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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 2012 HARLEY DAVIDSON FLTRX ROAD
 GLIDE MOTORCYCLE, VIN:
 15 1HD1KGM3XCB636315, CALIFORNIA
 LICENSE NUMBER: 20X8247,
 16 2005 HARLEY DAVIDSON STREET GLIDE
 MOTORCYCLE, VIN:
 17 1HD1FVW375Y618635, CALIFORNIA
 LICENSE NUMBER: 19V7740,
 18 2007 HARLEY DAVIDSON FLTR ROAD
 GLIDE MOTORCYCLE, VIN:
 20 1HD1FS4397Y630807, CALIFORNIA
 LICENSE NUMBER: WISGUY5, and
 21 2010 CHEVROLET CAMARO SS, VIN:
 22 2G1FT1EW3A9148874, CALIFORNIA
 LICENSE NUMBER: 6TZD882,
 23 Defendants.
 24

2:14-CV-01512-TLN-AC

STIPULATION TO STAY FURTHER
 PROCEEDINGS AND ORDER

DATE: N/A
 TIME: N/A
 COURTROOM: N/A

25 The United States and Claimant Kevin Lamar Hunt (“claimant”) hereby stipulate that a stay is
 26 necessary in the above-entitled action, and request that the Court enter an order staying all further
 27

1 proceedings until the resolution of the related criminal case against claimant regarding drug trafficking.

2 1. Claimant has filed a claim in this *in rem* forfeiture action, asserting he is the lawful owner
3 of the defendant assets. ECF No. 8.

4 2. The stay is requested pursuant to 18 U.S.C. §§ 981(g)(1), 981(g)(2), and 21 U.S.C. §
5 881(i). The United States contends that the defendant assets were money furnished and intended to be
6 furnished in exchange for a controlled substance or listed chemical, constituted proceeds traceable to
7 such an exchange, and was used and intended to be used to commit or facilitate a violation of 21 U.S.C.
8 §§ 841. Claimant denies these allegations.

9 3. Claimant Kevin Lamar Hunt has been charged with federal crimes related to drug
10 trafficking related to the defendant assets, United States. v. Kevin Lamar Hunt, 2:14-CR-00126-TLN. It
11 is the United States' position that the statute of limitations has not expired on potential criminal charges
12 relating to the drug trafficking involving the defendant assets. Nevertheless, the United States intends to
13 depose the claimant regarding their ownership of the defendant assets, as well as his knowledge of the
14 cocaine trafficking. If discovery proceeds at this time, claimant will be placed in the difficult position of
15 either invoking their Fifth Amendment rights against self-incrimination and losing the ability to pursue
16 his claim to the defendant assets, or waiving their Fifth Amendment rights and submitting to a
17 deposition and potentially incriminating himself. If he invokes his Fifth Amendment rights, the United
18 States will be deprived of the ability to explore the factual basis for the claim he filed with this court.

19 4. In addition, the claimant intends to depose, among others, the agents involved with this
20 investigation, including but not limited to, the agents with the Drug Enforcement Administration.
21 Allowing depositions of the law enforcement officers at this time would adversely impact the federal
22 prosecution.

23 5. The parties recognize that proceeding with these actions at this time has potential adverse
24 effects on the investigation of the underlying criminal conduct and/or upon the claimant's ability to
25 assert any defenses to forfeiture. For these reasons, the parties jointly request that these matters be

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1 stayed until the conclusion of the related criminal case. At that time the parties will advise the court of
2 the status of the criminal investigation, if any, and will advise the court whether a further stay is
3 necessary.

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5 Dated: 7/11/2014

BENJAMIN B. WAGNER
United States Attorney

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

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10 Dated: 7/11/2014

/s/ Patrick K. Hanly
PATRICK K. HANLY
Attorney for Claimant Kevin Lamar Hunt

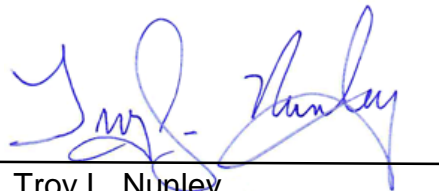
(As authorized via phone)

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14 **ORDER**

15 For the reasons set forth above, this matter is stayed pursuant to 18 U.S.C. §§ 981(g)(1),
16 981(g)(2), and 21 U.S.C. § 881(i) until the conclusion of the related criminal case, at which time the
17 parties will advise the Court whether a further stay is necessary.

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19 IT IS SO ORDERED

20 Dated: July 14, 2014

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23 Troy L. Nunley
United States District Judge