

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

_____	)	
UNITED STATES DEPARTMENT	)	
OF TREASURY	)	
Petitioner,	)	
	)	
v.	)	No. 1:12-mc-00100-EGS
	)	
PENSION BENEFIT	)	
GUARANTY CORPORATION,	)	
Interested Party,	)	
	)	
v.	)	
	)	
DENNIS BLACK, <i>et al.</i> ,	)	
Respondents.	)	
_____	)	

**RESPONDENTS' MOTION FOR HEARING ON**  
**PETITIONER'S MOTION TO QUASH**

Respondents, by and through their undersigned counsel, respectfully request that the Court hold a hearing on the Treasury's Renewed Motion to Quash (DE 15). Counsel for the Treasury has stated that the Treasury does not oppose this motion. A statement of points and authorities in support of the motion is attached hereto.

Dated: December 9, 2013

Respectfully submitted,

/s/ Anthony F. Shelley

Anthony F. Shelley (D.C. Bar No. 420043)  
Timothy P. O'Toole (D.C. Bar No. 469800)  
Michael N. Khalil (D.C. Bar No. 497566)  
MILLER & CHEVALIER CHARTERED  
655 15th St. NW, Suite 900  
Washington, DC 20005  
Telephone: 202-626-5800  
Facsimile: 202-626-5801  
E-mail: ashelley@milchev.com  
totoole@milchev.com  
mkhalil@milchev.com  
*Attorneys for Respondents*

**STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION**

Respondents have served two Rule 45 subpoenas upon the United States Department of the Treasury (the “Treasury”) in connection with a lawsuit against the Pension Benefit Guaranty Corporation pending in the Eastern District of Michigan, *Black v. PBGC*, Case No. 09-13616 (the “Michigan Case”). The Treasury has moved to quash those subpoenas, and the parties have filed their briefs, with the Treasury’s reply having been filed on November 19, 2013. *See* DE 15, 19, and 21.

In its reply brief, the Treasury raised new arguments. *See* DE 21 at 13-14. Respondents respectfully request that the Court schedule a hearing in connection with the Treasury’s motion to quash, during which Respondents can address these new arguments and the parties can otherwise address any questions that the Court has about the pertinent issues. Respondents note that discovery in the Michigan Case (to which Respondents’ Rule 45 subpoenas relate) currently is scheduled to close on February 1, 2014 (though the parties may seek or need to extend that date). Accordingly, Respondents seek as swift a resolution to this matter as is practicable for the Court.

Date: December 9, 2013

Respectfully submitted,

/s/ Anthony F. Shelley

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Timothy P. O’Toole (D.C. Bar No. 469800)  
Michael N. Khalil (D.C. Bar No. 497566)  
Miller & Chevalier Chartered  
655 15th St. NW, Suite 900  
Washington, DC 20005  
Telephone: 202-626-5800  
E-mail: [ashelley@milchev.com](mailto:ashelley@milchev.com)  
[totoole@milchev.com](mailto:totoole@milchev.com)  
[mkhalil@milchev.com](mailto:mkhalil@milchev.com)

*Attorneys for Respondents*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notice of such filing to the following registered CM/ECF users:

David M. Glass  
U.S. Dep't of Justice - Civil Division  
20 Massachusetts Avenue, NW  
Washington, DC 20530  
Email: [david.glass@usdoj.gov](mailto:david.glass@usdoj.gov)

John A. Menke  
PENSION BENEFIT GUARANTY CORPORATION  
Office of the Chief Counsel  
1200 K Street, NW  
Washington, DC 20005-4026  
Email: [menke.john@pbgc.gov](mailto:menke.john@pbgc.gov)

/s/ Anthony F. Shelley

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DENNIS BLACK, <i>et al.</i> ,	)	
Respondents.	)	
_____	)	

**[PROPOSED] ORDER**

THIS MATTER, having come before the Court on the Respondents' unopposed Motion for Hearing,

IT IS HEREBY ORDERED that the Motion is GRANTED.

Counsel for Respondents will coordinate with Counsel for Petitioner and provide the Court with proposed dates for a hearing.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Emmet G. Sullivan  
UNITED STATES DISTRICT JUDGE