

Geoffrey Harper

From: Smith, Corey J. (CIV) [REDACTED]
Sent: Friday, January 28, 2011 12:53 PM
To: Geoffrey Harper; [REDACTED]
Cc: Victor Johnson; Smith, Corey (TAX)
Subject: DMI Trust motion for stay

Messrs Harper, McGuire, and Johnson:

I just read Mr. McGuire's Motion requesting an extension of the previously Ordered stay of discovery. Just in case there is any confusion I wanted to clarify the Government's position on this Motion.

The Motion accurately represents my comment to Mr. McGuire that, "the Govt has no objection to an extension of the stay and takes no position on such a Motion." The Motion also accurately represents my comment that I believe a settlement of the Criminal Case with IICGB criminal counsel is likely in the very near future. To alleviate any possible confusion, the Government is NOT joining in this Motion, and does not endorse nor oppose DMI Trust's Motion to extend the Court's stay in the Vinewood Matter. The Government is very sensitive to the rights of civil litigants to pursue their causes of action, and does not wish to interfere in private civil actions unless a compelling governmental interest is present. As I told Mr. McGuire on the phone, the Government takes the position, at this point in time, that it does not have any current equities in the Vinewood action, or discovery there under. The Government believes that its previously cited equities in the initial Motion to Stay discovery have been addressed. Of course, events could change and those equities could be resurrected. If that occurs, the Government will file its own Motion, as it did last fall.

I hope this clarifies matters.

Corey J. Smith
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