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

10

11 UNITED STATES OF AMERICA,

2:13-MC-00055-MCE-EFB

12 Plaintiff,

13 v.

STIPULATION AND ORDER  
 EXTENDING TIME FOR FILING  
 A COMPLAINT FOR  
 FORFEITURE AND/OR TO  
 OBTAIN AN INDICTMENT  
 ALLEGING FORFEITURE

14 APPROXIMATELY \$19,880.00 IN U.S.  
 CURRENCY,

16 Defendant.

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19 It is hereby stipulated by and between the United States of America and  
 20 claimant Fred Fry (“claimant”), by and through their respective counsel, as follows:

21 1. On or about March 11, 2013, claimant Fred Fry filed a claim in the  
 22 administrative forfeiture proceeding with the Drug Enforcement Administration with  
 23 respect to the Approximately \$19,880.00 in U.S. Currency (hereafter “defendant  
 24 currency”), which was seized on January 16, 2013.

25 2. The Drug Enforcement Administration has sent the written notice of  
 26 intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties.  
 27 The time has expired for any person to file a claim to the defendant currency under 18  
 28 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant has filed a claim to the

1 defendant currency as required by law in the administrative forfeiture proceeding.

2 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a  
3 complaint for forfeiture against the defendant currency and/or to obtain an indictment  
4 alleging that the defendant currency is subject to forfeiture within ninety days after a  
5 claim has been filed in the administrative forfeiture proceeding, unless the court  
6 extends the deadline for good cause shown or by agreement of the parties. That  
7 deadline is June 7, 2013.

8 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to  
9 extend to August 6, 2013, the time in which the United States is required to file a civil  
10 complaint for forfeiture against the defendant currency and/or to obtain an indictment  
11 alleging that the defendant currency is subject to forfeiture.

12 5. Accordingly, the parties agree that the deadline by which the United  
13 States shall be required to file a complaint for forfeiture against the defendant  
14 currency and/or to obtain an indictment alleging that the defendant currency is subject  
15 to forfeiture shall be extended to August 6, 2013.

16 Dated: 6/3/2013

BENJAMIN B. WAGNER  
United States Attorney

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18 By: /s/ Jeffrey A. Spivak  
JEFFREY A. SPIVAK  
Assistant U.S Attorney

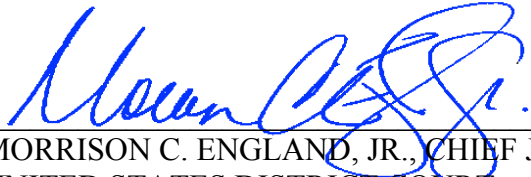
19  
20 Dated: 6/3/2013

/s/ Richard J. Troberman  
RICHARD J. TROBERMAN  
Attorney for Claimant  
Fred Fry

(Signature approved by email)

21  
22  
23 **IT IS SO ORDERED.**

24 DATED: June 5, 2013

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26   
27 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
28 UNITED STATES DISTRICT COURT