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

United States of America,
Petitioner,
vs.
David H. Griggs,
Respondent.

David H. Griggs,
Petitioner,
United States of America; Internal
Revenue Service; and Jennifer Pardue,
Revenue Officer, IRS,
Respondents.

) No. CV-08-1016-PHX-DGC
) No. MC-08-0103-PHX-DGC

ORDER

David Griggs has filed a motion seeking leave of Court to file a late response to the Government’s memorandum addressing whether it can establish the existence of the summonsed documents and Griggs’ possession of them with reasonable particularity. Dkt. #43; *see* Dkt. ##39, 41. The Court will grant the motion.

IT IS ORDERED:

1. David Griggs’ motion for leave to file response (Dkt. #43) is **granted**.

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2. The Clerk is directed to file the lodged proposed response (Dkt. #44).
DATED this 8th day of January, 2009.



David G. Campbell
United States District Judge