

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BETH JENNINGS,

Plaintiff,

ORDER

v.

07-C-302-C

INTERNAL REVENUE SERVICE,

Defendant.

On June 1, 2007, petitioner Beth A. Jennings moved to quash a summons served by the Internal Revenue Service on Ms. Jennings's bank in Superior, Wisconsin. Ms. Jennings explained her reasons in her letter. *See* Dkt. 1.

Apparently, Ms. Jennings was under the impression that she was supposed to appear at the IRS office in Rice Lake to present her bank records. Actually, the summons was issued directly to the bank, with a courtesy copy sent to Ms. Jennings. It would be up to the bank to provide the records, not Ms. Jennings. That said, Ms. Jennings has the ability to file a motion to quash, which requires a response from the IRS. I will allow the United States Attorney's Office, on behalf of the IRS, to file a response to Ms. Jennings's motion (with a copy sent to Ms. Jennings) not later than June 15, 2007.

If Ms. Jennings wishes to reply to the IRS response, she may have until June 22, 2007 within which to send a written submission to the court. Ms. Jennings is not required to

submit anything further; this is simply to give her the opportunity to respond to whatever the IRS might say in support of its summons. If Ms. Jennings files a reply, she also must send a copy of her submission to Assistant United States Attorney Leslie K. Herje at 660 West Washington Avenue, Ste. 200, Madison, Wisconsin 53701-1585.

After all parties have had a chance to be heard on this matter, the court will determine whether to quash the summons.

Entered this 5th day of June, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge