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 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.       As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension  
15 to June 22, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
16 against the defendant vehicle and/or to obtain an indictment alleging that the defendant vehicle are  
17 subject to forfeiture.

18          7.       Accordingly, the parties agree that the deadline by which the United States shall be  
19 required to file a complaint for forfeiture against the defendant vehicle and/or to obtain an indictment  
20 alleging that the defendant vehicle are subject to forfeiture shall be extended to June 22, 2015.

21 Dated: 3/17/2015

BENJAMIN B. WAGNER  
United States Attorney


22  
23 By: /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

24  
25 Dated: 3/17/2015

26 /s/ Lawrence T. Niermeyer  
LAWRENCE T. NIERMEYER  
Attorney for Claimant Jimmy Quanguang Xu  
27 (As authorized via phone)  
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1 IT IS SO ORDERED.

2 Dated: March 18, 2015

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6 Troy L. Nunley  
7 United States District Judge  
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