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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 2011 TOYOTA SIENNA SE WAGON, VIN:
 5TDXK3DC7BS077981, LICENSE NUMBER:
 15 6PSZ063,
 16 Defendant.

2:14-MC-00111-TLN-CKD

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

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 18 It is hereby stipulated by and between the United States of America and claimant Jimmy
 19 Quanguang Xu, through undersigned counsel, as follows:

20 1. On or about June 23, 2014, claimant Jimmy Quanguang Xu filed a claim, in the
 21 administrative forfeiture proceedings, with the Drug Enforcement Administration with respect to the
 22 2011 Toyota Sienna SE Wagon, VIN: 5TDXK3DC7BS0779, License Number: 6PSZ063 (hereafter
 23 “defendant vehicle”), which were seized on May 1, 2013.

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

1 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
2 forfeiture against the defendant vehicle and/or to obtain an indictment alleging that the defendant
3 vehicle are subject to forfeiture within ninety days after a claim has been filed in the administrative
4 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of
5 the parties. That deadline was September 22, 2014.

6 4. By Stipulation and Order filed November 25, 2014, the parties stipulated to extend to
7 December 22, 2014, the time in which the United States is required to file a civil complaint for
8 forfeiture against the defendant vehicle and/or to obtain an indictment alleging that the defendant
9 vehicle is subject to forfeiture.

10 5. By Stipulation and Order filed December 24, 2014, the parties stipulated to extend to
11 March 23, 2015, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle is
13 subject to forfeiture.

14 6. By Stipulation and Order filed March 23, 2015, the parties stipulated to extend to June
15 22, 2015, the time in which the United States is required to file a civil complaint for forfeiture against
16 the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle is subject to
17 forfeiture.

18 7. By Stipulation and Order filed June 22, 2015, the parties stipulated to extend to August
19 21, 2015, the time in which the United States is required to file a civil complaint for forfeiture against
20 the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle is subject to
21 forfeiture.

22 8. By Stipulation and Order filed August 26, 2015, the parties stipulated to extend to
23 September 21, 2015, the time in which the United States is required to file a civil complaint for
24 forfeiture against the defendant vehicle and/or to obtain an indictment alleging that the defendant
25 vehicle is subject to forfeiture.

26 9. By Stipulation and Order filed September 21, 2015, the parties stipulated to extend to
27 November 20, 2015, the time in which the United States is required to file a civil complaint for
28 forfeiture against the defendant vehicle and/or to obtain an indictment alleging that the defendant

1 vehicle is subject to forfeiture.

2 10. By Stipulation and Order filed November 23, 2015, the parties stipulated to extend to
3 January 19, 2016, the time in which the United States is required to file a civil complaint for forfeiture
4 against the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle is
5 subject to forfeiture.

6 11. By Stipulation and Order filed January 26, 2016, the parties stipulated to extend to
7 February 18, 2016, the time in which the United States is required to file a civil complaint for forfeiture
8 against the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle is
9 subject to forfeiture.

10 12. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension
11 to March 18, 2016, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle are
13 subject to forfeiture.

14 13. Accordingly, the parties agree that the deadline by which the United States shall be
15 required to file a complaint for forfeiture against the defendant vehicle and/or to obtain an indictment
16 alleging that the defendant vehicle are subject to forfeiture shall be extended to March 18, 2016.

17 Dated: 2/16/2016

BENJAMIN B. WAGNER
United States Attorney

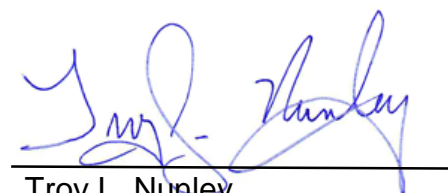
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19 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

20
21 Dated: 2/16/2016

/s/ Lawrence T. Niermeyer
LAWRENCE T. NIERMEYER
Attorney for Claimant Jimmy Quanguang Xu
(As authorized via email)

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25 IT IS SO ORDERED.

26 Dated: February 18, 2016

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Troy L. Nunley
United States District Judge