

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**F I L E D**  
**FEB 23 2018**  
**CLERK'S OFFICE**  
**U.S. DISTRICT COURT**

**IN RE:** )  
**DOW CORNING** )  
**CORPORATION** )  
 ) **CASE NO. 00-CV-00005-DT**  
 )  
**REORGANIZED DEBTOR** ) **HONORABLE DENISE PAGE HOOD**

**WILLIAM RUTH'S SUPPLEMENTAL OBJECTIONS AND RESPONSE AND REQUEST  
FOR TELEPHONIC HEARING**

COME NOW, Defendant William W. Ruth and files his Objections and Supplemental Response to Finance Committee's Motion for Entry of an Order to Show Cause, and Request for Telephonic Hearing, and would show the court:

**I.**

**OBJECTIONS**

Ruth is unaware of any filings or Orders in this matter other than the Finance Committees' filing on January 10, 2018 which the Finance Committee requests sanctions and contempt against Ruth, even though, Ruth is not a party to this matter and no order has been issued by the court for Ruth to be in contempt.

Ruth further objects to the allegations made to the Court to the extent that they are not accurate or true.

**RESPONSE AND REQUEST FOR TELEPHONIC HEARING**

1. The Finance Committee [hereinafter "Committee"] has alleged that William Ruth has been nonresponsive to their inquiries as to a \$10,000 check supposedly issued and sent to Ruth. To the contrary, Ruth has promptly responded to all of the Committee's inquiries.
2. Ruth cannot produce what is no longer in his possession or a lawyer be expected to have knowledge of a particular claimant after his/her law office has been closed for almost 15 years.
3. Only recently, has the Committee provided Ruth with a copy of the alleged \$10,000 check supposedly issued and sent to Ruth.
4. This alleged \$10,000 check was not known about by Ruth. Nor is that Ruth's signature on the alleged check.
5. Based upon information and belief, this alleged check was likely taken by a former employee who worked for Ruth for a short time period which other forgeries involving Ruth's bank account and forged banking instruments were made by this former employee, Brittney Meador, as attested to by William Ruth in his Affidavit of William W. Ruth filed of record in this matter.
6. Pursuant to the law, it is well established that an individual is not liable for the unforeseen intentional and criminal acts of another.

7. Ruth also files the Affidavit of Juanita Wright, co-owner of the automobile body shop which Brittney Meador sought to obtain services by deceit in September-October 2014 after Meador damaged a company truck owned by Ruth's firm.
8. As noted in the Affidavit of Juanita Wright, Ms. Meador forged a bank letter indicating that she had been approved by loan which turned out to be fabricated. No such loan approval had been made to Meador. **[Affidavit of Juanita Wright is attached hereto as Exhibit "A"]**.
9. Ruth does not know the extent of theft and forgeries committed by Meador during her employment. However, based upon the theft and forgeries against Ruth; those in relation to the unauthorized use of Ruth's vehicle and the attempted repair; and the criminal history of Meador prior to and after her employment with Ruth, it is most likely that Meador came into possession of the alleged \$10,000 check, forged Ruth's name to the check and caused it to be cashed since Ruth was unaware of having received the check and the signature on the check purporting to be Ruth's is not his signature as attested by Ruth.
10. Ruth lives in Texas, and requests that the court allow Ruth to appear by telephonic conferencing.

11. As indicated, Ruth is not a party to this suit; has not been served with citation in this suit; not aware of this alleged check; and has attested to the signature on this alleged check not being his signature.
12. Therefore, Ruth asks that the court to not require that Ruth incur the cost and expense or expend the time to travel to Michigan for purposes of being present at any upcoming hearing which is not justified under the circumstances.

WHEREFORE, Ruth requests that the court grant Ruth's request to appear via telephonic conference, not find Ruth in contempt since he is unaware of any orders by this court which he would be subject to contempt, dismiss these allegations against Ruth due to the high probability that this was a check stolen by a former employee, and for any and all relief.

Respectfully submitted,

By: 

WILLIAM W. RUTH

1406 E. Main Street, #200

Fredericksburg, Texas 78624

Tel: 325-642-9802

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing response to Plaintiff by US. Mail on or about February 17th, 2018.



WILLIAM W. RUTH

MARY ADAMS  
Smyser, Kaplan & Veselka, LLP  
100 Louisiana, #2300  
Houston, TX 77002

**AFFIDAVIT OF JUANITA WRIGHT**

**STATE OF TEXAS            ()**

**COUNTY OF BROWN        ()**

BEFORE ME, the undersigned authority, on this day personally appeared Juanita Wright, who on her oath, stated the following:

1. "My name is Juanita Wright. I am over the age of 21 and fully qualified and competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and they are true and correct.
2. Brittney Meador wanted the body shop that my husband and I own, Steve's Paint and Body Shop, in Brownwood, Texas to repair a truck that had been damaged. I learned that it belonged to Bill Ruth who Meador supposedly worked for during September-October of 2014.
3. I learned that she had supposedly told Bill Ruth that her uncle owned the body shop and he was doing the work at no charge. She has no relationship to this business or any of the employees.
4. Instead, she provided us with a letter from a bank indicating that a local bank had approved her for a loan which turned out to be fabricated.
5. Later, I learned that Bill Ruth had terminated her for these reasons, among others."

FURTHER AFFIANT SAYETH NOT.

A handwritten signature in cursive script that reads "Juanita Wright". The signature is written in black ink and is positioned above a solid horizontal line.

JUANITA WRIGHT

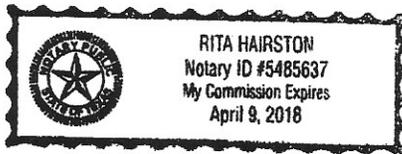
SUBSCRIBED AND SWORN TO before me on this 9<sup>th</sup> day of February, 2018

Rita Hairston

NOTARY PUBLIC, STATE OF TEXAS

Rita Hairston

Name of Notary



My Commission Expires: 4-9-2018

13207 Main #200  
Fredericksburg TX 78624

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
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