

1 Rather, defendant argues that his jurisdictional challenge automatically stays discovery
2 because a lack of jurisdiction deprives the Court of the power to hear and decide any aspect of
3 the case. In order to have such an effect, the jurisdictional challenge must be colorable, meaning
4 that it must at least appear to be correct or justified. In this case, the Court has found that Mr.
5 Schmidt's various jurisdictional arguments have been repeatedly rejected by courts throughout
6 the country and are frivolous. The Court's power to hear and decide the federal government's
7 claim for unpaid federal income taxes is not reasonably subject to dispute, and Mr. Schmidt
8 offers no facts which would give rise to a plausible inference that the Court lacks jurisdiction
9 over his person or the property that is located in this district. The assertion of a frivolous
10 jurisdictional challenge does not stall federal litigation. Mr. Schmidt should have provided initial
11 disclosures and discovery responses in a timely manner and will be required to do so now.
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13 For all of the foregoing reasons, plaintiff's motion to compel is GRANTED. Mr. Schmidt
14 shall, within fourteen days of the date of this Order, provide initial disclosures and complete and
15 accurate responses to the United States' First Interrogatories and First Requests for Production.
16 Failure to make initial disclosures and/or to provide adequate responses to the discovery requests
17 may bar Mr. Schmidt from introducing evidence or presenting the testimony of witnesses that
18 should have been disclosed. The Court declines to require reimbursement of costs at this
19 juncture, but will revisit the issue if plaintiff is again forced to seek Court intervention to compel
20 Mr. Schmidt's participation in this matter
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22 DATED this 17th day of August, 2017.

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26 Robert S. Lasnik
 United States District Judge