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Attorneys for Plaintiff
United States of America

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

UNITED STATES OF AMERICA,) 2:06-CV-02839-WBS
)
Plaintiff,) STIPULATION FOR STAY OF
) FURTHER PROCEEDINGS AND
v.) ORDER [PROPOSED]
)
APPROXIMATELY \$25,560.00 IN U.S.)
CURRENCY,) Date: N/A
) Time: N/A
Defendant.) Courtroom: N/A
)

Plaintiff United States of America, and Claimants Reginald Bowers and Dorothy Williams, by and through their respective counsel, hereby stipulate that a stay is necessary in the above-entitled action, and request that the Court enter an order staying all further proceedings for a period of six months pending the outcome of a related criminal case against claimant Bowers (U.S. v. Reginald Bowers, 2:06-cr-00288 WBS).

1. Claimant Bowers filed a claim to the defendant property on January 18, 2007, and filed an Answer to the complaint on February 2, 2007. Claimant Williams filed a claim on February 7, 2007, and an Answer on February 27, 2007.

2. The stay is requested pursuant to 18 U.S.C.

1 §§ 981(g)(1) and 981(g)(2). The plaintiff contends that the
2 defendant currency is the proceeds of drug trafficking and is
3 forfeitable to the United States pursuant to 21 U.S.C.

4 § 881(a)(6). Claimants deny the allegations.

5 3. The plaintiff intends to depose claimants regarding
6 their claim to the defendant property and their involvement in
7 drug trafficking. If discovery proceeds at this time, claimants
8 will be placed in the difficult position of either invoking their
9 Fifth Amendment rights against self-incrimination and losing the
10 ability to pursue their claims to the defendant real property, or
11 waiving their Fifth Amendment right and submitting to depositions
12 and potentially incriminating themselves. If either person
13 invokes their Fifth Amendment right, the plaintiff will be
14 deprived of the ability to explore the factual basis for the
15 claims they filed with this court.

16 4. In addition, claimants intend to depose the law
17 enforcement agents involved in this investigation. Allowing
18 depositions of the law enforcement officers at this time would
19 adversely affect the ability of federal authorities to prosecute
20 the pending criminal action.

21 5. The parties recognize that proceeding with this action
22 at this time has potential adverse affects on the government's
23 ability to prosecute the underlying criminal conduct and/or upon
24 claimants' ability to prove their claims to the property and
25 assert any defenses to forfeiture. For these reasons, the
26 parties jointly request that this matter be stayed for six
27 months. At that time the parties will advise the court of the
28 status of the related criminal action, and will advise the court

1 whether a further stay is necessary.

2 Dated: February 5, 2009 LAWRENCE G. BROWN
3 Acting United States Attorney

4 By /s/ Kristin S. Door
5 KRISTIN S. DOOR
6 Assistant U.S. Attorney
7 Attorneys for Plaintiff
8 United States of America

9
10 Dated: February 5, 2009 DANIEL J. BRODERICK
11 Federal Defender

12 By /s/ Timothy Zindel
13 TIMOTHY ZINDEL
14 Attorneys for claimant
15 Reginald Bowers

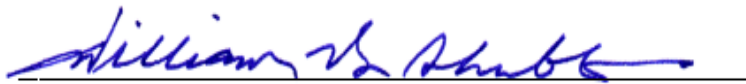
16 Dated: February 9, 2009 /s/ James R. Greiner
17 JAMES R. GREINER
18 Attorney for claimant
19 Dorothy Williams
20 Attorneys for claimant
21
22 (Original signature retained
23 by Kristin S. Door)
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28

1 ORDER

2 For the reasons set forth above, this matter is stayed
3 pursuant to 18 U.S.C. §§ 981(g)(1) and 981(g)(2) for a period of
4 six months. On or before August 3, 2009, the parties will advise
5 the court whether a further stay is necessary. A Scheduling
6 Conference is set for August 24, 2009 at 2:00 p.m.

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8 IT IS SO ORDERED.

9 Dated: February 13, 2009

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11 WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
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