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

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|-------------------------------------|---|----------------------------------|
| 11 UNITED STATES OF AMERICA, |) | 2:07-CV-01290-GEB-GGH |
| |) | |
| 12 Plaintiff, |) | APPLICATION AND ORDER FOR |
| |) | PUBLICATION |
| 13 v. |) | |
| |) | |
| 14 APPROXIMATELY \$9,000.00 in U.S. |) | |
| CURRENCY, and |) | |
| 15 |) | |
| 16 APPROXIMATELY \$4,580.00 IN U.S. |) | |
| CURRENCY, |) | |
| 17 Defendants. |) | |
| |) | |

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19 The United States of America, Plaintiff herein, applies for
 20 an order of publication as follows:

21 1. Rule G(4) of the Supplemental Rules for Certain
 22 Admiralty and Maritime Claims (hereafter "Supplemental Rules")
 23 provides that the Plaintiff shall cause public notice of the
 24 action and arrest to be given in a newspaper of general
 25 circulation, designated by order of the Court;

26 2. Local Rule 83-171, Eastern District of California,
 27 provides that the Court shall designate by order the appropriate
 28 newspaper for publication;

1 3. The defendant Approximately \$9,000.00 in U.S. Currency
2 was seized in the city of San Francisco, in San Francisco County,
3 California. The Drug Enforcement Administration ("DEA")
4 published notice of the nonjudicial forfeiture of the defendant
5 Approximately \$9,000.00 in U.S. Currency on April 2, 9, and 16,
6 2007 in the Wall Street Journal. The defendant Approximately
7 \$4,580.00 in U.S. Currency was seized in the city of Oakland, in
8 Alameda County, California. The DEA published notice of the
9 nonjudicial forfeiture of the defendant Approximately \$4,580.00
10 in U.S. Currency (hereafter referred to collectively as
11 "defendant currency") on April 9, 16, and 23, 2007 in the Wall
12 Street Journal.

13 4. Plaintiff proposes that publication be made as follows:

14 a. One publication;
15 b. In the following newspapers, legal newspapers of
16 general circulation, located in the counties in which the
17 defendant currency was seized: Inter-City Express and The
18 Recorder;

19 c. Each publication is to include the following:

20 (1) The Court, title and number of the action;

21 (2) The date of the arrest/seizure;

22 (3) The identity and/or description of the
23 property arrested/seized;

24 (4) The name, address, and telephone number of
25 the attorney for the Plaintiff;

26 (5) A statement that claims of persons entitled
27 to possession or claiming an interest pursuant to Supplemental
28 Rule G(5) must be filed with the Clerk and served on the attorney

1 for the Plaintiff within 30 days after the date of publication;

2 (6) A statement that answers to the Complaint or
3 a motion under Rule 12 of the Federal Rules of Civil Procedure
4 ("Fed. R. Civ. P.") must be filed and served within 20 days after
5 the filing of the claims and, in the absence thereof, default may
6 be entered and condemnation ordered;

7 (7) A statement that applications for
8 intervention under Fed. R. Civ. P., Rule 24 by persons claiming
9 maritime liens or other interests shall be filed within the 30
10 days allowed for claims for possession; and

11 (8) The name, address, and telephone number of
12 the U.S. Marshal and/or Department of Treasury.

13 Dated: June 29, 2007

McGREGOR W. SCOTT
United States Attorney

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15
16 /s/ Kristin S. Door
KRISTIN S. DOOR
Assistant United States Attorney

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19 **ORDER**

20 IT IS SO ORDERED.

21 Dated: 7/11/07

/s/ Gregory G. Hollows
22 UNITED STATES MAGISTRATE JUDGE

23 07cv1290.ord
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