

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,)
)
Plaintiff-Appellee)
)
v.)
)
JOHN B. KOTMAIR, JR.,)
dba Save-A-Patriot Fellowship) No. 07-1156
dba National Workers Rights Committee)
)
Defendant-Appellant)
)
SAVE-A-PATRIOT FELLOWSHIP,)
an unincorporated association)
)
Defendant-Appellant)

**APPELLEE’S RESPONSE TO MOTION OF
APPELLANT SAVE-A-PATRIOT FELLOWSHIP
FOR LEAVE TO SUBMIT SEPARATE FORMAL BRIEF AND
REQUEST FOR MODIFICATION OF SCHEDULING ORDER**

The United States of America, appellee herein, pursuant to the Court’s order of March 13, 2007, hereby responds to the motion of appellant Save-A-Patriot Fellowship (“SAPF”) for Leave to Submit Separate Formal Brief and Request for Modification of Scheduling Order.

On February 28, 2007, the Court issued an order to proceed on informal briefs, pursuant to which the appellants are to file a brief on or before March 26, 2007, with the appellee's brief due to be filed within 14 days after service of the appellants' brief. On March 13, 2007, SAPF, through counsel, moved for leave to file a formal brief separate from the brief of *pro se* appellant John B. Kotmair, Jr. SAPF also requests that the briefing schedule be reset with respect to the briefs of all of the parties.

The United States hereby states that it has no objection to the granting of SAPF's Motion for Leave to Submit Separate Formal Brief and Request for Modification of Scheduling Order.

Respectfully submitted,



CAROL BARTHEL

Attorney

Tax Division

Department of Justice

Post Office Box 502

Washington, D.C. 20044

Attorney for Appellee

Dated: This 19th day of March, 2007

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing response was sent to the Clerk on this 19th day of March, 2007, by FedEx and that service of the response has been made on *pro se* appellant John B. Kotmair, Jr. and on counsel for appellant Save-a-Patriot Fellowship on this 19th day of March, 2007, by sending each of them a copy by FedEx properly addressed as follows:

Mr. John B. Kotmair, Jr.
12 Carroll Street
Westminister, Maryland 21158

George E. Harp, Esquire
Suite 619
610 Marshall Street
Shreveport, Louisiana 71101



CAROL BARTHEL

Attorney for Appellees