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8 Attorneys for the United States
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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA
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19 UNITED STATES OF AMERICA,

20 2:13-MC-00108-MCE-KJN

21 Plaintiff,

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

23 v.

24 APPROXIMATELY \$87,575.00 SEIZED
FROM JP MORGAN CHASE BANK
BUSINESS CHECKING ACCOUNT
NUMBER 112992330, HELD IN THE NAME
OF BENJAMIN B. ROZENBERG, DBA:
MIDNITE EVENTS,

25 APPROXIMATELY \$33.12 SEIZED FROM JP
MORGAN CHASE BANK BUSINESS
SAVINGS ACCOUNT NUMBER 2906193650,
HELD IN THE NAME OF BENJAMIN B.
ROZENBERG, DBA: MIDNITE EVENTS,

26 APPROXIMATELY \$19,634.79 SEIZED
FROM JP MORGAN CHASE BANK
PERSONAL CHECKING ACCOUNT
NUMBER 112992030, HELD IN THE NAME
OF BENJAMIN B. ROZENBERG, AND

27 APPROXIMATELY \$5,434.78 SEIZED FROM
JP MORGAN CHASE BANK PERSONAL
SAVINGS ACCOUNT NUMBER 2906027380,
HELD IN THE NAME OF BENJAMIN B.
ROZENBERG,

28 Defendants.

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2 It is hereby stipulated by and between the United States of America and claimant
3 Benjamin Rozenberg ("claimant"), by and through their respective attorneys, as follows:

4 1. On or about July 24, 2013, claimant Benjamin Rozenberg filed a claim in
5 the administrative forfeiture proceedings with the Internal Revenue Service - Criminal
6 Investigation with respect to the Approximately \$87,575.00 seized from JP Morgan
7 Chase Bank business checking account number 112992330, held in the name of
8 Benjamin B. Rozenberg, DBA: Midnite Events, Approximately \$33.12 seized from JP
9 Morgan Chase Bank business savings account number 2906193650, held in the name of
10 Benjamin B. Rozenberg, DBA: Midnite Events, Approximately \$19,634.79 seized from JP
11 Morgan Chase Bank personal checking account number 112992030, held in the name of
12 Benjamin B. Rozenberg, and Approximately \$5,434.78 seized from JP Morgan Chase
13 Bank personal savings account number 2906027380, held in the name of Benjamin B.
14 Rozenberg (hereafter the "defendant funds"). The defendant funds were seized on or
15 about May 16, 2013.

16 2. The Internal Revenue Service - Criminal Investigation has sent the written
17 notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested
18 parties. The time has expired for any person to file a claim to the defendant funds under
19 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant has filed a claim to the
20 defendant funds as required by law in the administrative forfeiture proceeding.

21 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a
22 complaint for forfeiture against the defendant funds and/or to obtain an indictment
23 alleging that the defendant funds are subject to forfeiture within 90 days after a claim
24 has been filed in the administrative forfeiture proceedings, unless the court extends the
25 deadline for good cause shown or by agreement of the parties. That deadline is currently
26 October 22, 2013.

1 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to
2 extend to November 21, 2013, the time in which the United States is required to file a
3 civil complaint for forfeiture against the defendant funds and/or to obtain an indictment
4 alleging that the defendant funds are subject to forfeiture.

5 5. Accordingly, the parties agree that the deadline by which the United States
6 shall be required to file a complaint for forfeiture against the defendant funds and/or to
7 obtain an indictment alleging that the defendant funds are subject to forfeiture shall be
8 extended to November 21, 2013.

9 Dated: 10/10/13 BENJAMIN B. WAGNER
United States Attorney

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

14 Dated: 10/9/13 /s/ John Balazs
15 JOHN BALAZS
16 Attorney for claimant Benjamin Rozenberg
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18 (Authorized by email)

IT IS SO ORDERED.

19 | Dated: October 17, 2013


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