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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.
 14 APPROXIMATELY \$7,624.85 IN U.S.
 CURRENCY,
 15 APPROXIMATELY \$6,099.37 IN U.S.
 16 CURRENCY SEIZED FROM
 RIVER CITY BANK
 17 ACCOUNT NUMBER 1810009790,
 and
 18 APPROXIMATELY \$17,316.20 IN
 19 U.S CURRENCY SEIZED FROM
 WELLS FARGO BANK
 20 ACCOUNT NUMBER 8123978010,
 21 Defendants.

) 1:11-CV-01937-AWI-DLB
)
) **STIPULATION AND ORDER**
) **STAYING ACTION**

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 23 It is hereby stipulated by and between plaintiff United States of America and
 24 Claimants Nancy Smith, Sara Herrin, and Jana Evans, by and through their
 25 respective counsels, for the above-entitled forfeiture action, as follows:

- 26 1. Claimants Nancy Smith, Sara Herrin, and Jana Evans are presently
 27 facing California state criminal charges in Tuolumne County Superior Court Case
 28 Nos. CRF35561, CRF35562, and CRF35564, relating to transactions or events

1 which form the basis for this civil forfeiture action;

2 2. The parties recognize that proceeding with this action has potential
3 adverse affects on the prosecution of the related-criminal case and/or upon
4 claimants Nancy Smith, Sara Herrin, and Jana Evans' right against self-
5 incrimination in the related criminal case;

6 3. Publication of the civil forfeiture action has been completed and to date
7 only Nancy Smith, Sara Herrin, and Jana Evans, have filed claims or answers, or
8 otherwise appeared in this action, and the time for which any other persons or
9 entities to file a claim or answer has expired.

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

11 1. Pursuant to 18 U.S.C. § 981(g), these actions shall be stayed pending
12 the conclusion of the California state criminal action presently pending against
13 Nancy Smith, Sara Herrin, and Jana Evans in Tuolumne County Superior Court.

14 2. Within 90 days of the resolution of the state criminal cases against
15 Claimants [*The People v. Nancy Smith*, Case No. CRF35564; *The People v. Sara*
16 *Herrin*, Case No. CRF35561; and *The People v. Jana Evans*, Case No. CRF35562],

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1 the parties will notify the Court.

2 IT IS SO STIPULATED.

3 Date: 9/17/2012

BENJAMIN B. WAGNER
United States Attorney

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6 /s/ Heather Mardel Jones
HEATHER MARDEL JONES
Assistant United States Attorney

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8 Date: 9/14/2012

/s/ Carolyn Hagin
CAROLYN HAGIN
Attorney for Claimants
Nancy Smith, Sara Herrin,
and Jana Evans

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11 (original signature retained by attorney)

12 IT IS SO ORDERED.

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14 Dated: September 18, 2012



CHIEF UNITED STATES DISTRICT JUDGE