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6 United States

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 MARK F. FRIEND,  
15 Defendant and Judgment Debtor.  
16  
17 PRINCIPAL FINANCIAL GROUP,  
18 Garnishee.

CASE NO.: 2:17-MC-00096-GEB-KJN

**STIPULATION AND EXTENSION  
REGARDING WRIT OF GARNISHMENT  
(RETIREMENT ACCOUNTS)**

CRIMINAL CASE. NO.: 2:15-CR-00083-GEB

No Hearing Requested

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20 On November 18, 2016, the Court sentenced Defendant/Judgment Debtor Mark F. Friend  
21 (“Defendant”) in case number 2:15-CR-00083-GEG. Defendant’s sentence included an order to pay a  
22 \$100 statutory assessment and \$1,889,379 in criminal restitution. In an effort to collect upon this debt,  
23 the United States commenced the instant miscellaneous action seeking a writ of garnishment on certain  
24 retirement accounts in the name of Paula Friend, Defendant’s spouse, in which Defendant is believed to  
25 have an interest. (Dkt. 2) The Clerk of the Court issued the writ of garnishment on June 15, 2017.  
26 (Dkt. 4). The United States thereafter served the garnishment package on counsel for Defendant and  
27 separately on counsel for Mrs. Friend.

1 Pursuant to 28 U.S.C. § 3205, et seq., Mrs. Friend had twenty (20) days from receipt of the  
2 Answer of Garnishee to file a claim for exemption or otherwise request a hearing. Based on the service  
3 date of the Answer of Garnishee, Mrs. Friend's response was due by August 11, 2017. The parties, to  
4 facilitate an informal resolution of this matter, previously stipulated that the due date for Paula Friend's  
5 response would be extended to October 2, 2017. The Court approved the stipulation on August 14,  
6 2017. (Dkt. No. 8) The parties remain engaged in settlement discussions and have agreed to further  
7 continue Paula Friend's response date to November 3, 2017.

8 Based on the foregoing, the parties stipulate and agree that due date for Paula Friend's response  
9 to the pending Writ of Garnishment (Retirement Accounts) in the above-captioned miscellaneous case  
10 shall be continued from October 2, 2017 to November 3, 2017.

11 FOR THE UNITED STATES OF AMERICA:

12 Respectfully submitted,

13 PHILLIP A. TALBERT  
14 United States Attorney

15 Dated: September 27, 2017

16 /s/ Patrick J. Suter  
17 PATRICK J. SUTER  
18 Assistant United States Attorney

19 FOR PAULA FRIEND

20 Dated: September 27, 2017

21 /s/ Kent Calfee  
22 KENT CALFEE, Counsel for Paula Friend  
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