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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,)
17 Plaintiff,)
18 v.)
19 APPROXIMATELY \$104,994 IN UNITED)
20 STATES CURRENCY,)
21 Defendant.)

No. 08-02331 JL

**STIPULATION FOR AN ADDITIONAL
STAY PROCEEDING PURSUANT TO 18
U.S.C. § 981(g) and ~~PROPOSED~~ ORDER**

22 IT IS HEREBY STIPULATED by and between plaintiff United States of America and claimant
23 Todd Dunphy, through undersigned counsel, that this action be stayed pursuant to 18 U.S.C. § 981(g)
24 and 21 U.S.C. § 881(I).

25 On September 9, 2009, Claimant Todd Dunphy was indicted on three related criminal counts in
26 the District of Hawaii, including a forfeiture allegation for the defendant \$104,994 in this case. United
27 States v. Dunphy, CR 09-00370 SOM, Docket No. 1. The allegations in the present forfeiture complaint
28 are related to the allegations at issue in the related criminal indictment and, consequently, the parties
agree that a stay in the forfeiture proceeding for 180 days is necessary, because continuation of the
forfeiture proceeding will burden the right of the claimant against self-incrimination in the

1 related criminal case and will adversely affect the prosecution of the related criminal case.

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3 IT IS SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

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6 Dated: October 13, 2009

/S/ _____
DAVID COUNTRYMAN
Assistant United States Attorney

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10 Dated: October 13, 2009

/S/ _____
DAVID M. MICHAEL
Attorney for Claimant
Todd Dunphy.

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ORDER GRANTING STAY

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UPON CONSIDERATION of the Stipulation to Stay, the entire record, and for good
16 cause shown, it is by the Court on this 14th day of October, 2009

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ORDERED that the instant case be, and hereby is, STAYED, until April 28,
18 2010, at 10:30 a.m. pursuant to 18 U.S.C. § 981(g).

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HONORABLE JAMES LARSON
United States Magistrate Judge

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