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8 IN THE UNITED STATES DISTRICT COURT FOR THE
 9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.

) 1:09-MC-00047-GSA

) **FIFTHTEENTH STIPULATION AND**
) **ORDER EXTENDING THE UNITED**
) **STATES' TIME TO FILE A COMPLAINT**
) **FOR FORFEITURE AND/OR TO OBTAIN**
) **AN INDICTMENT ALLEGING**
) **FORFEITURE**

15 2006 ASTON MARTIN DC-9
 CONVERTIBLE,
 16 VIN: SCFAD02AX6GB04658,
 LICENSE NO. 5WWZ765,
 17 APPROXIMATELY \$145,854.46 IN U.S.
 18 CURRENCY,
 19 APPROXIMATELY \$83,386.27 IN U.S.
 CURRENCY,
 20 APPROXIMATELY \$3,013.99 IN U.S.
 21 CURRENCY, and
 22 1993 CESSNA 550 FIXED WING MULTI-
 ENGINE AIRCRAFT, SERIAL NO. 550-
 23 0725, TAIL NO. N725CC,
 24
 25 Defendants.

26 It is hereby stipulated by and between the United States of America and Claimants Kathleen
 27 Otto and Manufacturers Acceptance Corporation (MAC) dba Heritage Pacific Leasing by Lynn
 28 Haynes, (hereafter "Claimants"), by and through their respective attorney, as follows:

1 1. On or about August 7, 2009, Claimants filed claims, in the administrative
2 forfeiture proceeding, with the Federal Bureau of Investigation with respect to the 2006 Aston
3 Martin DC-9 Convertible, VIN: SCFAD02AX6GB04658, License No. 5WWZ765(the
4 “vehicle”), approximately \$145,854.46 in U.S. Currency, approximately \$83,386.27 in U.S.
5 Currency, and approximately \$3,013.99 in U.S. Currency (the “currency”). The vehicle was
6 seized on or about May 29, 2009; the currency was seized on or about June 8, 2009.

7 2. The Federal Bureau of Investigation has sent the written notice of intent to forfeit
8 required by 21 U.S.C. § 881 to all known interested parties. The time has expired for any person to
9 file a claim to the vehicle and currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person(s) other
10 than the Claimants have filed claims to the vehicle and currency as required by law in the
11 administrative forfeiture proceeding.

12 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
13 forfeiture against the vehicle and currency and/or to obtain an indictment alleging that the vehicle
14 and currency are subject to forfeiture within 90 days after a claim has been filed in the administrative
15 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement
16 of the parties.

17 4. By Stipulation and Order filed on November 4, 2009, the parties stipulated to extend
18 to December 4, 2009, the time in which to file a Complaint for Forfeiture and/or obtain an
19 Indictment Alleging Forfeiture.

20 5. By Stipulation and Order filed on December 4, 2009, the parties stipulated to extend
21 to February 2, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an
22 Indictment Alleging Forfeiture.

23 6. By Stipulation and Order filed on February 1, 2010, the parties stipulated to further
24 extend to April 5, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an
25 Indictment Alleging Forfeiture.

26 7. By Stipulation and Order filed on April 5, 2010, the parties stipulated to further
27 extend to June 3, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an
28 Indictment Alleging Forfeiture.

1 8. By Stipulation and Order filed on June 3, 2010, the parties stipulated to further extend
2 to July 7, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an Indictment
3 Alleging Forfeiture.

4 9. By Stipulation and Order filed on July 7, 2010, the parties stipulated to further extend
5 to August 9, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an
6 Indictment Alleging Forfeiture.

7 10. By Stipulation and Order filed on August 10, 2010, the parties stipulated to further
8 extend to September 10, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain
9 an Indictment Alleging Forfeiture.

10 11. By Stipulation and Order filed on September 10, 2010, the parties stipulated to further
11 extend to October 12, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain an
12 Indictment Alleging Forfeiture.

13 12. By Stipulation and Order filed on October 8, 2010, the parties stipulated to further
14 extend to November 15, 2010, the time in which to file a Complaint for Forfeiture and/or to Obtain
15 an Indictment Alleging Forfeiture.

16 13. By Stipulation and Order filed on November 12, 2010, the parties stipulated to further
17 extend to February 11, 2011, the time in which to file a Complaint for Forfeiture and/or to Obtain
18 an Indictment Alleging Forfeiture

19 14. By Stipulation and Order filed on February 7, 2011, the parties stipulated to further
20 extend to March 31, 2011, the time in which to file a Complaint for Forfeiture and/or to Obtain an
21 Indictment Alleging Forfeiture.

22 15. By Stipulation and Order filed on March 28, 2011, the parties stipulated to further
23 extend to April 29, 2011, the time in which to file a Complaint for Forfeiture and/or to Obtain an
24 Indictment Alleging Forfeiture.

25 16. By Stipulation and Order filed on April 29, 2011, the parties stipulated to further
26 extend to May 27, 2011, the time in which to file a Complaint for Forfeiture and/or to Obtain an
27 Indictment Alleging Forfeiture

28 17. By Stipulation and Order filed on May 24, 2011, the parties stipulated to further

1 extend to June 30, 2011, the time in which to file a Complaint for Forfeiture and/or to Obtain an
2 Indictment Alleging Forfeiture

3 18. The parties have currently reached a tentative settlement on the matter and need
4 additional time to effectuate its terms. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by
5 agreement to further extend to August 19, 2011, the time in which the United States is required to
6 file a civil complaint for forfeiture against the vehicle and currency and/or to obtain an indictment
7 alleging that the vehicle and currency are subject to forfeiture.

8 19. The 1993 Cessna 550 Fixed Wing Multi-Engine Aircraft, Serial No. 550-0725, Tail
9 No. N725CC (hereafter "Cessna"), does not fall under administrative forfeiture eligibility however
10 the parties herein stipulate to include the Cessna under the governments requirement to file a Civil
11 Forfeiture Complaint or Indictment alleging Forfeiture on the within stipulated deadline date.

12 20. Accordingly, the parties agree that the deadline by which the United States shall be
13 required to file a complaint for forfeiture against the vehicle, currency, and Cessna and/or to obtain
14 an indictment alleging that the vehicle, currency, and Cessna are subject to forfeiture shall be
15 extended to August 19, 2011.

16 Dated: June 29, 2011

BENJAMIN B. WAGNER
United States Attorney

18 /s/ Stanley A. Boone
19 STANLEY A. BOONE
Assistant United States Attorney

20 Dated: June 28, 2011

/s/ Paul L. Gabbert
21 PAUL L. GABBERT
22 Attorney for Claimants
(original signature retained by attorney)

23 **ORDER**

24 IT IS SO ORDERED.

25 **Dated: June 29, 2011**

/s/ Gary S. Austin
26 UNITED STATES MAGISTRATE JUDGE