

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 DEANNA L. MARTINEZ  
 KELLI L. TAYLOR  
 3 Assistant U.S. Attorneys  
 United States Courthouse  
 4 2500 Tulare Street, Suite 4401  
 Fresno, California 93721  
 5 Telephone: (559) 497-4000  
 Facsimile: (559) 497-4099  
 6  
 Attorneys for Plaintiff  
 7

8 IN THE UNITED STATES DISTRICT COURT FOR THE  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,

13 v.

14 APPROXIMATELY \$14,180.33 IN U.S.  
 CURRENCY SEIZED FROM WELLS  
 15 FARGO BANK ACCOUNT NO.  
 586583378, HELD IN THE NAME OF  
 16 YOUNG TAE KIM, and

17 APPROXIMATELY \$5,945.59 IN U.S.  
 CURRENCY SEIZED FROM WELLS  
 18 FARGO BANK ACCOUNT NO.  
 2628728095, HELD IN THE NAME OF  
 19 YOUNG TAE KIM,

20 Defendant.  
 21

) 1:10-CV-01356-AWI-SKO  
 )  
 ) **STIPULATION AND ORDER**  
 ) **STAYING ACTION**

22 It is hereby stipulated by and between plaintiff United States of America and Claimant  
 23 Yong Tae Kim, by and through their respective counsels, for the above-entitled forfeiture action,  
 24 as follows:

25 1. Claimant Yong Tae Kim is presently facing federal criminal charges in the  
 26 Eastern District of California, *United States v. Gregorio Olmos, Sr., et al.*, Case No. 1:10-CR-  
 27 00080-AWI, allegedly relating to transactions or events which form the basis for this civil  
 28 forfeiture action;

1           2.       The parties recognize that proceeding with this action has potential adverse affects  
2 on the prosecution of the related-criminal case and/or upon claimant Yong Tae Kim's right  
3 against self-incrimination in the related federal criminal case;

4           3.       Publication of the civil forfeiture action has been completed and to date only  
5 Yong Tae Kim, has filed a claim or answer, or otherwise appeared in this action, and the time for  
6 which any other persons or entities to file a claim or answer has expired.

7           THEREFORE, the parties to this action stipulate as follows:

8           1.       Pursuant to 18 U.S.C. § 981(g), these actions shall be stayed pending the  
9 conclusion of the federal criminal action presently pending against Yong Tae Kim in the Eastern  
10 District of California.

11           IT IS SO STIPULATED.

12  
13           Date: 11/3/10

BENJAMIN B. WAGNER  
United States Attorney

14  
15  
16           /s/ Kelli L. Taylor  
KELLI L. TAYLOR  
Assistant United States Attorney

17  
18  
19           Date: 11/8/10

20           /s/ Yong Tae Kim  
YONG TAE KIM  
Pro Se Claimant

(original signature retained by attorney)

21  
22  
23           IT IS SO ORDERED.

24           Dated: November 16, 2010

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE