

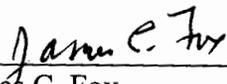


the Government should submit the supplemental briefing simultaneously. The Government, however, contends that because MacDonald bears the burden of proof on his motion, he should submit his supplemental briefing, to which the Government may file a reply.

The court agrees that because MacDonald, as the movant, bears the burden of proof, he should file his supplemental briefing, to which the Government may reply. Accordingly, the Government's Motion for Supplemental Briefing [DE-373] is ALLOWED. MacDonald shall file his supplemental briefing within forty-five (45) days of the filing date of this order. The Government shall file its response within thirty (30) days of MacDonald's filing of his supplemental briefing. The court reserves ruling on the Motion to Alter or Amend Judgment [DE-357] pending the supplemental briefing.

SO ORDERED.

This the 13<sup>th</sup> day of November, 2014.

  
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James C. Fox  
Senior United States District Judge