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4 **IN THE UNITED STATES DISTRICT COURT**
5 **DISTRICT OF ARIZONA**

<p>7 UNITED STATES OF AMERICA,</p> <p>8 Plaintiffs,</p> <p>9 vs.</p> <p>10 JOSEPH J. LIPARI, EILEEN H. LIPARI and EXETER TRINITY PROPERTIES, L.L.C.,</p> <p>11 Defendants.</p>	<p>No. 3:10-CV-08142 JWS</p> <p>JOINT MOTION TO EXTEND DEADLINE FOR FILING DISPOSITIVE MOTIONS</p> <p>Honorable John W. Sedwick</p>
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13 The parties respectfully move that the deadline for filing dispositive motions,
14 which has already run, be extended to December 1, 2011. The reasons for this request are as
15 follows:

16 1. The parties are still engaged in discovery. The Plaintiff has recently
17 responded to interrogatories from Exeter Trinity Properties and the Plaintiff has scheduled the
18 depositions of several witnesses, to be conducted in Phoenix the week of September 20, 2011.

19 2. Dispositive motions are not appropriate until discovery has been completed.

20 3. It was through inadvertence that counsel for the parties did not realize that
21 they should have moved to extend the June 10, 2011 deadline for dispositive motions when
22 they jointly moved to extend the discovery deadline until September 30, 2011.

23 4. It has been difficult to schedule some of the depositions. Counsel for
24 Plaintiff must travel from Washington and one witness was not available during the summer.

25 5. Both the Plaintiff and Exeter Trinity Properties intend to file dispositive
26 motions. There appears to be a high probability that this case will be resolved by those
motions, rather than by trial.

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1 6. Judicial economy will be promoted by granting the parties additional time
2 within which to present dispositive motions. Once the depositions scheduled for the week of
3 September 20, 2011 are completed it will take time for the parties to digest the depositions
4 and put the facts of this case, which are complicated in nature, in an understandable format for
5 purposes of the dispositive motions that they both intend to file.

6 7. The parties are requesting that the deadline be extended to December 1,
7 2011. This is the first extension request regarding the dispositive motion deadline and no
8 party will be prejudiced by this extension.

9 Dated: September 14, 2011.

10 RESPECTFULLY SUBMITTED,

11 /s/ Charles M. Duffy
12 Charles M. Duffy
13 U.S. Department of Justice, Tax Division
14 P.O. Box 683
15 Ben Franklin Station
16 Washington, D.C. 20044-0683
17 Attorney for Plaintiff

/s/ John Friedeman
 John Friedeman
 5103 E. Thomas Road
 Phoenix, AZ 85018
 Attorney for Exeter Trinity Properties, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of September, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and certify that I have mailed by U.S. Postal Service the foregoing to the following:

Joseph J. Lipari
156 Johnson Hill Drive
Waynesville, NC 28786

Joseph J. Lipari
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/s/ Charles M. Duffy
Charles M. Duffy
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