

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division**

In re: Michael D. Vick,

Bankruptcy Case Number 08-50775
Chapter 11

Debtor.

United States of America,

Movant,

v.

APN: _____

Michael D. Vick,

Respondent.

**RESPONSE OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO
THE UNITED STATES' MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

NOW COMES the Official Committee of Unsecured Creditors (the "Committee"), by counsel, and files this Response to the United States' Motion for Relief from the Automatic Stay.¹ And for its Response, the Committee respectfully states as follows:

1. Admitted.
2. The Committee has insufficient information to admit or deny the allegations in paragraph 2.
3. The Committee has insufficient information to admit or deny the allegations in paragraph 3.
4. The Committee has insufficient information to admit or deny the allegations in paragraph 4.

¹ The Committee intends to address the legal arguments raised in the United States' Motion for Relief from the Automatic Stay in a separate legal memorandum or by oral argument, as per the Court's October 3, 2008 directive.

5. The Committee has insufficient information to admit or deny the allegations in paragraph 5.

6. The Committee has insufficient information to admit or deny the allegations in paragraph 6.

7. The Committee has insufficient information to admit or deny the allegations in paragraph 7, but notes that the Plea Agreement speaks for itself.

8. The Committee notes that the Plea Agreement speaks for itself.

9. The Committee has insufficient information to admit or deny the allegations in paragraph 9, but notes that the Restitution Judgment speaks for itself.

10. The Committee has insufficient information to admit or deny the allegations in paragraph 10, but notes that the Restitution Judgment speaks for itself.

11. The Committee has insufficient information to admit or deny the allegations in paragraph 11, but notes that Exhibit A to the Restitution Judgment speaks for itself.²

12. The Committee has insufficient information to admit or deny the allegations in paragraph 12, but notes that Exhibit A to the Restitution Judgment speaks for itself.

13. The Committee has insufficient information to admit or deny the allegations in paragraph 13.

14. The Committee has insufficient information to admit or deny the allegations in paragraph 14.

² The Committee notes that the amounts expended by the private animal rescue organizations appear to be excessive and reserves its right to seek an accounting and proof of the application of the \$566,875 in the U.S. District Court.

15. The Committee has insufficient information to admit or deny the allegations in paragraph 15. The Committee requests a final account and proof of the application of the \$338,182.20.

16. The Committee has insufficient information to admit or deny the allegations in paragraph 16. The Committee requests a final accounting and proof of the application of the \$338,182.20.

17. The Committee has insufficient information to admit or deny the allegations in paragraph 17. The Committee requests a final accounting and proof of the application of the \$338,182.20.

18. The Committee has insufficient information to admit or deny the allegations in paragraph 18.

19. The Committee has insufficient information to admit or deny the allegations in paragraph 19.

20. The Committee has insufficient information to admit or deny the allegations in paragraph 20.

21. Paragraph 21 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein.

22. Paragraph 22 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

23. The Committee asserts that the IRS' Proof of Claim speaks for itself and will undertake further investigation as to its validity.

24. The Committee asserts that the IRS' Proof of Claim speaks for itself and will undertake further investigation as to its validity.

25. Paragraph 25 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

26. Paragraph 26 is a legal argument and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

27. Paragraph 27 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

28. Paragraph 28 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

29. Paragraph 29 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein. The Committee does not believe that the USMS is entitled to assert a right of offset in this case.

30. Paragraph 30 is a legal conclusion and, thus, the Committee neither admits nor denies the allegations contained therein.

WHEREFORE the Official Committee of Unsecured Creditors respectfully requests that this Honorable Court deny the United States' Motion for Relief from the Automatic Stay and grant such further relief as it deems equitable, just, and proper.

Respectfully submitted,

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

By: /s/ Laura C. Pyle
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CERTIFICATE OF SERVICE

I certify that on this 3rd day of October, 2008, a copy of the foregoing was sent via first-class, postage prepaid U.S. Mail to:

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