

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-0452 (PLF)
)	
GERRY D. MATHEWS,)	
)	
Defendant.)	
_____)	

MEMORANDUM OPINION AND ORDER

The United States has filed applications for three writs of garnishment in this matter, which the Clerk of the Court has issued. On December 19, 2014, the Court directed the defendant, Gerry D. Mathews, to file a notice indicating whether she requested a hearing with respect to two of the three writs. See Dkt. No. 56. Ms. Mathews has responded to the Court's Order and has requested hearings on these two writs of garnishment. See Dkt. No. 58. With respect to the third writ — a prejudgment writ of continuing non-wage garnishment — garnishee A.P. Mathews Heating & A/C, LLC has requested a hearing. See Dkt. No. 54. In addition, the Court has ordered A.P. Mathews to appear and show cause why it should not be held in contempt of this Court's Disposition Order issued on August 15, 2011, which required A.P. Mathews to pay \$137.50 of Ms. Mathews' bi-weekly disposable earnings to the Clerk of the Court. And finally, Ms. Mathews has filed an answer to the government's prejudgment writ of continuing non-wage garnishment — which relates directly to A.P. Mathews' alleged failure to comply with the Disposition Order — in which she argues that the arrearages are not as great as the government claims them to be. See Dkt. No. 43.

As the Court explained in its earlier Memorandum Opinion and Order, see Dkt. No. 56 at 3, due to the interrelated nature of these matters and because Ms. Mathews' counsel appears to be acting on behalf of A.P. Mathews as well as for the defendant, see Dkt. No. 43, it would seem preferable to address all of these issues at once. Accordingly, it is hereby

ORDERED that defendant Gerry D. Mathews; the United States; and garnishee A.P. Mathews Heating & A/C, LLC shall appear for a hearing before the Court on February 18, 2015, at 10:00 a.m.; it is

FURTHER ORDERED that on or before February 12, 2015, each party intending to present witnesses or exhibits at the hearing shall file with the Court a written list of these witnesses or exhibits; it is

FURTHER ORDERED that on or before February 6, 2015, the parties shall file memoranda addressing whether the presence of representatives of garnishees Fried, Frank, Harris, Shiver & Jacobson LLP or Merrill Lynch, or sub-garnishee SunTrust Bank at the hearing is necessary, and, if so, how the parties propose the attendance of such representatives be effectuated; it is

FURTHER ORDERED that in the memorandum that Ms. Mathews files on February 6, she shall also set forth any objections she maintains with respect to the two writs of garnishment directed toward garnishees Fried Frank and Merrill Lynch; and it is

FURTHER ORDERED that any written response to Ms. Mathews' objections shall be filed by the United States on or before February 12, 2015.

SO ORDERED.

DATE: January 22, 2015

/s/_____
PAUL L. FRIEDMAN
United States District Judge