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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,)

NO. C 06-5759 JSW

14 Plaintiff,)

15 v.)

STIPULATED DISMISSAL
AND RESPONSE TO THE
COURT'S APRIL 3, 2009 ORDER
AND ORDER THEREON

16 \$152,460.15 IN FUNDS FROM)
17 WELLS FARGO ACCOUNT)
NUMBER 031-1834949,)

18 Defendant.)

19 SAEI COMPANY AND DARIUSH B.)
20 GILANI, PRESIDENT OF SAEI)
COMPANY,)

21 Claimants.)
22

23
24 The parties agree, subject to the Court's approval, that the instant civil forfeiture case be, and
25 hereby is, DISMISSED, because defendant \$152,460.15 has been criminally forfeited.

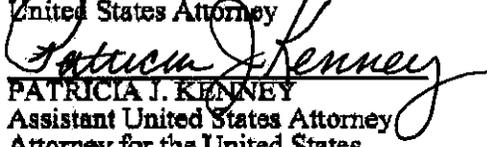
26 Defendant \$152,460.15 was forfeited in a related criminal case, *United States v. Sponsors*
27 *for American Educational Institutes, Inc. ("SAEI")*, 08-CR-00446 JW, by the Final Order of
28 Forfeiture entered on April 2, 2009 (copy attached). On July 9, 2008, the United States charged

1 SAEI in an Information with violating 18 U.S.C. § 1960 (operating an unlicensed money
2 transmitting business). The Information also sought criminal forfeiture of \$152,460.15 seized
3 from a Wells Fargo Bank Account ending in "4949," the same \$152,460.15 which is a defendant
4 in this civil case. On September 15, 2008, SAEI plead guilty to the sole count in the information
5 and consented to the forfeiture allegation. On September 15, 2008, the United States and SAEI
6 stipulated to a preliminary order of forfeiture. See 08-CR-00446, Stipulation and Preliminary
7 Order of Forfeiture, entered September 15, 2008. After the United States gave the required
8 notice to the public so that any third party claiming any right, title or interest in the funds could
9 petition the Court, see Fed. R. Crim. P. 32.2, the United States applied to the Court for a final
10 order of forfeiture. On April 2, 2009, the Court entered the Final Order of Forfeiture.

11 AUSA Hinds handled the criminal matter beginning in September because the
12 undersigned AUSA was on medical leave. As a result, the undersigned mistakenly believed that
13 steps had been taken to dismiss this case.

14
15 IT IS SO STIPULATED:

16 Dated: April 6, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

PATRICIA J. KENNEY
Assistant United States Attorney
Attorney for the United States

19 Dated: April 6, 2009

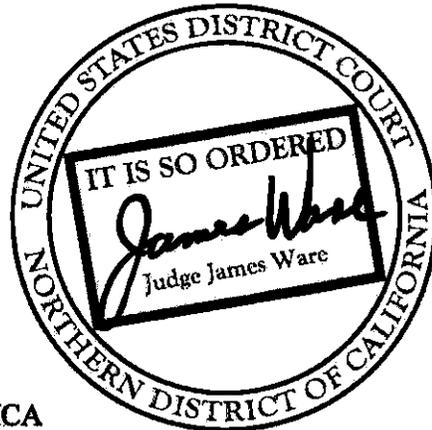

ROBERT J. MULHERN
Attorney for Claimants SAEI Company and
Dariush B. Gilani, President, SAEI Company

23 PURSUANT TO THE FOREGOING STIPULATION, THE INSTANT CASE BE, AND
24 HEREBY IS, DISMISSED.

26 Dated: April 8, 2009


HONORABLE JEFFREY S. WHITE
United States District Judge

28
Stipulated Dismissal
No. 06-5759 JSW



UNITED STATES OF AMERICA
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
SPONSORS FOR AMERICAN
EDUCATIONAL INSTITUTES, INC.,
Defendant.

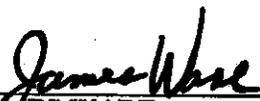
Case No. CR 08-00446 JW
~~Proposed~~ FINAL ORDER OF
FORFEITURE

On September 15, 2008, the Court entered a Preliminary Order of Forfeiture forfeiting the defendant's right, title, and interest in \$152,460.15 United States Currency seized from Wells Fargo Bank Account ending "4949" pursuant to Title 18, United States Code, Section 982.

The United States represents that it has complied with the publication and notice requirements of the Preliminary Order and that no petitions have been filed.

THEREFORE, it is ordered that the above-described property shall be forfeited to the United States, pursuant to Title 18, United States Code, Section 982. All right, title, and interest in said property is vested in the United States of America. The appropriate federal agency shall dispose of the forfeited property according to law.

Dated: April 2, 2009


JAMES WARE
United States District Judge