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5 Attorneys for the United States

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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 REAL PROPERTY LOCATED AT 7520  
15 MUIRFIELD WAY, SACRAMENTO,  
CALIFORNIA, SACRAMENTO COUNTY,  
16 APN: 048-0270-043-0000, INCLUDING ALL  
APPURTENANCES AND IMPROVEMENTS  
17 THERETO,

18 REAL PROPERTY LOCATED AT 7455  
19 WILLOWWICK WAY, SACRAMENTO,  
CALIFORNIA, SACRAMENTO COUNTY,  
20 APN: 047-0265-009-0000, INCLUDING ALL  
APPURTENANCES AND IMPROVEMENTS  
21 THERETO,

22 REAL PROPERTY LOCATED AT 2381  
23 KENWORTHY WAY, SACRAMENTO,  
CALIFORNIA, SACRAMENTO COUNTY,  
24 APN: 053-0021-010-0000, INCLUDING ALL  
APPURTENANCES AND IMPROVEMENTS  
THERETO, and

25 REAL PROPERTY LOCATED AT 1724 S  
26 STREET, SACRAMENTO, CALIFORNIA,  
SACRAMENTO COUNTY, APN: 009-0096-  
008-0000, INCLUDING ALL

2:14-CV-02941-GEB-DAD

STIPULATION TO STAY FURTHER  
PROCEEDINGS AND ORDER

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

1 APPURTENANCES AND IMPROVEMENTS  
2 THERETO,

3 Defendants.

4 The United States and Claimants Ashley Chang, Robert Chomentowski and LC Equity Group,  
5 Inc. (“claimants”) hereby stipulate that a stay is necessary in the above-entitled action, and request that  
6 the Court enter an order staying all further proceedings until May 12, 2015.

7 1. Claimants have filed claims in this *in rem* forfeiture action, asserting they have an interest  
8 in the defendant assets. ECF Nos. 12, 13 and 14. Answers will not be required until the stay  
9 contemplated by this stipulation expires.

10 2. The stay is requested pursuant to 18 U.S.C. §§ 981(g)(1), 981(g)(2), and 21 U.S.C. §  
11 881(i). The United States contends that the defendant assets were money furnished and intended to be  
12 furnished in exchange for a controlled substance or listed chemical, constituted proceeds traceable to  
13 such an exchange, and was used and intended to be used to commit or facilitate a violation of 21 U.S.C.  
14 §§ 841. Claimant Chang denies these allegations.

15 3. Claimant Ashley Chang has been charged with federal crimes related to drug trafficking  
16 related to the defendant assets, United States. v. Guo Neng Ma and Ashley Chang, 2:14-CR-00330-  
17 GEB. It is the United States’ position that the statute of limitations has not expired on potential criminal  
18 charges relating to the drug trafficking involving the defendant assets. Nevertheless, the United States  
19 intends to depose the claimant regarding her ownership of the defendant assets, as well as her  
20 knowledge of the marijuana trafficking. If discovery proceeds at this time, claimant Chang will be  
21 placed in the difficult position of either invoking her Fifth Amendment rights against self-incrimination  
22 and losing the ability to pursue her claim to the defendant assets, or waiving her Fifth Amendment rights  
23 and submitting to a deposition and potentially incriminating herself. If she invokes her Fifth  
24 Amendment rights, the United States will be deprived of the ability to explore the factual basis for the  
25 claim she filed with this court.

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

3 5. The parties recognize that proceeding with these actions at this time has potential adverse  
4 effects on the investigation of the underlying criminal conduct and/or upon the claimant's ability to  
5 assert any defenses to forfeiture. For these reasons, the parties jointly request that the matter be stayed  
6 until May 12, 2015, in accordance with the terms of this stipulation. At that time the parties will advise  
7 the court of the status of the criminal case and will advise the court whether a further stay is necessary.

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9 Dated: 2/11/15

BENJAMIN B. WAGNER  
United States Attorney

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

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14 Dated: 2/11/15

/s/ Timothy Zindel  
TIMOTHY ZINDEL  
Attorney for Claimant Ashley Chang  
(Authorized via email 2/11/15)

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17 Dated: 2/12/15

/s/ Richard J. Reynolds  
RICHARD J. REYNOLDS  
Attorney for Claimants  
Robert Chomentowski and LC Equity Group, Inc.  
(Authorized via email 2/12/15)

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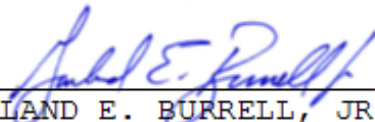
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1 **ORDER**

2 For the reasons set forth above, this matter is stayed pursuant to 18 U.S.C. §§ 981(g)(1),  
3 981(g)(2), and 21 U.S.C. § 881(i) until May 12, 2015, at which time the parties will advise the Court  
4 whether a further stay is necessary.

5 IT IS SO ORDERED.

6 Dated: February 13, 2015

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10 GARLAND E. BURRELL, JR.  
11 Senior United States District Judge  
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