

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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**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.)	
_____)	

[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