

1 COURTNEY J. LINN (STATE BAR NO. 148855)
 clinn@orrick.com
 2 CAMERON L. DESMOND (STATE BAR NO. 268925)
 cdesmond@orrick.com
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP
 400 Capitol Mall
 4 Suite 3000
 Sacramento, California 95814-4497
 5 Telephone: +1-916-447-9200
 Facsimile: +1-916-329-4900
 6

7 Attorneys for Claimants
 Bart Wayne Volen
 8 Volen Properties, LLC
 Volen Properties 4, LLC
 9 Volen Properties 7, LLC
 Volen Properties 8, LLC
 10 Volen Properties 9, LLC
 Volen Properties 10, LLC
 11

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14

15 UNITED STATES OF AMERICA,
 16 Plaintiff,
 17 v.
 18 REAL PROPERTY LOCATED AT 149 G.
 STREET, LINCOLN CALIFORNIA, PLACER
 19 COUNTY, APM: 008-266-015-000, *ET AL.*,
 20 Defendant.

Case No. 2:12-CV-00705-MCE-DAD

**STIPULATION AND ORDER
 CONTINUING HEARING ON MOTION
 TO DISMISS**

Date: February 7, 2013
 Time: 2:00 p.m.
 Courtroom: 7
 Judge: Hon. Morrison C. England, Jr.

21
 22
 23
 24
 25
 26
 27
 28

1 Claimants Bart Wayne Volen, Volen Properties, LLC, Volen Properties 4, LLC, Volen
2 Properties 7, LLC, Volen Properties 8, LLC, Volen Properties 9, LLC, Volen Properties 10, LLC
3 (the "Volen Claimants") and the United States of America, through their respective counsel,
4 hereby stipulate, and respectfully request that the Court so order, that the hearing on the Volen
5 Claimants' Motion to Dismiss, currently set for November 1, 2012, be continued until February 7,
6 2013, due to the United States' pending motion to stay.

7 WHEREFORE, based on the foregoing, and for good cause shown, the Volen Claimants
8 and the United States hereby stipulate that the hearing on the Motion to Dismiss be continued
9 from November 1, 2012, to February 7, 2013.

10 DATED: October 10, 2012

UNITED STATES ATTORNEY
BENJAMIN B. WAGNER

11
12
13 By: /s/ Kevin Khasigian
Kevin Khasigian
Assistant United States Attorney

14
15 DATED: October 10, 2012

ORRICK, HERRINGTON & SUTCLIFFE, LLP

16
17 By: /s/ Courtney J. Linn
Courtney J. Linn
Attorney for Volen Claimants

18
19
20 **ORDER**

21 Pursuant to the parties' stipulation and good cause appearing, IT IS HEARBY ORDERED
22 that the hearing on the Volen Claimants' Motion to Dismiss, currently set for November 1, 2012,
23 be continued until February 7, 2013 at 2:00 p.m.

24 Dated: October 16, 2012

25
26 
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE