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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF HAWAII

ROGER JOHN MEYER,)
) Civil No. A03-0196CV RRB
Plaintiff,)
)
v.) DECLARATION OF AMY JELINEK IN
) SUPPORT OF UNITED STATES' MOTION
AMY JELINEK, individually, and) TO DISMISS
WELLS FARGO BANK,)
)
Defendants.)
)
)
)

I, Amy Jelinek, pursuant to the provisions of 28 U.S.C. §
1746, declare as follows:

1. I am a duly commissioned Revenue Officer employed in
the Small Business/Self Employed Division of the Internal Revenue
Service and located in Soldotna, Alaska

2. Pursuant to 26 U.S.C. §§ 7602 and 7608, 26 C.F.R. §
301.7602-1 and Internal Revenue Service Delegation Order No. 4

inst. ch. 2

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(Revision 22), Revenue Officers are authorized to issue and serve Internal Revenue Service Administrative Summonses (IRS Forms 2039).

3. In my capacity as a Revenue Officer, I am conducting an investigation into the tax liabilities of Roger John Meyer for the income tax periods 1989, 1991, 1992 and 1993. The purpose of this investigation is to collect the unpaid tax liability of Roger John Meyer for those years.

4. I determined that the Wells Fargo Bank may have information and/or records pertaining to Roger John Meyer that may be relevant to the Internal Revenue Service in its collection of Meyer's unpaid federal income tax for the tax periods 1989, 1991, 1992 and 1993.

5. In furtherance of the above-collection and in accordance with 26 U.S.C. § 7602, on July 28, 2003, I issued an IRS Summons (Form 2039) to Wells Fargo Bank. The summons directed a representative of Wells Fargo Bank to send to me on August 22, 2003 at 44539 Sterling Highway, Ste. 101, Soldotna, Alaska 99669, certain books, records, papers and other data as stated in the summons. A true and correct copy of the summons is attached as Exhibit "A."

6. On July 28, 2003, Roger John Meyer filed a Petition to Quash the summons referred to above. On August 1, 2003, Meyer filed a First Amended Petition to Quash Third Party Summons.

7. The books, records, papers and other data sought by the summons are not already in the possession of the Internal Revenue Service.

8. No Justice Department referral, as defined by 26 U.S.C. § 7602(c)(2), is in effect for Meyer with respect to the tax years set forth in paragraph 3, above.

9. The documents requested by the summons will aid me in the collection of the assessments.

10. The Wells Fargo Bank has not produced the documents requested by the summons.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 23, 2003.

Amy Jelinek
Amy Jelinek
Revenue Officer
Internal Revenue Service
Soldotna, Alaska