

The Honorable Thomas S. Zilly

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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 ON INITIAL  
SCHEDULING DATES**

**Note on Motions Calendar:  
March 3, 2023**

Plaintiff the United States of America moves the Court for a 90-day extension of time on the following Initial Scheduling Dates set by the Court on December 27, 2022: FRCP 26(f) Conference; Initial Disclosures; and Joint Status Report. The United States seeks this extension because, as explained below, Defendant Glen A. Stoll has not yet filed an Answer. Should Stoll file an Answer, his Answer will allow the parties to determine the scope of the factual disputes, if any, in this matter. That determination will inform discovery and scheduling in this case.

1. On August 12, 2022, the United States commenced this suit to: (i) reduce to judgment the outstanding federal tax assessments against Defendant 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

1 Stoll; and (iii) foreclose federal tax liens on the Subject Property, selling it and distributing the  
2 proceeds of such sale in accordance with the Court’s findings as to the validity and priority of the  
3 liens and claims of all the parties as to the Subject Property. *See* Dkt. # 1 at 1-3, ¶ 1. The Subject  
4 Property has a street address of 7311 Grove St. SE, Marysville, WA 98270, and bears  
5 Snohomish County Assessor’s Parcel No. 007753-000-007-00. *See* Dkt. # 1 at 3, ¶¶ 11-12. The  
6 Subject Property is legally described as:

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

9 *See* Dkt. # 1 at 3, ¶ 13.

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

14 3. On August 17, 2022, the Court issued an Order Regarding Initial Disclosures,  
15 Joint Status Report, and Early Settlement setting the following Initial Schedule Dates:

16 Deadline for FRCP 26(f) Conference: 10/3/2022  
17 Initial Disclosures Pursuant to FRCP 26(a)(a): 10/17/2022  
18 Combined Joint Status Report and Discovery  
19 Plan as Required by FRCP 26(f) and Local Civil  
Rule 26(f): 10/17/2022

20 Dkt. # 4.

21 4. On October 3, 2022, on the United States’ request, the Court extended the Initial  
22 Scheduling Dates as follows:

23 Deadline for FRCP 26(f) Conference: 10/31/2022  
24 Initial Disclosures Pursuant to FRCP 26(a)(a): 11/14/2022  
25 Combined Joint Status Report and Discovery  
26 Plan as Required by FRCP 26(f) and Local Civil  
Rule 26(f): 11/14/2022

27 5. On November 7, 2022, on the United States’ request, the Court extended the

1 Initial Scheduling Dates as follows:

2 Deadline for FRCP 26(f) Conference: 12/30/2022

3 Initial Disclosures Pursuant to FRCP 26(a)(a): 01/13/2022

4 Combined Joint Status Report and Discovery  
5 Plan as Required by FRCP 26(f) and Local Civil  
6 Rule 26(f): 01/13/2022

6 6. On November 25, 2022, Stoll, filed a “Foreign Plea in Abatement” and  
7 “Memorandum of Fact, Agreement, and Law” (collectively, “Motion to Dismiss”). Dkt. ## 18-  
8 19. While not styled as a motion to dismiss, Stoll’s filings are the functional equivalent of a  
9 motion to dismiss. The United States filed a response. Dkt. # 22.

10 7. On December 2, 2022, the United States filed a Motion for Entry of Default  
11 against Defendants the Stoll Family Trust and the Director of the Family Defense League and  
12 noted the motion for December 2, 2022. Dkt. # 21. Stoll filed a response. Dkt. # 26. The United  
13 States filed a reply. Dkt. # 27.

14 8. On December 19, 2022, the Court noted Stoll’s Motion to Dismiss and renoted  
15 the United States’ Motion for Entry of Default to February 1, 2023. Dkt. # 24.

16 9. On December 27, 2022, on the United States’ request, the Court extended the

17 Initial Scheduling Dates as follows:

18 Deadline for FRCP 26(f) Conference: 02/28/2023

19 Initial Disclosures Pursuant to FRCP 26(a)(a): 03/14/2023

20 Combined Joint Status Report and Discovery  
21 Plan as Required by FRCP 26(f) and Local Civil  
22 Rule 26(f): 03/14/2023

22 Dkt. # 25.

23 10. On February 16, 2023, the Court renoted Stoll’s Motion to Dismiss and the  
24 United States’ Motion for Entry of Default to April 21, 2023. Dkt. # 28.

25 11. The United States requests a 90-day extension of time on the Initial Scheduling  
26 Dates due to the pending Motion to Dismiss and because Stoll has not yet filed an Answer to  
27 allow the parties to determine the scope of the factual disputes, if any, in this matter. That

1 determination will inform discovery and scheduling in this case. As such, there is good cause for  
2 a 90-day extension of time on the Initial Scheduling Dates.

3 WHEREFORE, the United States requests that the Court extend the Initial Scheduling  
4 Dates by 90 days as follows:

5 Deadline for FRCP 26(f) Conference: 05/29/2023

6 Initial Disclosures Pursuant to FRCP 26(a)(a): 06/12/2023

7 Combined Joint Status Report and Discovery  
8 Plan as Required by FRCP 26(f) and Local Civil  
9 Rule 26(f): 06/12/2023

10 Respectfully submitted this 23rd day of February, 2023.

11 DAVID A. HUBBERT  
12 Deputy Assistant Attorney General

13 /s/ Yen Jeannette Tran

14 YEN JEANNETTE TRAN

15 DYLAN C. CERLING

16 Trial Attorney, Tax Division

17 U.S. Department of Justice

18 P.O. Box 683

19 Washington, D.C. 20044

20 202-616-3366 (v) (Tran)

21 202-616-3395 (v) (Cerling)

22 202-307-0054 (f)

23 Y.Jeannette.Tran@usdoj.gov

24 Dylan.C.Cerling@usdoj.gov

25 *Attorneys for the United States of America*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd 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