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7 Attorneys for Plaintiff

8
 9 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 10 **SAN FRANCISCO DIVISION**

11 UNITED STATES OF AMERICA)	No. C 08-3080 JSW
12 Plaintiff,)	STIPULATION TO CONTINUE CASE
13 v.)	MANAGEMENT CONFERENCE
14 1. REAL PROPERTY AND)	and
15 IMPROVEMENTS LOCATED AT 15000)	(Proposed) ORDER
16 BRICELAND THORN ROAD,)	CMC Date: October 29, 2010
17 WHITETHORN, CALIFORNIA, et.al.,)	Time: 1:30 p.m.
18 Defendants.)	Courtroom 11, 19 th Floor
19 Fowler Family Trust, Robert Butler,)	
20 Claimants.)	
21)	

22
 23 Plaintiff, United States of America and claimants, Fowler Family Trust and Robert
 24 Butler, by and through their respective attorneys, respectfully submit this request to continue the
 25 Case Management Conference.

26 This matter is currently set for a Case Management Conference on October 29, 2010. The
 27 parties stipulate and request a continuance for the reason set forth below.
 28

1 The claimants to the remaining property in this action, 441 Par Avenue and 488 Eel
2 River, (the Fowler Family Trust and Robert Butler) are still involved in settlement discussions
3 with the United States. These discussions have been hampered by the outstanding criminal
4 charges pending against individuals who were, with Mr. Butler and Ms. Fowler, alleged co-
5 owners of an alleged large rural marijuana grow site, and the ongoing criminal investigation.
6 The next appearance in the criminal cases pending before Judge Breyer is November 10, 2010.
7 Although, neither of the claimants in this action have been charged yet, the United States and the
8 remaining claimants agree that a final settlement in this case would be unlikely before the
9 criminal cases are concluded. Absent a continuance, the claimants will seek a stay of the civil
10 action so that they will not be forced to chose between complying with discovery in this case and
11 exercising his privilege against self-incrimination in a criminal investigation

12 The parties respectfully request that the case management conference set for October 29,
13 2010, be continued to allow for continued settlement discussions and the conclusion of the
14 criminal cases. The parties have conferred regarding their respective schedules and suggest
15 March 18, 2011, at 1:30 as an alternative date.

16
17 DATED: October 21, 2010

18 _____
19 /s/
20 SUSAN B. GRAY
21 Assistant United States Attorney

22
23 DATED: October 21, 2010

24 _____
25 /s/
26 EUGENE DENSON
27 Attorney for Claimants Fowler Family Trust,
28 and Syd and Barbara Green

DATED: October 21, 2010

/s/
MARK EIBERT
Attorney for Claimant Robert Butler

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA)
12)
13 Plaintiff,)
14 v.)
15 1. REAL PROPERTY AND)
16 IMPROVEMENTS LOCATED AT 15000)
BRICELAND THORN ROAD,)
17 WHITETHORN, CALIFORNIA, et.al.,)
18 Defendants.)
19 _____)
20 Fowler Family Trust, Robert Butler,)
21 Claimants.)
_____)

No. C 08-3080 JSW
(Proposed) ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE

22 GOOD CAUSE APPEARING, the Case Management Conference scheduled for October
23 29, 2010, is continued to March 18, 2011, at 1:30 p.m.

24
25 IT IS SO ORDERED.

26 Dated: October 22, 2010


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE