

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

| | | |
|-------------------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 08-1345 (RMC) |
| |) | |
| 8 GILCREASE LANE, QUINCY |) | |
| FLORIDA 32351, etc., et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | ECF |

**NOTICE OF PLAINTIFF UNITED STATES GOVERNMENT’S POSITION ON
MOTION FOR RELIEF FROM THE JUDGMENT, etc.**

COMES NOW, plaintiff, the United States of America, by and through the United States Attorney for the District of Columbia, to give notice of its position on the recently filed Motion For Relief From The Judgment Pursuant To Federal Rule Of Civil Procedure 60. This motion states that it is unopposed. Plaintiff wishes to make its position clear. In further support and explanation whereof, plaintiff respectfully states as follows:

1. First, plaintiff asserts that the Court ruled correctly when it issued orders in this matter on November 10, 2009, and November 16, 2009. The Court also properly granted on January 4, 2010, plaintiff’s motion for a default judgment and final order of forfeiture. Second, the United States will contest in every Court at any level any challenge to any of these rulings as error.

2. Before filing the motion for relief from the judgment, etc., Mr. Charles A. Murray, Esq., spoke with undersigned counsel about plaintiff’s position on the motion. The government does not oppose relief in the nature of an enlargement of time to bring to the Court’s attention whatever arguments Mr. Bowdoin’s counsel’s client thinks appropriate.

3. Third, plaintiff asserts that the Court’s rulings and issuance of a default judgment and

final order of forfeiture were correct in law and fully justified by case's posture when the Court ruled. Fourth, plaintiff intends to file a memorandum of law with the Court supporting this position, within the time permitted under the rules.

WHEREFORE, plaintiff respectfully prays this Honorable Court to accept this notice of its position on the pending motion.

Respectfully submitted,

/s/ Channing Phillips

CHANNING PHILLIPS, D.C. Bar No. 415793
UNITED STATES ATTORNEY

/s/ Deborah L. Connor

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Assistant United States Attorney

/s/ Barry Wiegand

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have caused the foregoing NOTICE OF PLAINTIFF UNITED STATES GOVERNMENT'S POSITION ON MOTION FOR RELIEF FROM THE JUDGMENT, *etc.*, to be filed through the Court's ECF system on or before the 21st day of January 2010. As of this date, the only other parties to this action are the defendant properties, which are inanimate objects not represented by counsel. Further, I have transmitted this pleading by e-mail to Mr. Charles A. Murray, Esq.

/s/ Barry Wiegand

Barry Wiegand