

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
8 Facsimile: 415.436.6748
Email: patricia.kenney@usdoj.gov

9 Attorneys for United States of America

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

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)

No. 06-4903 SC

15 v.)

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.)

STIPULATION AND ORDER

21 ADAM MCMAINS,)
22 Claimant.)
23)
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 because of an ongoing criminal investigation. *See* Stipulation and Order, etc.,
28 filed December 2, 2008. The Court requested the parties to provide a further status report.

1 See Stipulation and Order, etc., filed January 14, 2009. The parties apologize for failing to
2 file that report in a timely fashion.

3 The undersigned Assistant United States Attorney conferred with the Assistant
4 United States Attorneys handling the ongoing criminal investigation who suggest the
5 current stay be continued and have requested the undersigned Assistant United States
6 Attorney to ask the Court to set a new date for the filing of a status report. Accordingly,
7 counsel for claimant and the undersigned Assistant United States agree that there is a basis
8 for continuing the stay under 18 U.S.C. § 981(g) and the parties should file a further report
9 on or before December 1, 2009 with the understanding that, if the parties believe that
10 conditions for the current stay have changed between now and June 1, 2009, the parties can
11 request the Court to place this case back on its active calendar for a case management
12 conference.

13 IT IS SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

15 Dated: September 4, 2009

/s/

PATRICIA J. KENNEY
Assistant United States Attorney

17 LAW OFFICES OF
18 GEORGE C. BOISSEAU

19 Dated: September 4, 2009

/s/

GEORGE C. BOISSEAU
Attorney for claimant Adam McMains

21 IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON
22 THIS 10 DAY OF September, 2009, THAT THE PARTIES SHALL FILE A
23 JOINT STATUS REPORT ON OR BEFORE DECEMBER 1, 2009 AND THAT THE
24 PARTIES SHALL NOTIFY THE COURT IF THE CONDITIONS FOR THE CURRENT
25 STAY CHANGE.

26

27

28

