

The Honorable Thomas S. Zilly

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

**REPLY IN SUPPORT OF MOTION
FOR ENTRY OF DEFAULT
AGAINST STOLL FAMILY TRUST
AND DIRECTOR OF THE FAMILY
DEFENSE LEAGUE**

**Note on Motions Calendar:
February 1, 2023**

The United States of America hereby files this reply in support of its Motion for Entry of Default Against Stoll Family Trust and Director of the Family Defense League (“Motion”) (Dkt. # 21).¹ To the extent the document titled “Affidavit in Rebuttal to United States Motion for Default and in Rebuttal to United States Response to ‘Foreign Plea in Abatement’ and ‘Memorandum of Fact, Agreement, and Law’” (Dkt. # 26) (“Affidavit”) filed by Glen A. Stoll, is a response to the Motion, it should be stricken and the Court should enter default against the

¹ The United States did not receive notice of the “Affidavit in Rebuttal to United States Motion for Default and in Rebuttal to United States Response to ‘Foreign Plea in Abatement’ and ‘Memorandum of Fact, Agreement, and Law’” until February 2, 2023, which was after the noting date. The certificates of service to the Affidavit indicate service by mail to the United States on February 1, 2023. *See* Dkt. ## 26-1 at 13, 26-2 at 4. However, counsel for the United States has not received a copy by mail as of the filing of this reply.

1 Stoll Family Trust and Director of the Family Defense League (“Family Defense League”).

2 First, the Court should strike the Affidavit because it is untimely. On December 2, 2022,
 3 the United States filed its Motion and noted the Motion for December 2, 2022 in accordance with
 4 Local Rules W.D. Wash. LCR 7(d), the local rule setting forth the noting dates for motions and
 5 briefing schedules. Dkt. # 21. On December 19, 2022, the Court entered a Minute Order renoting
 6 the Motion to February 1, 2023. Dkt. # 24 at 1, ¶ 2. Under LCR 7(d)(3), a response to the Motion
 7 was required to be filed not later than the Monday before the noting date, which in this case was
 8 January 30, 2023, and served no later than Friday before the noting date if service was by mail,
 9 which in this case was January 27, 2023. In disregard of this Court’s local rules, the Affidavit
 10 was filed with the Court and mailed to the United States on February 1, 2023, *see* Dkt. ## 26, 26-
 11 1 at 13, 26-2 at 4. Not only did the Stoll Family Trust and the Family Defense League fail to
 12 obtain an extension of time to file their response under Fed. R. Civ. P. 6(b) and LCR 7(j), they
 13 also failed to acknowledge the untimeliness of their response or provide any explanation for why
 14 they could not comply with the local rules and timely file their response. Accordingly, the Court
 15 should strike the Affidavit as untimely.

16 Second, the Court should strike the Affidavit because it violates the Court’s Minute Order
 17 entered on December 19, 2022. Dkt. # 24. The Court determined that the Stoll Family Trust is an
 18 unincorporated association and the Family Defense League is a business entity and thus they
 19 cannot represent themselves and must only appear through an attorney. *Id.* at 1, ¶ 3. The Court
 20 directed both defendants to arrange for an attorney to file a notice on their behalf on or before
 21 February 1, 2023. *Id.* at 1-2, ¶ 3. Yet, despite the Court’s Minute Order, Defendant Glen A. Stoll,
 22 who admittedly is not an attorney, *see* Dkt. ## 19 at 8; 26 at 5, argues he is authorized to
 23 represent the Stoll Family Trust and the Family Defense League and filed the Affidavit on their
 24 behalf, *see* Dkt. # 26 at 3-5.² However, because Glen A. Stoll is not an attorney, the Court should
 25

26 ² In the alternative, Glen A. Stoll requests an extension of time to obtain counsel for the Stoll Family Trust and/or
 27 Family Defense League. *See* Dkt. # 26 at 4. The Court should deny this request because the Court, by renoting the
 Motion to two months after the initial noting date, has already provided the Stoll Family Trust and Family Defense
 League with adequate time to obtain counsel.

1 strike the Affidavit.

2 Thus, the Affidavit should be stricken. Neither the Stoll Family Trust nor the Family
3 Defense League have appeared in this case. Accordingly, the Stoll Family Trust and Family
4 Defense League have defaulted.

5 WHEREFORE, the Clerk of the United States District Court for the Western District of
6 Washington should enter default against the Stoll Family Trust and Family Defense League.

7 Respectfully submitted this 3rd day of February 2023.

8 DAVID A. HUBBERT
9 Deputy Assistant Attorney General

10 /s/ Yen Jeannette Tran

YEN JEANNETTE TRAN

DYLAN C. CERLING

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202-616-3366 (v) (Tran)

202-616-3395 (v) (Cerling)

202-307-0054 (f)

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16 *Attorneys for the United States of America*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of February 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Rebecca J. Guadamud (Rebecca.Guadamud@snoco.org)
Attorneys for Snohomish County

I further certify that on the same date, I caused a true and complete copy of the foregoing document to be served by first-class mail, postage prepaid, to the following at the following addresses:

Glen A Stoll
c/o Director of the Family Defense League
16910 – 59th Avenue NE, Ste. 210
Arlington, WA 98223

/s/ Yen Jeannette Tran
YEN JEANNETTE TRAN
Trial Attorney, Tax Division
U.S. Department of Justice