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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 APPROXIMATELY \$10,707.87 SEIZED FROM  
 15 FIRST BANK CHECKING ACCOUNT NUMBER  
 9417915527, HELD IN THE NAME OF COST U  
 16 LESS CARS, INC.,  
 2008 BMW 528I, VIN: WBANU53538CT09595,  
 17 LICENSE NUMBER: WL33, and  
 18 2006 BMW 750I, VIN: WBAHL83586DT01002,  
 19 LICENSE NUMBER: 5PDN702,  
 20 Defendants.

2:14-MC-00114-MCE-AC  
 STIPULATION AND ORDER EXTENDING  
 TIME FOR FILING A COMPLAINT FOR  
 FORFEITURE AND/OR TO OBTAIN AN  
 INDICTMENT ALLEGING FORFEITURE

21 It is hereby stipulated by and between the United States of America and claimant Hani Ataya  
 22 ("claimant"), by and through their respective attorneys, as follows:

23 1. On or about August 7, 2014, claimant Hani Ataya filed a claim in the administrative  
 24 forfeiture proceedings with the Internal Revenue Service - Criminal Investigation with respect to the  
 25 Approximately \$10,707.87 seized from First Bank checking account number 9417915527, held in the  
 26 name of Cost U Less Cars, Inc.; 2008 BMW 528i, VIN: WBANU53538CT09595, License Number:  
 27 WL33; and 2006 BMW 750i, VIN: WBAHL83586DT01002, License Number: 5PDN702 (hereafter the  
 28 "Defendant Properties"). The Defendant Properties were seized on or about June 19, 2014.

1           2.       The Internal Revenue Service - Criminal Investigation has sent the written notice of intent  
2 to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for  
3 any person to file a claim to the Defendant Properties under 18 U.S.C. § 983(a)(2)(A)-(E), and no person  
4 other than claimant has filed a claim to the Defendant Properties as required by law in the administrative  
5 forfeiture proceeding.

6           3.       Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
7 forfeiture against the Defendant Properties and/or to obtain an indictment alleging that the Defendant  
8 Properties are subject to forfeiture within 90 days after a claim has been filed in the administrative  
9 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of the  
10 parties. That deadline was November 5, 2014.

11          4.       By Stipulation and Order filed October 29, 2014, the parties stipulated to extend to  
12 February 3, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
13 against the Defendant Properties and/or to obtain an indictment alleging that the Defendant Properties are  
14 subject to forfeiture.

15          5.       By Stipulation and Order filed January 27, 2015, the parties stipulated to extend to May 4,  
16 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
17 Defendant Properties and/or to obtain an indictment alleging that the Defendant Properties are subject to  
18 forfeiture.

19          6.       As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend  
20 to August 3, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
21 against the Defendant Properties and/or to obtain an indictment alleging that the Defendant Properties are  
22 subject to forfeiture.

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1 7. Accordingly, the parties agree that the deadline by which the United States shall be  
2 required to file a complaint for forfeiture against the Defendant Properties and/or to obtain an indictment  
3 alleging that the Defendant Properties are subject to forfeiture shall be extended to August 3, 2015.

4 Dated: 4/28/15

BENJAMIN B. WAGNER  
United States Attorney

5  
6 By: /s/ Jeffrey A. Spivak  
JEFFREY A. SPIVAK  
Assistant U.S. Attorney

7  
8 Dated: 4/27/15


/s/ Patrick K. Hanly  
PATRICK K. HANLY  
Attorney for claimant Hani Ataya

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10 (Authorized by email)

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13 **ORDER**

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15 IT IS SO ORDERED.

16 Dated: May 8, 2015

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MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT