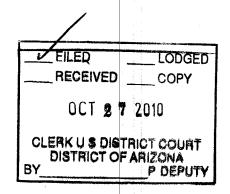
D L P LT13
Elmer P. Vild, Trustee
989 S. Main St., #A-269
Cottonwood, AZ 86326
Ph. (928) 634-5669
E-Mail: trustoneil@commspeed.net
Elmer P. Vild is the Trustee for the D L P LT13 contractual entity.



IN THE UNTIED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

United States of America,)
Plaintiff,) Civil No. CV 09-00444-PHX-SRB
) MOTION FOR SANCTIONS
v.)
Maria D. Forman; Jimmy C. Chisum, and Elmer P. Vild, also known as Phillip O'Neil, as Trustees for the DLP LT 13 Trust; and Arizona Department of Revenue	
Defendants.	

COMES NOW Elmer P. Vild, Trustee, as stated before, is relying on *Haines v*.

Kerner, to reply to Plaintiff's Response to Notice RE: Indispensable Parties. This

Defendant requests that this Court sanction the United States for unwarranted delay and unnecessary costs of litigation.

The United States' attorney either knew or should have known that both Nevada and Arizona law allowed the trustee of a trust to represent the trust in the instant case.

The government's attorney has visited the subject of the trustee representing the trust many times previously and has been unsuccessful with the Court.

To approach the well worn subject of representation while the parties are trying to reach a settlement that would keep the costs to a destitute person such as widow Maria D. Forman is unconscionable. In addition, the Plaintiff proceeded in direct violation of the advice and suggestion of the Court that the correct avenue in the instant case was to pursue a settlement, supposedly because of the small amount of taxes allegedly due and the large cost of litigation.

The government's attorney, with its boiler plate canned motions, seemingly has attempted to take advantage of the contractual trust because of its representation by a non-attorney.

Wherefore, the above premises considered, Defendant prays that this Court will sanction the Plaintiff for submitting a "Motion to Strike All Pleading and Documents Filed by Elmer P. Vild on Behalf of DLP LT 13" when she knew or should have known it was in direct violation of Nevada and Arizona law.

Respectfully submitted this 26th day of October, 2010.

DLP LT13

Elmer P. Vild, Trustee

CERTIFICATE OF SERVICE

Original for the Clerk of the Court and one copy for the Honorable Susan R. Bolton mailed this 26th day of October, 2010 via first class mail to:

Clerk of the Court Sandra Day O'Connor U.S. Courthouse SPC 1 401 W. Washington Street, Suite 130 Phoenix, AZ 85003-2118

Copies mailed this 26th day of October, 2010 via first class mail to:

DIANE J. HUMETEWA United States Attorney District of Arizona Evo A. DeConcini Courthouse 405 West Congress St., Suite 4800 Tucson, Arizona 85701-5040 ALEXIS V. ANDREWS
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U.S. Department of Justice
P.O. Box 683, Ben Franklin Station
Washington, D.C. 20044-0683

Maria D. Forman 5640 East Duane Lane Cave Creek, Arizona 85331-6492 Jimmy Chisum, 84388-008 2846 E. Roosevelt Phoenix, AZ 85008

DENISE ANN FAULK Assistant Attorney General 1275 West Washington St. Phoenix, AZ 85007-2926

Elmer P. Vild, Trustee of D L P LT13