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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 \$305,120.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

2:15-MC-00023-KJM-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 David P. Braut
 19 (“claimant”), by and through their respective counsel, as follows:

20 1. The parties seek to extend this matter from June 10, 2016 to September 9, 2016, to
 21 coordinate the claimant’s companion criminal matter in Nevada County Superior Court. A preliminary
 22 hearing on marijuana possession charges is currently scheduled for June 9, 2016. If the judge assigned to
 23 that criminal case determines that the State has met their burden of proof, the claimant will be arraigned
 24 on criminal charges with factual overlap to this forfeiture case.

25 2. On or about December 18, 2014, claimant filed a claim in the administrative forfeiture
 26 proceeding with the Drug Enforcement Administration with respect to the Approximately \$305,120.00 in
 27 U.S. Currency (hereafter “defendant currency”), which was seized on or about July 7, 2014.

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

6 4. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
7 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
8 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
9 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
10 parties. That deadline was March 18, 2015.

11 5. By Stipulation and Order filed March 17, 2015, the parties stipulated to extend to May 18,
12 2015, the time in which the United States is required to file a civil complaint for forfeiture against the
13 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
14 forfeiture.

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

19 7. By Stipulation and Order filed July 13, 2015, the parties stipulated to extend to October
20 15, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the
21 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
22 forfeiture.

23 8. By Stipulation and Order filed September 28, 2015, the parties stipulated to extend to
24 December 14, 2015, the time in which the United States is required to file a civil complaint for forfeiture
25 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
26 subject to forfeiture.

27 9. By Stipulation and Order filed December 15, 2015, the parties stipulated to extend to
28 February 12, 2016, the time in which the United States is required to file a civil complaint for forfeiture

1 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
2 subject to forfeiture.

3 10. By Stipulation and Order filed February 18, 2016, the parties stipulated to extend to April
4 12, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
5 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
6 forfeiture.

7 11. By Stipulation and Order filed April 13, 2016, the parties stipulated to extend to June 10,
8 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
9 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
10 forfeiture.

11 12. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
12 to September 9, 2016, the time in which the United States is required to file a civil complaint for
13 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
14 currency is subject to forfeiture.

15 13. 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 currency and/or to obtain an indictment
17 alleging that the defendant currency is subject to forfeiture shall be extended to September 9, 2016.

18 Dated: 6/8/16

PHILLIP A. TALBERT
Acting United States Attorney

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

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22 Dated: 6/8/16

/s/ Stephen A. Munkelt
STEPHEN A. MUNKELT
Attorney for claimant David P. Braut

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24 (Authorized by email)

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1 This is the parties' eighth stipulation to extend the deadline. While the court approves the
2 stipulation, a future stipulated extension must be accompanied by a clear showing of good cause
3 supported by a specific statement of reasons.

4 **IT IS SO ORDERED.**

5 Dated: June 9, 2016

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8 UNITED STATES DISTRICT JUDGE
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