

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|-------------------------------|---|---------------------------|
| THE UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 08-cv-3734 |
| |) | Judge Zagel |
| WOLFGANG H. SCHUBERT, et al. |) | Magistrate Judge Shenkier |
| |) | |
| Defendants. |) | |

DECLARATION OF RAAGNEE BERI

I, Raagnee Beri, pursuant to 28 U.S.C. § 1746, state as follows:

1. I am the trial attorney with the United States Department of Justice, Tax Division, Washington, D.C., to whom primary responsibility for this case has been assigned.

2. The United States brought this action to: (1) reduce to judgment federal income tax liabilities of defendant Wolfgang H. Schubert for the tax years 1997 through 2007, inclusive, and (2), and to foreclose its federal tax liens upon Wolfgang H. Schubert’s real property commonly known as 25533 West Wilson Avenue, Wauconda, Illinois 60084 (“25533 West Wilson”), and more specifically described in the Second Amended Complaint (docket # 21).

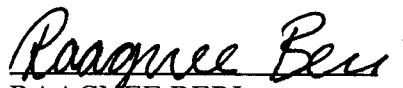
3. In meetings and during telephone discussions, the defendant Wolfgang H. Schubert conveyed to the undersigned that he did not intend to challenge the United States’ claims to reduce his tax liabilities to judgment and to foreclose its federal tax liens upon 25533 West Wilson. Wolfgang H. Schubert also indicated to the undersigned that he would sign a stipulation to this effect and agree to a judgment in the United States’ favor on all claims, with

the provision that he would be given a period of six (6) months to try to sell 25533 West Wilson on his own.

4. By Fedex on March 19, 2010, the undersigned sent to Wolfgang H. Schubert a letter along and two copies of the proposed Stipulation, among other documents, requesting that he review the Stipulation, and if he was satisfied that it accurately reflected his position with regard to the United States' claims in this case to "sign one copy of the proposed Stipulation and return it to me in the enclosed prepaid Fedex envelope."

5. On March 23, 2010, the undersigned received by Fedex the Stipulation signed by Wolfgang H. Schubert on the Certificate of Service, rather than on the signature page.

I declare under penalty of perjury, that the foregoing is true and accurate. Executed on this 23rd day of March, 2010, at Washington, D.C.


RAAGMEE BERI
Trial Attorney, Tax Division
U.S. Department of Justice