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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

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

No. 08-02331 JL
JOINT CASE MANAGEMENT
CONFERENCE

21 Plaintiff, United States of America and Claimant Todd Dunphy respectfully submit this
22 Joint Case Management Statement.

23 **1. Jurisdiction and Service**

24 This Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and
25 1355 and Title 21, United States Code, Section 881(a)(6). Plaintiff has served notice of this
26 action on all persons who may have an interest in the property. Todd Dunphy, represented by
27 David Michael, has filed a verified claim and an answer. To date, no other claims have been filed
28 in this action.

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2. Facts

The parties have entered into a settlement agreement, that they believe will be memorialized before the case management conference scheduled for December 29, 2010.

3. Principal Factual and Legal Issues

There are currently no factual and legal issues in dispute.

4. Anticipated Motions

None at this time.

5. Amendment of Pleadings

None at this time.

6. Disclosures

This is an in rem forfeiture case and is exempt from initial disclosures pursuant to Federal Rule of Civil Procedure 26 (a)(1)(B)(ii).

7. Discovery

The parties have not engaged in discovery at this time, other than the government's initial Special Interrogatories. The parties do not contemplate further discovery

8. Class Action

This is not a class action.

9. Related Case

The parties are aware of a related criminal prosecution and a civil forfeiture action currently pending in the District of Hawaii

10. Relief/Damages

Plaintiff seeks a judgment of forfeiture of the defendant currency. This is not a damages case. Claimants seek the return of the defendant currency.

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11. Settlement

The parties have entered into a settlement agreement, that they believe will be memorialized before the case management conference scheduled for December 29, 2010.

Dated: December 22, 2010

/S/
DAVID M. MICHAEL
Attorney for Claimant
TODD DONALD DUNPHY

Dated: December 22, 2010

/S/
DAVID B. COUNTRYMAN
Assistant United States Attorney

Due to the Court's unavailability, the case management conference is hereby continued to January 12, 2011 at 10:30 a.m.

December 22, 2010

