

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Petitioner,

v.

KEVIN CLARK, TRUSTEE OF THE NEWMAN
FAMILY IRREVOCABLE TRUST DATED
FEBRUARY 28, 2009,

Respondent.

No. 13-0495-WHA

~~PROPOSED~~ ORDER ENFORCING
SUMMONS

This case having come on for hearing on April 4, 2013, at 8:00 a.m., upon the return of an Order to Show Cause heretofore issued by this Court, and the Court having considered the record herein, including the Verified Petition To Enforce Internal Revenue Summons, it is hereby:

ORDERED that respondent, Kevin Clark, Trustee of the Newman Family Irrevocable Trust, shall appear before Revenue Agent Paul J. Enjalram, or any other designated agent, on Apr 23, 2013, at 9 AM at the Offices of the Internal Revenue Service, located at 1300 Clay Street, Oakland, California, and then and there give testimony relating to the matters described in the subject Internal Revenue summons, a copy of which is attached hereto as Exhibit A and produce for the Revenue Agent's inspection and copying respondent's records as described in the subject Internal Revenue summons.

ORDERED this 4 day of April, 2013, at San Francisco, California.


WILLIAM ALSUP
United States District Judge



Summons

In the matter of Gregory S. Newman and Jeanine V. Newman, 1499 Danville Blvd., Suite 201, Alamo, CA 94507
 Internal Revenue Service (Division): Small Business / Self Employed
 Industry/Area (name or number): Small Business / Self Employed - Area 7
 Periods: Income Tax Returns, Calendar Years Ending: December 31, 1999; December 31, 2000; December 31, 2001; December 31, 2007.

The Commissioner of Internal Revenue

To: Kevin Clark trustee of the Newman Family Irrevocable Trust dated February 28, 2009.
 At: 277 Lark Lane, Alamo, California, 94507.

You are hereby summoned and required to appear before PAUL ENJALRAN, an officer of the Internal Revenue Service, to give testimony and to bring with you and to produce for examination the following books, records, papers, and other data relating to the tax liability or the collection of the tax liability or for the purpose of inquiring into any offense connected with the administration or enforcement of the internal revenue laws concerning the person identified above for the periods shown.

Provide records and testimony concerning your duties and responsibilities as the trustee of the Newman Family Irrevocable Trust, dated February 28, 2009. Records should include but are not limited to ownership of real property; ownership of personal property including automobiles, securities, notes, loans etc.; records of distributions; records of withdrawals; records of bank accounts; records of asset sales; records of asset exchanges; records of asset purchases; official trust documents; records of Limit Liability Companies, Limited Liability Partnerships, General Partnerships, Limited Partnerships and Corporations owned by the Newman Family Irrevocable Trust; ownership of insurance policies and records of any litigation involving the Newman Family Irrevocable Trust.

Note under Internal Revenue Code section 7609(c)(2)(D) this summons is exempt from the notice requirements pertaining to third party summonses.

Do not write in this space

Business address and telephone number of IRS officer before whom you are to appear:

1301 CLAY STREET, 1040S, OAKLAND, CA 94612- - (510)637-4552

Place and time for appearance at 1301 CLAY STREET, SOUTH TOWER 10TH FLOOR, OAKLAND, CA 94612-



IRS

on the 10th day of May, 2012 at 10:00 o'clock A.m.

Issued under authority of the Internal Revenue Code this 9th day of April, 2012

Department of the Treasury
Internal Revenue Service

www.irs.gov

PAUL ENJALRAN

Signature of Issuing Officer

Jane Allen

Signature of Approving Officer (if applicable)

REVENUE OFFICER ID NO 02-47730

Title

GROUP MANAGER ID NO 05-07145

Title

Form 2039 (Rev. 10-2010)
Catalog Number 21405J

Original -- to be kept by IRS

EXHIBIT A