

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

|                                      |   |                                 |
|--------------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA,</b>     | ) |                                 |
|                                      | ) |                                 |
| <b>Plaintiff,</b>                    | ) |                                 |
|                                      | ) |                                 |
| v.                                   | ) | <b>Case No.: WMN 05 CV 1297</b> |
|                                      | ) |                                 |
| <b>JOHN BAPTIST KOTMAIR, et al.,</b> | ) |                                 |
|                                      | ) |                                 |
| Defendants.                          | ) |                                 |

**UNITED STATES’ RESPONSE TO DEFENDANTS’ MOTION TO STRIKE**

The United States requests that this Court deny defendants’ motion to strike filed on July 18, 2006, (docket number 57). Defendants’ motion requested that the Court strike all references to the case *Schulz v. United States*, Civil Action No. 05-530, 2006 WL 1788194 (D. Neb. June 26, 2006), and statements regarding defendants’ records because the attached exhibits were not authenticated.

On July 19, 2006, the Court issued an Order, (docket number 60), denying defendant’s motion to strike with respect to the references to *Schulz*, 2006 WL 1788194 (D. Neb. June 26, 2006), and stated that the remaining issues would be addressed when the Court decides the motion for sanctions. The Court should also deny defendant’s remaining argument since the exhibits attached to the United States’ reply were authenticated through the Second Declaration of Joseph Nagy. (Docket number 62).

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**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the foregoing RESPONSE has been made upon the following by depositing a copy in the United States mail, postage prepaid, this 31<sup>st</sup> day of July, 2006.

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