

DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

|                                 |   |                   |
|---------------------------------|---|-------------------|
|                                 | ) |                   |
| ALLAN CHITOLIE, JOSEPHINE       | ) |                   |
| CHITOLIE,                       | ) |                   |
|                                 | ) | Crim. No. 2015-54 |
| Plaintiffs,                     | ) |                   |
|                                 | ) |                   |
| v.                              | ) |                   |
|                                 | ) |                   |
| DIRECTOR, VIRGIN ISLANDS BUREAU | ) |                   |
| OF INTERNAL REVENUE,            | ) |                   |
|                                 | ) |                   |
| Defendant.                      | ) |                   |
|                                 | ) |                   |

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**Appearances:**

**Alexander Golubitsky**

St. Thomas, U.S.V.I.

*For Allan Chitolie and Josephine Chitolie,*

**Claude Walker, AG**

**Carol Thomas-Jacobs, AAG**

**Hugh A. Greentree, AAG**

Virgin Islands Department of Justice

St. Thomas, U.S.V.I.

*For Director, Virgin Islands Bureau of Internal Revenue.*

**ORDER**

**GÓMEZ, J.**

This matter was previously scheduled for trial on April 17, 2017. On January 3, 2017, Allan Chitolie and Josephine Chitolie (collectively, the "Chitolies") filed a motion for summary judgment. On that same day, the Virgin Islands Bureau of

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Internal Revenue (the "VI BIR") also filed a motion for summary judgment. On February 8, 2017, the Chitolies moved to strike the VI BIR's opposition to the Chitolies' motion for summary judgment. On March 27, 2017, the Chitolies moved to continue the April 17, 2017, trial date.

On March 28, 2017, the Court held a status conference. At that conference, the Court observed that this matter is a tax dispute that may be amenable to resolution on the papers. To that end, the Court proposed, and the parties agreed, that the matter should be tried on a stipulated record.

The premises considered, it is hereby

**ORDERED** that the trial setting in this matter is **VACATED**;  
it is further

**ORDERED** that this matter shall be tried on the papers; it  
is further

**ORDERED** that, no later than 3:00 P.M. on June 17, 2017, the parties shall submit a stipulated record that shall include all documentary evidence which the parties stipulate is necessary for the Court to consider before making its decision; it is further

**ORDERED** that, no later than 3:00 P.M. on June 17, 2017, the parties shall submit trial briefs in support of their respective positions; and it is further

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**ORDERED** that the motions for summary judgment docketed at ECF Numbers 32 and 35, the motion to strike docketed at ECF Number 47, and the motion to continue docketed at ECF Number 54 are **MOOT**.

S\\_\_\_\_\_  
Curtis V. Gómez  
District Judge