

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 JEFFREY A. SPIVAK  
 Assistant U. S. Attorney  
 3 2500 Tulare Street, Suite 4401  
 Fresno, California 93721  
 4 Telephone: (559) 497-4000  
 Facsimile: (559) 497-4099  
 5 Attorneys for the United States

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 7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES OF AMERICA,  
 12 Plaintiff,  
 13 v.  
 14 APPROXIMATELY \$47,495.00 IN U.S.  
 CURRENCY,  
 15 Defendant.  
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1:14-MC-00076-LJO

**STIPULATION AND ORDER  
 EXTENDING TIME FOR  
 FILING A COMPLAINT FOR  
 FORFEITURE AND/OR TO  
 OBTAIN AN INDICTMENT  
 ALLEGING FORFEITURE**

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 18 It is hereby stipulated by and between the United States of America and  
 19 claimant Dady Lu Thongthipvoravong (“Claimant”), by and through their respective  
 20 counsel, as follows:

21 1. On or about August 23, 2013, Claimant filed a claim in the administrative  
 22 forfeiture proceedings with the Drug Enforcement Administration with respect to the  
 23 approximately \$47,495.00 in U.S. Currency (hereafter “Defendant Currency”), which  
 24 was seized on or about May 27, 2014.

25 2. The Drug Enforcement Administration has sent the written notice of  
 26 intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties.  
 27 The time has expired for any person to file a claim to the Defendant Currency under 18  
 28 U.S.C. § 983(a)(2)(A)-(E), and no person other than Claimant has filed a claim to the

1 Defendant Currency as required by law in the administrative forfeiture proceeding.

2 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a  
3 complaint for forfeiture against the Defendant Currency and/or to obtain an indictment  
4 alleging that the Defendant Currency is subject to forfeiture within ninety days after a  
5 claim has been filed in the administrative forfeiture proceedings, unless the Court  
6 extends the deadline for good cause shown or by agreement of the parties. That  
7 deadline was November 24, 2014.

8 4. By Stipulation and Order filed on November 21, 2014, the parties  
9 stipulated to extend to February 23, 2015, the time in which to file a Complaint for  
10 Forfeiture and/or to Obtain an Indictment Alleging Forfeiture.

11 5. By Stipulation and Order filed on February 19, 2015, the parties  
12 stipulated to extend to May 22, 2015, the time in which to file a Complaint for  
13 Forfeiture and/or to Obtain an Indictment Alleging Forfeiture.

14 6. Currently, the parties are engaged in settlement discussions and are  
15 hopeful to reach a resolution within the next 60 days.

16 7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to  
17 extend to July 24, 2015, the time in which the United States is required to file a civil  
18 complaint for forfeiture against the Defendant Currency and/or to obtain an indictment  
19 alleging that the Defendant Currency vehicle is subject to forfeiture.

20 8. Accordingly, the parties agree that the deadline by which the United  
21 States shall be required to file a complaint for forfeiture against the Defendant  
22 Currency and/or to obtain an indictment alleging that the Defendant Currency is

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1 subject to forfeiture shall be extended to July 24, 2015.

2 Date: 5/20/15

BENJAMIN B. WAGNER  
United States Attorney

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/s/ Jeffrey A. Spivak  
JEFFREY A. SPIVAK  
Assistant U.S. Attorney

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7 Date: 5/20/15

/s/ Angel Mata  
ANGEL MATA  
Attorney for Claimant  
Dady Lu Thongthipvoravong

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(original signature retained by attorney)

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**IT IS SO ORDERED**  
**Dated: May 20, 2015**

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/s/ Lawrence J. O'Neill  
**United States District Judge**

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