

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 ON INITIAL
SCHEDULING DATES**
**Note on Motions Calendar:
June 2, 2023**

Plaintiff the United States of America moves the Court for a 60-day extension of time on the following Initial Scheduling Dates set by the Court on February 24, 2023: 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. On February 24, 2023, on the United States’ request, the Court extended the

26 Initial Scheduling Dates as follows:

27 Deadline for FRCP 26(f) Conference: 05/30/2023

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

2 Combined Joint Status Report and Discovery
3 Plan as Required by FRCP 26(f) and Local Civil
4 Rule 26(f): 06/12/2023

5 *See* Dkt. # 29 (Motion).

6 12. On April 25, 2023, the Court entered an Order denying the Motion to Dismiss,
7 which included a direction to the Clerk of the Court to send a copy of the order to Glen A. Stoll.

8 Dkt. # 34.¹

9 13. On May 23, 2023, counsel for the United States sent a letter to Glen A. Stoll
10 advising of the United States’ intention to move for entry of default if an answer to the
11 Complaint was not filed by June 2, 2023. *See* Declaration of Yen Jeannette Tran (“Tran Decl.”)
12 at ¶ 2, Exhibit 1.

13 14. To date, counsel for the United States has not received a response to the letter
14 dated May 23, 2023, described in paragraph 13, above. Tran Decl. at ¶ 3.

15 15. To date, Glen A. Stoll has not filed a responsive pleading to the Complaint. *See*
16 Docket for Case No. 2:22-cv-01130-TSZ.

17 16. The United States requests a 60-day extension of time on the Initial Scheduling
18 Dates because Stoll has not yet filed an Answer to allow the parties to determine the scope of the
19 factual disputes, if any, in this matter. That determination will inform discovery and scheduling
20 in this case. As such, there is good cause for a 60-day extension of time on the Initial Scheduling
21 Dates.

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26 ¹ On April 25, 2023, the Court also entered an Order of Default against Defendant Stoll Family
27 Trust and Defendant Director of the Family Defense League a.k.a. Family Defense League. Dkt.
35. The other remaining defendant, Snohomish County, entered a stipulation with the United
States that was approved by the Court. Dkt. ## 9, 11.

1 WHEREFORE, the United States requests that the Court extend the Initial Scheduling
2 Dates by 60 days as follows:

3 Deadline for FRCP 26(f) Conference: 07/31/2023²
4 Initial Disclosures Pursuant to FRCP 26(a)(a): 08/11/2023
5 Combined Joint Status Report and Discovery
6 Plan as Required by FRCP 26(f) and Local Civil
7 Rule 26(f): 08/11/2023

8 Respectfully submitted this 25th day of May 2023.

9 DAVID A. HUBBERT
10 Deputy Assistant Attorney General

11 */s/ Yen Jeannette Tran*

12 YEN JEANNETTE TRAN
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18 202-616-3366 (v) (Tran)
19 202-616-3395 (v) (Cerling)
20 202-307-0054 (f)
21 Y.Jeannette.Tran@usdoj.gov
22 Dylan.C.Cerling@usdoj.gov

23 *Attorneys for the United States of America*

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27 ² 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).

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of May, 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