IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,	
Plaintiff,)
v.) Civil No. WMN05CV1297
JOHN BAPTIST KOTMAIR, JR., et al.,)))
Defendants.)

DEFENDANTS' OPPOSITION TO UNITED STATES' MOTION TO STRIKE

Defendants Save-A-Patriot Fellowship and John Baptist Kotmair, Jr., for the reasons set forth below, oppose the United States' Motion to Strike and pray that this Court deny plaintiff's motion.

FACTS

On June 8, 2006, the United States filed a motion for sanctions against defendants for discovery violations. On June 26, 2006, the day on which the response to the motion was due, the defendants filed an opposition to the motion for sanctions (Docket number 50). Due to computer problems, some of the exhibits to the motion had to be filed the next day, June 27, 2006 (Docket number 51), with the Clerk of Court's help. The term "supplemental response" on the Docket is the category advised by the clerk to be used for electronic filing of the several remaining exhibits. No duplicate, additional or supplemental argument was filed on June 27, 2006.

ARGUMENT

This Court's rules require the filing of an opposing motion and memorandum within fourteen days of a motion to compel. Defendants' opposing motion and memorandum was filed within the time period allowed, as the Docket shows, and defendants did not file any "additional response" as plaintiff claims. Further, the exhibits merely support the memorandum timely filed on June 26, 2006. Therefore, plaintiff's motion to strike should be denied.

CONCLUSION

Since defendants made no "supplemental response," the United States' motion is without merit, and should be denied.

Respectfully submitted on this 17th day of July, 2006.

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CERTIFICATE

The undersigned hereby certifies that a printed copy of "Defendants Opposition to United States' Motion to Strike" was sent to counsel for the plaintiff, Thomas Newman, Trial Attorney, Tax Division, U.S. Department of Justice, Post Office Box 7238, Washington, D.C., 20044, by first class U.S. Mail with sufficient postage affixed this 17th day of July, 2006.

/s/ George Harp GEORGE HARP Bar number 22429 Attorney for Save-A-Patriot Fellowship 610 Marshall St., Ste. 619 Shreveport, LA 71101 (318) 424-2003