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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 is September 22, 2014.

6 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension
7 to 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 are subject to forfeiture.

10 5. Accordingly, the parties agree that the deadline by which the United States shall be
11 required to file a complaint for forfeiture against the defendant vehicle and/or to obtain an indictment
12 alleging that the defendant vehicle are subject to forfeiture shall be extended to December 22, 2014.

13 Dated: 9/19/14

BENJAMIN B. WAGNER
United States Attorney

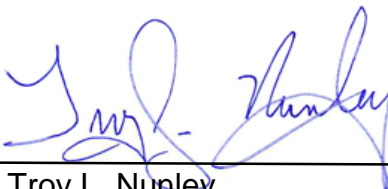
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15 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

16
17 Dated: 9/19/14

/s/ Lawrence T. Niermeyer
LAWRENCE T. NIERMEYER
Attorney for Claimant Jimmy Quanguang Xu
(Authorized via phone 9/19/14)

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21 IT IS SO ORDERED.

22 Dated: September 24, 2014

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26 _____
Troy L. Nunley
United States District Judge