

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

FILED UNDER SEAL

In re:
HERBERT S. MONCIER
BPR NO. 1910

**Respondent's Response To Assert Affirmative Bars To The
Show Cause Order**

Respondent, having filed Responses to the Show Cause Order, further files this affirmative response to asserts a bar to the Show Cause Order by (1) double jeopardy; (2) res judicata; (e) collateral estoppel; (4) statute of limitations; and (5) laches.

This 25th day of February 2008.


HERBERT S. MONCIER

Respondent

Herbert S. Moncier
Attorney at Law
Suite 775 Bank of America Center
550 Main Street
Knoxville, Tennessee 37902
(865)546-7746
BPR # 1910

Certificate

The undersigned certifies that on February 25, 2008, pursuant to the Court's directive, the foregoing Motion for Relief has been served only upon Geneva Ashby, Division Manager, 209 Joel. W. Solomon Federal Building and United States Courthouse, 900 Georgia Avenue, Chattanooga, TN 37402, by United States Mail, with proper postage thereon, to be filed under seal.


HERBERT S. MONCIER

Respondent