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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 \$89,980.00 IN U.S.  
 CURRENCY,  
 15 Defendant.

2:16-MC-00157-MCE-EFB  
 STIPULATION AND ORDER EXTENDING TIME  
 FOR FILING A COMPLAINT FOR FORFEITURE  
 AND/OR TO OBTAIN AN INDICTMENT  
 ALLEGING FORFEITURE

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 17 It is hereby stipulated by and between the United States of America and potential claimant  
 18 Nicholas Kenneth Maddaloni (“claimant”), by and through their respective counsel, as follows:

19 1. On or about June 29, 2016, claimant filed a claim in the administrative forfeiture  
 20 proceeding with the Drug Enforcement Administration with respect to the Approximately \$89,980.00 in  
 21 U.S. Currency (hereafter “defendant currency”), which was seized on or about April 21, 2016.

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

27 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
 28 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative  
2 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the  
3 parties. That deadline is September 27, 2016.

4 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to  
5 October 27, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
6 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
7 subject to forfeiture.

8 5. Accordingly, the parties agree that the deadline by which the United States shall be  
9 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment  
10 alleging that the defendant currency is subject to forfeiture shall be extended to October 27, 2016.

11 Dated: 9/26/16

PHILLIP A. TALBERT  
Acting United States Attorney

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


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15  
16 Dated: 9/26/16

/s/ Christopher J. Cassar  
CHRISTOPHER J. CASSAR  
Attorney for claimant Nicholas Kenneth Maddaloni

(Authorized by phone)

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21 **IT IS SO ORDERED.**

22 Dated: September 29, 2016

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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE