1 Stephen A. Munkelt, SBN 80449 MUNKELT LAW OFFICE 206 Providence Mine Road, Suite 218 2 Nevada City, CA 95959 Tel: (530) 265-8508 3 Email: stephen@munkeltlaw.com 4 5 Attorneys for Gregory McClellan 6 7 8 IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 9 10 UNITED STATES OF AMERICA, Case No. 2:11-CV-00099-FCD-KJN Plaintiff, 11 v. STIPULATION AND ORDER TO SET 12 Real Property located at 15438 Old Toll Road, ASIDE DEFAULT AND PERMIT FILING Camptonville, CA. Yuba County, APN 064-210-OF CLAIM AND ANSWER 13 041 Including Appurtenances and Improvements. Defendant. 14 GREGORY S. McCLELLAN, 15 Real Party in Interest. 16 17 Plaintiff United States of America and Real Party in Interest Gregory McClellan, by and through 18 their attorneys Kevin Khasigian and Stephen A. Munkelt file this stipulation and proposed order to set 19 aside the default entered March 29, 2011, in order to allow the filing of real party's Claim Opposing 20 Forfeiture and Verified Answer to Complaint lodged with the court as exhibits to the Motion to Set 21 Aside Default on June 29, 2011. 22 This stipulation is made to allow real party to defend the action on the merits. This stipulation is 23 not evidence and is not an admission of any fact by the plaintiff. Nor does this stipulation apply to any 24 related matters before the court. 25 This Stipulation and Order may be signed in counterparts, and electronic signatures shall be as 26 binding as original signatures. 27 /// 28

1	WHEREFORE Plaintiff United States and real party Gregory McClellan hereby stipulate that
2	the default entered by the clerk on March 29, 2011, be set aside, and the clerk may thereafter file the
3	Claim and Answer submitted to the court by real party on June 29, 2011.
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6	DATED:
7	Attorney for Plaintiff United States of America
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9	DATED: /s/
10	Stephen A. Munkelt Attorney for Real Party in Interest Audrey McClellan
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13	ORDER
14	PURSUANT TO THE STIPULATION OF THE PARTIES IT IS ORDERED that the default
15	entered herein on March 29, 2011, be set aside, and the responsive pleadings submitted to the court on
16	June 29, 2011, on behalf of real party be filed by the Clerk.
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19	DATED: August 31, 2011 FRANK C. DAMRELL, JR.
20	UNITED STATES DISTRICT JUDGE
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