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

11 UNITED STATES OF AMERICA,	)	2:13-MC-00012-GEB-CKD
12 Plaintiff,	)	
13 v.	)	STIPULATION AND ORDER EXTENDING
14 APPROXIMATELY \$30,020.00	)	TIME FOR FILING A COMPLAINT FOR
15 IN U.S. CURRENCY, and	)	FORFEITURE AND/OR TO OBTAIN AN
16 A \$20,000.00 CASHIER'S CHECK,	)	INDICTMENT ALLEGING FORFEITURE
17 Defendant.	)	

18  
 19 It is hereby stipulated by and between the United States of America and  
 20 claimants Nicholas Jason Street, Nancy Sopeany Pheng Street, and SANSCO  
 21 ("claimants"), by and through their respective attorneys, as follows:

22 1. In fall 2012, claimants filed a claim, in administrative forfeiture proceedings  
 23 instituted by the Drug Enforcement Administration with respect to the approximately  
 24 \$30,020.00 in U.S. Currency and \$20,000.00 Cashier's Check (hereafter the "defendant  
 25 funds"), which were seized on or about June 13, 2012. There is a dispute as to the date  
 26 on which Claimants filed their administrative claims and the date within which the  
 27 United States was obliged to file its Complaint for Forfeiture. Claimants have filed a  
 28 motion for return of property regarding these issues. *See E.D. Cal. Case No.*

1 *2:12-SW-00303-DAD Document 8, filed 12/19/12.* That matter is pending before this  
2 Court.

3       2. The Drug Enforcement Administration has sent the written notice of intent to  
4 forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time  
5 has expired for any person to file a claim to the defendant funds under 18 U.S.C. §  
6 983(a)(2)(A)-(E), and no person other than claimants has filed a claim to the defendant  
7 funds as required by law in the administrative forfeiture proceeding.

8       3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a  
9 complaint for forfeiture against the defendant funds and/or to obtain an indictment  
10 alleging that the defendant funds are subject to forfeiture within 90 days after a claim  
11 has been filed in the administrative forfeiture proceedings, unless the court extends the  
12 deadline for good cause shown or by agreement of the parties. That deadline was  
13 February 15, 2013.

14       4. The parties agreed that, by stipulating to the extension of time to April 9,  
15 2013 for the United States to file their complaint for forfeiture based on the  
16 government's computation of the deadline of February 15, 2013, Claimants did not  
17 waive any of the rights they have asserted in their motion for return of property  
18 including the dates in which the parties were obliged to perform any act related to this  
19 matter.

20       5. By Stipulation and Order filed February 12, 2013, the parties stipulated to  
21 extend to April 9, 2013, the time in which the United States is required to file a civil  
22 complaint for forfeiture against the defendant funds and/or to obtain an indictment  
23 alleging that the defendant funds are subject to forfeiture.

24       6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to  
25 further extend to June 10, 2013, the time in which the United States is required to file  
26 a civil complaint for forfeiture against the defendant funds and/or to obtain an  
27 indictment alleging that the defendant funds are subject to forfeiture.

28

1           7. Accordingly, and subject to the above, the parties agree that the deadline by  
2 which the United States shall be required to file a complaint for forfeiture against the  
3 defendant funds and/or to obtain an indictment alleging that the defendant funds are  
4 subject to forfeiture shall be extended to June 10, 2013.

5  
6 Dated: 4/2/13

BENJAMIN B. WAGNER  
United States Attorney

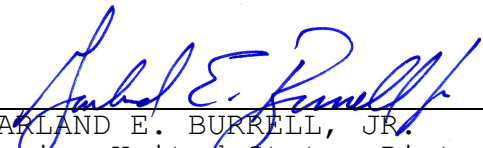
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8 By: /s/ Kevin C. Khasigian  
9 KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

10  
11 Dated: 3/30/13

/s/ David M. Michael  
12 DAVID M. MICHAEL  
Attorney for Claimants Nicholas Jason Street,  
13 Nancy Sopeany Pheng Street and SANSCO  
(Authorized by email)

14  
15 **IT IS SO ORDERED.**

16 Dated: April 3, 2013

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19 GARLAND E. BURRELL, JR.  
Senior United States District Judge