

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.

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OCT 27 2010	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

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.

Civil No. CV 09-00444-PHX-SRB

MOTION FOR MAGISTRATE

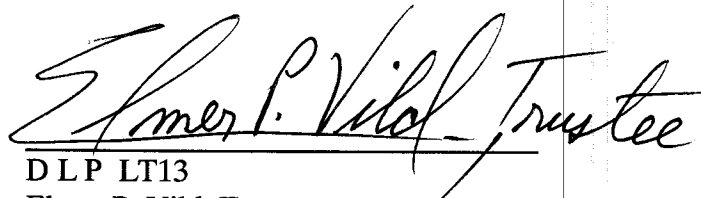
COMES NOW Elmer P. Vild, Trustee for the D L P LT13 contract in the form of a trust, proceeding without the assistance of counsel and relying on *Haines v. Kerner* does hereby petition this Court for the assistance of a Magistrate to reach a settlement in the instant case, in the interest of, and, for the benefit of all parties.

It appears that all parties to the instant suit may have trouble reaching a settlement on their own for many reasons which this Defendant will not pursue in this motion. On September 27, 2010, during our "scheduling" meeting in court, the parties in attendance, personally and telephonically, informed the Court that they were open to a settlement of this case if an amount of money could be agreed upon. This Defendant would like to accept the Court's most generous offer to have a magistrate assist with a settlement between the parties.

In accordance with the current laws in the State of Nevada and the State of Arizona, Elmer P. Vild will represent the interests of D L P LT13 and its ultimate beneficiaries.

Wherefore, above premises considered, this Defendant requests the Court appoint a Magistrate to assist in the settlement of this instant suit without further litigation.

Respectfully submitted this 26th day of October, 2010.


D L P 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:

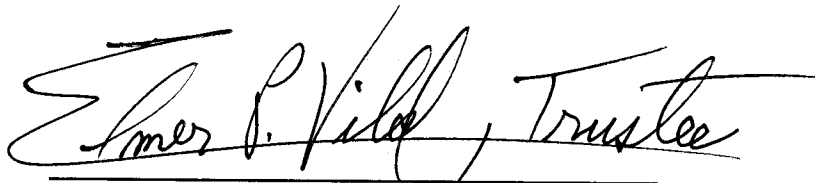
DIANE J. HUMETEWA
United States Attorney
District of Arizona
Evo A. DeConcini Courthouse
405 West Congress St., Suite 4800
Tucson, Arizona 85701-5040

ALEXIS V. ANDREWS
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DENISE ANN FAULK
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A handwritten signature in black ink that reads "Elmer P. Vild, Trustee". The signature is written in a cursive style with a horizontal line underneath the name.

Elmer P. Vild, Trustee of D L P LT13