

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED  
AUG 27 2007  
U.S. DISTRICT COURT  
ELKINS WV 26241

DAVID E. THOMPSON, Substitute Trustee,

Plaintiff,

v.

Civil Action No. 2:03 CV 43  
(Maxwell)

UNITED STATES GOVERNMENT,  
DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE;  
WEST VIRGINIA BUREAU OF EMPLOYMENT  
PROGRAMS, WORKERS' COMPENSATION  
DIVISION; WEST VIRGINIA BUREAU OF  
EMPLOYMENT PROGRAMS, UNEMPLOYMENT  
COMPENSATION DIVISION; and  
WEST VIRGINIA DEPT OF TAX AND REVENUE  
Defendants.

**ORDER**

It will be recalled that on April 16, 2004, Magistrate Judge John S. Kaul entered an Order in the above-styled civil action directing the Plaintiff to pay the balance of monies he held in escrow, after payment of authorized attorney fees, into the general receivership of the United States Court for the Northern District of West Virginia. On April 23, 2004, Plaintiff paid \$63,663.81 into the general receivership.

Upon review of the record before the Court, it appears that the entirety of the monies held by the Court are encumbered by those liens, as set forth in the Complaint, and are to be held by the Clerk of Court for the Northern District of West Virginia until those creditors, which have been made parties to this suit, come forward and state their claims. Accordingly, it is hereby

**ORDERED** that each named creditor, which has been made a party to this civil action, shall come forward and file with the Court, by **September 10, 2007**, their

requests for payment and memorandums of law setting forth their positions on priority of the liens at issue in the above-styled civil action, and their recommendations to the Court for distribution.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

ENTER: August 27<sup>th</sup>, 2007

  
United States District Judge