

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	NO. 08-03381
	:	
ROCKY MOUNTAIN HOLDINGS, INC.,	:	
DIMELING, SCHREIBER & PARK, L.P.,	:	
DIMELING, SCHREIBER & PARK	:	
REORGANIZATION FUND, L.P.,	:	
	:	
and	:	
	:	
DUPONT CONOCO PRIVATE MARKET	:	
GROUP TRUST,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 10th day of *March*, 2011, upon consideration of (1) the Motion for Summary Judgment by Plaintiff the United States of America (Docket No. 49); (2) Defendant Dupont Conoco Private Market Group Trust's Response in Opposition to Plaintiff's Motion (Docket. No. 53); (3) Plaintiff's Reply Memorandum in Support of its Motion for Summary Judgment (Docket No. 54); (4) Defendant's Motion for Summary Judgment (Docket No. 50); (5) Plaintiff's Response in Opposition to Defendant's Motion (Docket No. 52); (5) Defendant's Reply Memorandum in Support of its Motion for Summary Judgment (Docket No. 55); (6) Plaintiff's Objection to and Motion to Strike Exhibit 3 of Dupont's Reply in Opposition to Plaintiff's Motion for Summary Judgment (Docket No. 56); (7) Defendant's Cross-Motion to

Disregard and/or Strike and Response in Opposition to Plaintiff's Motion to Strike (Docket No. 57) and accompanying Memorandum of Law in Support of its Cross-Motion (Docket No. 58); and (8) Plaintiff's Response in Opposition to Defendants' Cross-Motion to Strike (Docket No. 59), it is hereby **ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Docket No. 49) is **DENIED** in its entirety.
2. Defendant's Motion for Summary Judgment (Docket No. 50) is **DENIED** in its entirety.
3. Plaintiff's Objection to and Motion to Strike Exhibit 3 of Dupont's Reply Memorandum in Opposition to Plaintiff's Motion for Summary Judgment (Docket No.56) is **DENIED**.
4. Defendant's Cross-Motion to Disregard and/or Strike (Docket No. 57) is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.