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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, )  
 14 )  
 15 ) Plaintiff, )  
 16 ) v. )  
 17 ) APPROXIMATELY \$144,001 IN UNITED )  
 STATES CURRENCY, )  
 18 ) Defendant. )  
 19 )  
 20 ) JAMES ANTHONY POMPEY, )  
 Claimant. )

No. 09-CV-4182 JSW

STIPULATION AND ORDER  
RE: SCHEDULING

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1 The United States and claimant agree, subject to the Court's approval, that the United States  
2 can have to and including October 28, 2011 to file its opposition to claimant's "Motion to Release  
3 Funds for Legal Fees." Unless time is extended, the opposition of the United States is currently due  
4 on or before October 21, 2011. Counsel for claimant has requested that he be given to and including  
5 November 2, 2011 to reply. The United States has no objection. Because the scheduled a hearing  
6 on claimant's motion is December 2, 2011, the extensions requested will not affect the hearing date  
7 or shorten the Court's time for consideration of the motion and opposition.

8 The reason for the extensions are that, although the United States has two weeks from the  
9 filing of a motion to file an opposition, claimant's motion was filed late on Friday, October 7, and,  
10 as a result, the undersigned Assistant United States Attorney did not receive it until after the federal  
11 holiday on Tuesday, October 11. Due to the press of other court business, the undersigned needs  
12 additional time to respond.

13 IT IS SO STIPULATED:

14 Dated: October 18, 2011

MELINDA HAAG  
United States Attorney  
*Patricia J. Kenney*  
PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorney for the United States

18 Dated: October 18, 2011

BAY AREA CRIMINAL LAWYERS, PC  
*David J. Cohen*  
DAVID J. COHEN  
Attorney for James Anthony Pompey

22 IT IS SO ORDERED ON THIS 19th DAY OF OCTOBER, 2011, PURSUANT TO THE  
23 FOREGOING STIPULATION, THAT THE OPPOSITION OF THE UNITED STATES TO  
24 CLAIMANT'S MOTION IS DUE TO BE FILED ON OR BEFORE OCTOBER 28, 2011, AND  
25 THAT CLAIMANT'S REPLY IS DUE TO BE FILED ON OR BEFORE NOVEMBER 2, 2011.

26 **If the Court finds the matter suitable**  
27 **for disposition without oral argument, it**  
28 **shall notify the parties in advance of the**  
**hearing date.**

*Jeffrey S. White*  
HONORABLE JEFFREY S. WHITE  
United States District Judge