

1 BENJAMIN B. WAGNER  
United States Attorney  
2 KEVIN C. KHASIGIAN  
Assistant U. S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700  
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 APPROXIMATELY \$108,341.20 SEIZED FROM  
15 TRI COUNTIES BANK ACCOUNT NUMBER  
461021608, HELD IN THE NAME OF  
16 HOUSSAM ATAYA dba ATAYA MOTORS,  
17 Defendant.

2:14-MC-00128-WBS-EFB

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

18 It is hereby stipulated by and between the United States of America and potential claimant  
19 Houssam Ataya, by and through their respective attorneys, as follows:

20 1. On or about August 7, 2014, claimant Houssam Ataya filed a claim, in the  
21 administrative forfeiture proceedings, with the Internal Revenue Service with respect to the  
22 Approximately \$108,341.20 seized from Tri Counties Bank Account Number 461021608, held in  
23 the name of Houssam Ataya dba Ataya Motors (hereafter “defendant funds”), which were seized on  
24 June 19, 2014.

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

1 proceeding.

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

7 4. By Stipulation and Order filed November 3, 2014, the parties stipulated to extend to  
8 February 3, 2015, the time in which the United States is required to file a civil complaint for  
9 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant  
10 funds are subject to forfeiture.

11 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an  
12 extension to May 4, 2015, the time in which the United States is required to file a civil complaint for  
13 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant  
14 funds are subject to forfeiture.

15 6. Accordingly, the parties agree that the deadline by which the United States shall be  
16 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment  
17 alleging that the defendant funds are subject to forfeiture shall be extended to May 4, 2015.

18 Dated: 1/30/2015

BENJAMIN B. WAGNER  
United States Attorney


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

21  
22  
23 Dated: 1/30/2015

/s/ Patrick K. Hanly  
PATRICK K. HANLY  
Attorney for potential claimant Houssam Ataya  
(Authorized via email 1/30/15)

24  
25 **IT IS SO ORDERED.**

26 Dated: February 2, 2015

27   
28 WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE