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7

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

11 UNITED STATES OF AMERICA,	)	1:16-CV-01884-LJO-BAM
	)	
12 Plaintiff,	)	<b>REQUEST AND ORDER TO (1)</b>
	)	<b>CONTINUE MANDATORY</b>
13 v.	)	<b>SCHEDULING CONFERENCE</b>
	)	<b>AND (2) EXTEND FILING</b>
14 2014 FORD F450 XLT, LICENSE PLATE:	)	<b>DEADLINE OF JOINT</b>
11855L1; VIN: 1FD0X4GT3EEB09948,	)	<b>SCHEDULING REPORT</b>
	)	
15 Defendant.	)	
	)	

17 The United States requests that the Court continue the mandatory scheduling conference presently  
18 scheduled for March 22, 2017, at 8:30 a.m. to June 7, 2017, at 8:30 a.m. (or to a date the Court deems  
19 appropriate), and extend the deadline to file a Joint Scheduling Report (“JSR”) from March 15, 2017, to  
20 May 31, 2017 (or to a date the Court deems appropriate). For the reasons set forth below, there is good  
21 cause to continue the scheduling conference and the JSR filing deadline.

22 **Introduction**

23 On December 19, 2016, the United States filed a civil forfeiture complaint against the defendant  
24 2014 Ford F450 XLT (“Defendant Vehicle”) based on its alleged involvement in narcotics violations. All  
25 known potential claimants which potentially have an interest in the Defendant Currency were served in a  
26 manner consistent with Dusenbery v. United States, 534 U.S. 161, 168 (2002) and the applicable statutory  
27 authority. Additionally, public notice on the official internet government forfeiture site,  
28 [www.forfeiture.gov](http://www.forfeiture.gov), began on December 31, 2016, and ran for thirty consecutive days, as required by

1 Rule G(4)(a)(iv)(C) of Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture  
2 Actions. A Declaration of Publication was filed on February 1, 2017.

3 On or about January 3, 2017, the United States sent copies of the Verified Complaint for  
4 Forfeiture *In Rem*, Warrant of Arrest of Articles *In Rem*, Order Setting Mandatory Scheduling  
5 Conference, Standing Order, Notice of Availability of a Magistrate Judge, Notice of Availability of  
6 Voluntary Dispute Resolution, and notice of forfeiture letter dated January 3, 2017, to potential claimant  
7 Gerardo Zamora (“Zamora”) at his last-known address of 1823 E. Clayton Avenue, Fresno, CA 93725-  
8 9509, by first class and certified mail. Taleen Megerdichian acknowledged receipt of the certified mail  
9 parcel. The signed certified receipt (PS Form 3811) was returned to and received in the U.S. Attorney’s  
10 Office.

11 On this same date, the United States sent copies of the above-referenced documents to Zamora at  
12 an alternate address of 1012 E. Clinton Avenue, Fresno, CA 93704-5630, also by first class and certified  
13 mail. The certified mail receipts have not yet been returned to the United States Attorney’s Office.

14 Also on this same date, the United States sent copies of the above-referenced documents to  
15 Zamora at a known alternate address of 1825 E. Clayton Avenue, Fresno, CA 93725 by first class and  
16 certified mail. The certified mail receipts have not yet been returned to the United States Attorney’s  
17 Office.

18 On February 6, 2017, Taleen Megerdichian called the United States Attorney’s Office and  
19 requested an extension of time for Zamora to file his claim. The United States granted an extension to  
20 March 8, 2017.

21 **Good Cause**

22 The deadline by which Zamora must file a claim is March 8, 2017; two weeks before the presently  
23 set Mandatory Scheduling Conference. Therefore, the United States requests that the scheduling  
24 conference be continued to June 7, 2017, at 8:30 a.m. to allow the known and unknown potential  
25 claimants to appear in this action and to allow the parties to meet and confer in advance of filing a JSR.

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1 Thus, there is good cause to continue the mandatory scheduling conference and extend the JSR  
2 filing deadline.

3 Dated: February 6, 2017

PHILLIP A. TALBERT  
United States Attorney

5 By: /s/ Jeffrey A. Spivak  
JEFFREY A. SPIVAK  
6 Assistant U.S. Attorney

7  
8 **ORDER**

9 Pursuant to the United States' request and good cause appearing: (1) the mandatory scheduling  
10 conference is continued from March 22, 2017, at 8:30 a.m. to **June 13, 2017, at 8:30 a.m.** in Courtroom 8  
11 (BAM) before Magistrate Judge Barbara A. McAuliffe, and (2) the deadline to file a joint scheduling  
12 report is continued from March 15, 2017, to **May 31, 2017.**

13  
14 IT IS SO ORDERED.

15 Dated: February 7, 2017

/s/ Barbara A. McAuliffe  
16 UNITED STATES MAGISTRATE JUDGE