

D L P LT13  
Elmer P. Vild, Trustee  
989 S. Main St., #A-269  
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E-Mail: [trustoneil@commspeed.net](mailto:trustoneil@commspeed.net)  
Elmer P. Vild is the Trustee for the  
D L P LT13 contractual entity.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF ARIZONA**

United States of America,	)	
	)	Civil No. CV 09-00444-PHX-SRB
Plaintiff,	)	
	)	REPLY TO UNITED STATES’
v.	)	RESPONSE IN OPPOSITION TO
	)	MOTION FOR SACTIONS
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, relying on *Haines v. Kerner*, to reply to UNITED STATES’ RESPONSE IN OPPOSITION TO MOTION FOR SANCTIONS.

The United States’ in its response seems to think that this Defendant may be confused, and that Defendant’s motion offers no legal basis for sanctions and the United States’ actions are a “legitimate practice of law”.

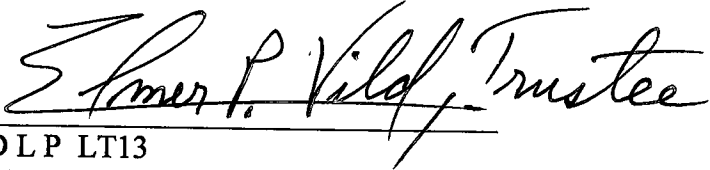
No, the Defendant’s Motion for Sanctions was based on common sense and case law does not need to be quoted. The Court knows that neither the Court nor the counsel

for the United States has read D L P LT13's controlling documents. The United States bases its arguments on only some case law that favors them but does not know if it applies to D L P LT13. This Defendant's briefs and affidavits, plus state law and the Federal Rules of Civil Procedure allow Elmer P. Vild to speak on behalf of the trust and represent the trust's beneficiaries. The Court informed the United States to avoid the issue, but the United States wasted time and the people's money in needless non-productive motions. That was the reason for the request for sanctions.

During the scheduling conference, counsel for the United States brought up the issue of Elmer P. Vild's representation of DLP LT13. This defendant believes that the court made it quite clear at that time, that the court "did not want to hear about it".

The court clearly indicated that the court was interested in the pursuit of a settlement, not bickering over representation issues. Indeed, if Counsel for the United States had approached settlement and open negotiations, this case could be over by now!

Respectfully submitted this 22<sup>nd</sup> day of November, 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 22<sup>nd</sup> 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 22<sup>nd</sup> day of October, 2010 via first class mail to:

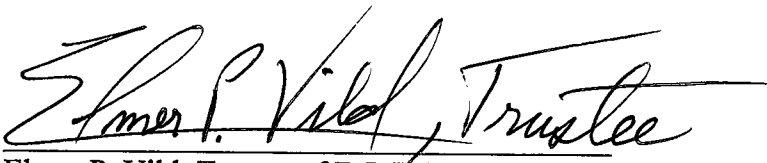
DIANE J. HUMETEWA  
United States Attorney  
District of Arizona  
Evo A. DeConcini Courthouse  
405 West Congress St., Suite 4800  
Tucson, Arizona 85701-5040

ALEXIS V. ANDREWS  
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U.S. Department of Justice  
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Maria D. Forman  
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DENISE ANN FAULK  
Assistant Attorney General  
1275 West Washington St.  
Phoenix, AZ 85007-2926

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