

The Honorable Thomas S. Zilly

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
GLEN A. STOLL; STOLL FAMILY TRUST; )  
DIRECTOR OF THE FAMILY DEFENSE )  
LEAGUE a.k.a. FAMILY DEFENSE )  
LEAGUE a.k.a. FAMILY DEFENSE )  
NETWORK a.k.a. FAMILY DEFENSE )  
FUND; and SNOHOMISH COUNTY, )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 2:22-cv-01130-TSZ

**UNITED STATES’ MOTION FOR  
EXTENSION OF TIME TO SERVE  
SUMMONS AND COMPLAINT ON  
GLEN A. STOLL AND DIRECTOR  
OF THE FAMILY DEFENSE  
LEAGUE**

**Note on Motions Calendar:  
November 4, 2022**

The United States of America (“United States”) moves the Court under Fed. R. Civ. P. 4(m) and LCR 7(d)(2)(A), (j) for an additional 45 days to serve Defendants Glen A. Stoll and the Director of the Family Defense League with the Summons and Complaint in this matter:

1. On August 12, 2022, the United States commenced this suit to: (i) reduce to judgment the outstanding federal tax assessments against Glen A. Stoll; (ii) find a parcel of improved property located in Snohomish County, Washington, described more completely below and referred to as the “Subject Property”, is held by a nominee and/or alter ego of Defendant Glen A. Stoll; and (iii) foreclose federal tax liens on the Subject Property, selling it and distributing the proceeds of such sale in accordance with the Court’s findings as to the validity and priority of the liens and claims of all the parties as to the Subject Property. *See* Dkt. # 1 at 1-

3, ¶ 1. The Subject Property has a street address of 7311 Grove St. SE, Marysville, WA 98270, and bears Snohomish County Assessor's Parcel No. 007753-000-007-00. *See* Dkt. # 1 at 3, ¶¶

11-12. The Subject Property is legally described as:

LOT(S) 7, MUNSON CREEK ESTATES DIVISION III, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 49 OF PLATS, PAGE(S) 180 AND 181, RECORDS OF SNOHOMISH COUNTY, WASHINGTON

*See* Dkt. # 1 at 3, ¶ 13.

2. Under Fed. R. Civ. P. 4(m), the United States has 90 days after the complaint is filed to serve the Summons and Complaint on defendants. The current deadline to serve the Summons and Complaint on defendants is November 10, 2022.

3. The United States has already served the Summons and Complaint on Snohomish County and the Stoll Family Trust on September 20, 2022 and October 16, 2022, respectively. *See* Dkt. ## 8, 10.

4. Snohomish County and the United States entered into a stipulation regarding relative priority of liens against the Subject Property that was adopted by the Court, and Snohomish County's continued participation in this action is likely not needed for a complete adjudication of the relief sought by the United States. Dkt. ## 9, 11.

5. Under Fed. R. Civ. P. 12(a)(1)(A)(i), the Stoll Family Trust has 21 days from service of the Summons and Complaint to respond to the Complaint. The current deadline of November 7, 2022<sup>1</sup> has not elapsed yet.

6. The United States employed a process server to locate and serve Mr. Stoll and the Director of the Family Defense League but has not yet been able to locate or serve either party after several attempts to do so, including a stakeout at the Subject Property. Attached hereto as **Exhibit A** are Declarations of Non-Service from the process server.

7. Additionally, undersigned counsel has been in telephone communication with Mr. Stoll since October 20, 2022 to potentially arrange a date and place for the process server to

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<sup>1</sup> The deadline is extended to the next day that is not a Saturday, Sunday, or legal holiday pursuant to Fed. R. Civ. P. 6(a)(1)(C).

1 serve Mr. Stoll.

2 8. Fed. R. Civ. P. 4(m) provides that “on motion or on its own after notice to the  
3 plaintiff” the court must order that service be made within a specified time or dismiss the action  
4 if a defendant is not served within 90 days after the complaint is filed. “But if the plaintiff shows  
5 good cause for the failure, the court must extend the time for service for an appropriate period.”

6 9. Here, good cause exists for a 45-day extension of time from November 10, 2022  
7 to **December 27, 2022**<sup>2</sup>, to effect service on Mr. Stoll and the Director of the Family Defense  
8 League. The United States anticipates that it will be able to effect service within the requested  
9 45-day extension as it is hopeful that service of process can be effected by arranging a mutually  
10 acceptable date and place for service of the Summons and Complaint on Mr. Stoll, individually  
11 and on behalf of the Director of the Family Defense League.<sup>3</sup>

12 WHEREFORE, the United States requests that the Court extend the time to serve Glen A.  
13 Stoll and the Director of the Family Defense League by 45 days to December 27, 2022.

14 Respectfully submitted this 27th day of October, 2022.

15  
16 DAVID A. HUBBERT  
Deputy Assistant Attorney General

17 /s/ Yen Jeannette Tran  
18 YEN JEANNETTE TRAN  
DYLAN C. CERLING  
19 Trial Attorney, Tax Division  
U.S. Department of Justice  
20 P.O. Box 683  
Washington, D.C. 20044  
21 202-616-3366 (v) (Tran)  
22 202-616-3395 (v) (Cerling)  
23 202-307-0054 (f)  
Y.Jeannette.Tran@usdoj.gov  
Dylan.C.Cerling@usdoj.gov

24 *Attorneys for the United States of America*

25 \_\_\_\_\_  
26 <sup>2</sup> The deadline is extended to the next day that is not a Saturday, Sunday, or legal holiday pursuant to Fed. R. Civ. P.  
6(a)(1)(C).

27 <sup>3</sup> Mr. Stoll may be served on behalf of the Director of the Family Defense League as he is listed as a “Governor” of  
the Director of the Family Defense League with the Washington State Secretary of State. *See* Fed. R. Civ. P.  
4(h)(1)(A), 4(e)(1); RCW 4.28.080(9).