

1 JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)  
3 Chief, Criminal Division

4 PATRICIA J. KENNEY (CSBN 130238)  
Assistant United States Attorney

5 450 Golden Gate Avenue  
6 San Francisco, CA 94102  
7 Telephone: 415.436.6857  
Facsimile: 415.436.6748  
8 Email: patricia.kenney@usdoj.gov

Attorneys for United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA, )  
13 Plaintiff, )

No. 06-4903 SC

14 v. )

15 STIPULATION AND ORDER  
RE: TAKING JANUARY 9, 2009  
CASE MANAGEMENT CONFERENCE  
OFF CALENDAR

16 (1) REAL PROPERTY LOCATED AT )  
2775 ROCHELLE STREET, SANTA )  
ROSA, CA (APN 152-040-037-000); )  
17 (2) A SMITH & WESSON .38 CALIBER )  
AIRWEIGHT 5-SHOT REVOLVER )  
18 (SERIAL NUMBER CJR7006 642-2); )  
AND (3) A GLOCK-19 9MM SEMI- )  
19 AUTOMATIC HANDGUN (SERIAL )  
NUMBER FDF510), )

20 Defendant. )

21 \_\_\_\_\_ )  
22 ADAM MCMAINS, )  
23 Claimant. )  
24 \_\_\_\_\_ )

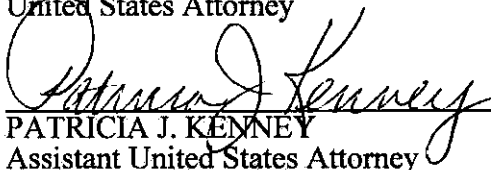
25 By agreement of the parties, the Court initially stayed the instant case pursuant to  
26 18 U.S.C. § 981(g)(1) and (2) on November 29, 2006, and the case has been stayed since  
27 that time. See Stipulation and Order, etc., filed December 2, 2008. A case management  
28 conference is currently set for January 9, 2009.

1 This case was stayed pending resolution of an ongoing criminal investigation.  
2 Counsel for claimant and the undersigned Assistant United States Attorney have spoken and  
3 the AUSA has also spoken with the Court's Courtroom Clerk. With the Court's approval,  
4 the parties would like to take the January 9, 2009 case management conference off calendar  
5 and schedule the filing of a joint status report for June 1, 2009 with the understanding that,  
6 if the parties believe that conditions for the current stay have changed between now and  
7 June 1, 2009, the parties can request the Court to place this case back on its active calendar  
8 for a case management conference. The parties also agree that the January 9, 2009 case  
9 management conference should be taken off calendar for a number of reasons. Claimant's  
10 counsel has other court appearances scheduled for January 9, 2008. In addition, the  
11 undersigned AUSA intends to check on the status of the criminal investigation and the  
12 parties will explore whether there is a possibility for informal resolution of this case.

13 IT IS SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

14  
15 Dated: January 8, 2009

  
PATRICIA J. KENNEY  
Assistant United States Attorney

17 LAW OFFICES OF  
18 GEORGE C. BOISSEAU

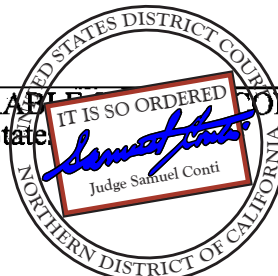
19 Dated: January 8, 2009

  
GEORGE C. BOISSEAU  
Attorney for claimant Adam McMains

21 IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON  
22 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009, THAT THE JANUARY 9, 2009 CMC IS  
23 TAKEN OFF CALENDAR, THAT THE PARTIES SHALL FILE A JOINT STATUS  
24 REPORT ON OR BEFORE JUNE 1, 2009 AND THAT THE PARTIES SHALL NOTIFY  
25 THE COURT IF THE CONDITIONS FOR THE CURRENT STAY CHANGE.  
26

27 1/13/09

28 HONORABLE JUDGE SAMUEL CONTI  
United States District Court



Stip and Order  
No. 06-4903 SC