

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,

Case No. 2:16-CV-00352-JCM-EJY

5 Plaintiff,

ORDER

6 v.

7 WILLIAM WALLER, et al.,

8 Defendants.
9

10 Before the Court is the United States' Renewed Motion to Compel (ECF No. 69) to which
11 no response was filed.

12 In its Renewed Motion, the United States correctly points out that the Court issued a prior
13 order on July 22, 2020 (ECF No. 66) that granted, in part, Defendant Waller's Motion to Extend
14 Time. The Court's Order provided Defendant 90 additional days, through September 9, 2020, to
15 respond to the United States' discovery requests. *Id.* at 3. The Court further ordered, in pertinent
16 part, that no further extensions of time would be granted, that Defendant had waived all objections
17 to the United States' interrogatories, document requests, and requests for admissions, and
18 Defendant's failure to respond to discovery by September 9, 2020, which discovery was originally
19 propounded on March 2, 2020, would result in an order of the Court that all requests for admissions
20 would be deemed admitted, and that additional sanctions might issue. *Id.* at 3-4.

21 The pending Renewed Motion establishes that Defendant failed to respond to the outstanding
22 discovery on or before September 9, 2020. ECF No. 69 at 3 citing the Declaration of Alexander
23 Stevko (ECF No. 69-1). The United States now seeks an order specifically deeming all requests for
24 admissions admitted and prohibiting Defendant from challenging the presumption of correctness
25 afforded the Certificates of Assessment and Payments (IRS forms 4340) with respect to income tax
26 liabilities for the years 2003 through 2009. The United States also seeks an award of attorney's fees
27 and costs.
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