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7 **IN THE UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF ARIZONA**

7 UNITED STATES OF AMERICA, 8 Plaintiffs, 9 vs. 10 JOSEPH J. LIPARI, EILEEN H. LIPARI 11 and EXETER TRINITY PROPERTIES, 12 L.L.C., Defendants.	No. 3:10-CV-08142 JWS REPLY ON MOTION TO JOIN/SUBSTITUTE Honorable John W. Sedwick
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13 The government has objected to the Motion to Join and Motion to Substitute
 14 filed by Exeter Trinity Properties, LLC ["Exeter"]. This is Exeter's Reply.

15 The government has again tried to defame the individuals involved in this
 16 matter. The Court is urged to ignore the government's irrelevant commentary.

17 The government argues that the Liparis have no connection to Timeless
 18 Windsor Ventures ["Windsor"]. In fact, their only connection is Windsor's ownership of the
 19 house which the Liparis transferred out of their name long ago - and this is the same
 20 connection that Exeter Trinity Properties, LLC, had with the Liparis. The government
 21 attaches some significance to this weak connection. However, the point of this entire exercise
 22 was to have the house owned by an independent entity, and not by the Liparis. Thus, the
 23 government has merely pointed out that Windsor will proceed in the same manner as Exeter.
 24 The government's comment helps support this Motion to Join/Substitute.

25 The government concedes that Rule 25(c). FRCP, applies to instances of
 26 legitimate transfers, during litigation, of property which is the subject of the litigation. The

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1 government makes no argument that this transfer was not legitimate, despite being provided a
2 copy of the deed and the sale agreement. Thus, this transfer satisfies Rule 25(c).

3 The government asks that discovery be reopened. The purpose of the transfer
4 was not to prejudice the government and Exeter hereby stipulates that discovery may be
5 reopened.

6 The government references the prior ruling of this Court that Exeter must be
7 represented by counsel. However, the government's statement that Exeter is a trust is in error
8 - Exeter is a limited liability company. This Court has not been asked to determine whether
9 Windsor, which is a trust, must have counsel and that issue is not presently before the Court.
10 The only issue raised by Exeter's Motion is the joinder/substitution.

11 Based on the response by the government, the Motions should be granted and
12 discovery should be reopened.

13 Dated: June 20, 2012.

14 RESPECTFULLY SUBMITTED,

15 /s/

16 John Friedeman
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19 Attorney for Exeter Trinity Properties, LLC
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this June 20, 2012, I electronically filed the foregoing with the Clerk of Court and served the following attorney of record using the CM/ECF system:

Charles M. Duffy
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683

I further certify that on the same day I mailed by U.S. Postal Service the foregoing to the following party who is not represented by counsel.

Joseph Lipari
156 Johnson Hill Drive
Waynesville, NC 28786
Defendant, pro per

/s/

John Friedeman

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