines assessed against defendant Makina ve Kimya Endustrisi Kurumu for defendant's continuing civil contempt, Docket # 188, it is hereby **ORDERED** that:

- (1) Plaintiffs' motion is **GRANTED**, and judgment is entered in favor of plaintiffs, and against defendant MKEK, in the amount of \$16,000,000.
- (2) The daily fines assessed upon MKEK under this court's Order of May 13, 2002 (Docket # 181) are henceforth to accrue at the rate of \$1000 per day for a maximum fine of \$10,000 per year, with such fines to continue until such a time as MKEK complies with this court's order of January 23, 2002 (Docket # 178).

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.