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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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UNITED STATES OF AMERICA,

Case No. MC-06-0072-PHX-SMM

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Petitioner,

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v.

ORDER ENFORCING SUMMONS

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KYLE W. STORKS,

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Respondent.

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Based upon the Petition filed by the United States (dkt. 1), the pleadings with respect thereto, the oral stipulation of the parties before the Court on August 28, 2006, and good cause appearing,

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IT IS HEREBY ORDERED GRANTING Enforcement of Petitioner's Summons issued to Respondent Kyle W. Storks based upon Petitioner having met the United States v. Powell, 379 U.S. 48 (1964), criteria for summons enforcement and Respondent, although having failed to file a formal pleading, stipulating to turning over the summoned documents and testimony to the IRS. (Dkt. 1.)

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IT IS FURTHER ORDERED that Respondent Kyle W. Storks shall produce the documents and testimony required in the Summons on or before October 20, 2006 to the U.S. Attorney's Office, Two Renaissance Square, 40 North Central Avenue, Suite 1200, Phoenix, AZ 85004-4408, or Respondent shall contact Revenue Officer Russell Nelson, 40

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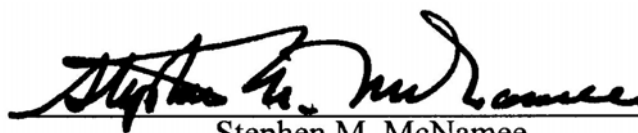
1 West Baseline Road, Suite 213, Tempe, AZ 85283 or at (602) 207-8376 to schedule a time
2 and place to produce the documents and testimony identified in the Summons on or before
3 October 20, 2006.

4 **IT IS FURTHER ORDERED** that Respondent may comply within this order by
5 providing the testimony, and all documents and records specified in the Summons issued
6 on January 12, 2006, that he possesses or controls regarding his federal tax liability for the
7 tax periods ending on December 31, 1996 and December 31, 1997.

8 **IT IS FURTHER ORDERED** that Respondent's non-compliance with the terms
9 and conditions of this order may serve as grounds for a finding of civil contempt against
10 him.

11 **IT IS FURTHER ORDERED** that the Clerk of Court shall remove the Motion for
12 Order to Show Cause (dkt. 2) from the pending motions report, as that motion was disposed
13 of on June 27, 2006. See Dkt. 3.

14 DATED this 29th day of August, 2006.

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18 Stephen M. McNamee
19 United States District Judge
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