

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA )

Plaintiff, )

vs. )

No. 4:19-CV-01906-AGF

WEST PROFESSIONAL ENTERPRISES )

INC., et al., )

Defendants. )

**MEMORANDUM AND ORDER**

This action to enforce a federal tax lien against certain real property (the “Property”) is before the Court on review of the most recent post-judgment status reports (ECF Nos. 96 & 97) filed by the Receiver appointed by the Court to sell the Property. The procedural history of this case has been set out in detail in prior Court Orders, *e.g.*, ECF No. 92, and will not be recounted here. In short, two proposed purchasers, Todd W. Sivia and The Board of Managers of the Tesson Ferry Professional Condominium Association (the “Association”), now assert a right to purchase the Property.<sup>1</sup> See ECF Nos. 86 & 90. According to the Receiver, as a result of the above-noted dispute, the Property is now subject to two encumbrances that prevent the issue of title insurance or clear title to any buyer, and also prevent the Receiver from selling the Property to any

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<sup>1</sup> The Association is a named Defendant in this case, and Silva has moved to intervene in the matter.

buyer free and clear of any rights, titles, claims, or interest.

Upon careful review of the record,

**IT IS HEREBY ORDERED** that all parties and movants, including the United States, the Receiver, Defendant The Board of Managers of the Tesson Ferry Professional Condominium Association, and proposed intervenor Todd W. Silva, shall promptly meet and confer and attempt to reach agreement regarding the most efficient manner of proceeding in this litigation.

**IT IS FURTHER ORDERED** that the parties shall, within **10 days** of the date of this Order, file a joint proposed scheduling plan addressing whether discovery is necessary, a plan for completing any such discovery, and a proposal for submitting the current dispute to the Court for resolution.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 17th day of November, 2022.