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8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 REAL PROPERTY LOCATED AT 10497
 ALTA MESA ROAD, WILTON,
 14 CALIFORNIA, SACRAMENTO COUNTY,
 APN: 136-0250-050-0000, INCLUDING ALL
 15 APPURTENANCESS AND IMPROVEMENTS
 THERETO,

16 REAL PROPERTY LCOATED AT 13701
 17 INDIO DRIVE, SLOUGHHOUSE,
 CALIFORNIA, SACRAMENTO COUNTY,
 18 APN: 073-0114-010-0000, INCLUDING ALL
 APPURTENANCES AND IMPROVEMENTS
 19 THERETO,

20 REAL PROPERTY LOCATED AT 11709
 COLONY ROAD, GALT, CALIFORNIA,
 21 SACRAMENTO COUNTY, APN: 138-0090-
 092-0000, INCLUDING ALL
 22 APPURTENANCES AND IMPROVEMENTS
 THERETO,

23 Defendants.

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Case No.: 2:18-CV-00798-KJM-CKD

**STIPULATION AND ORDER RE:
 WITHDRAWAL OF VERIFIED CLAIM
 AND ANSWER OF NON-PARTY DEW
 CLAW, LLC TO VERIFIED
 COMPLAINT FOR FORFEITURE *IN
 REM***

Action Filed: April 5, 2018
Assigned To: Hon. Kimberly J. Mueller
Referred To: Hon. Carolyn K. Delaney
Trial Date: None Set

25 The United States of America and DEW CLAW LLC, A NEVADA LIMITED LIABILITY COMPANY
 26 (“Claimant”) hereby stipulate and agree, by and through their attorneys of record, as follows:

27 **1.** The defendant property subject to this stipulation is as follows (“Defendant Property”):

28 The real property located at 11709 Colony Road, Galt, California 95632, APN: 138-0090-092, including

1 all appurtenances and improvements thereto.

2 2. On April 5, 2018 the United States filed a Verified Complaint for Forfeiture *In Rem*
3 (“Complaint”) alleging that the Subject Property, including any right, title and interest in the whole of
4 any lot or tract of land and any appurtenances or improvements thereon, is subject to forfeiture to the
5 United States pursuant to 21 U.S.C. § 881(a)(6) and (a)(7).

6 3. At the time the Complaint was filed, the record owner of the Defendant Property was
7 CHARISMA 18 AVE REALTY, INC., A NEW YORK CORPORATION (“Borrower”).

8 4. On May 29, 2018, Claimant filed a claim in this action alleging a lien holder interest in
9 the Defendant Property [Docket No. 18].

10 5. On June 18, 2018, Claimant filed a Verified Answer to Verified Complaint for Forfeiture
11 *in Rem* in this action [Docket No. 19].

12 6. On or about January 21, 2021, the Defendant Property was sold.

13 7. Notwithstanding the foregoing, Claimant hereby withdraws its claim and Answer filed in
14 the above-captioned action with respect to the Defendant Property.

15 8. To the extent required under the Federal Rules of Civil Procedure, Rule 41(a), the United
16 States of America agrees to dismiss *with prejudice* Claimant in the above-captioned action pursuant to
17 Federal Rules of Civil Procedure, Rule 41(a). Defendant Property is in the *in rem* defendant.

18 9. Claimant is hereby removed from the Service List for the above-captioned action.

19 10. Each party hereto is to bear his, her, and its own fees and costs.

20 **Dated:** April 28, 2021

MURPHY, PEARSON, BRADLEY & FEENEY

21
22 **By:** /s/ Patrick J. Wingfield

Thomas P. Mazzucco
Patrick J. Wingfield
Attorneys for Claimant Dew Claw LLC

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25 **Dated:** April 28, 2021

PHILLIP A. TALBERT
Acting United States Attorney

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27 **By:** /s/ Kevin C. Khasigian (with permission)

Kevin C. Khasigian
Assistant United States Attorney

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ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:


1. The Stipulation is hereby GRANTED and APPROVED.

2. Claimant's claim filed in the above-captioned action on May 29, 2018 [Docket No. 18] and answer filed on June 18, 2018 [Docket No. 19] as to the Defendant Property are hereby deemed withdrawn.

3. Pursuant to F.R.C.P. 41(a), Claimant Dew Claw LLC, a Nevada limited liability company is hereby dismissed from this action *with prejudice*.

IT IS SO ORDERED.

DATED: May 12, 2021.



CHIEF UNITED STATES DISTRICT JUDGE