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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 REAL PROPERTY LOCATED AT 6
17 SCHOOL STREET, FAIRFAX,
18 CALIFORNIA,

19 Defendant.

) No. CV 11-05596 EMC

) **STIPULATION REQUEST TO A MODIFIED**
) **DISMISSAL PURSUANT TO RULE**
) **41(a)(1)(A)(ii)**

20 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and by the signatures of their
21 counsel hereunder, plaintiff United States of America and claimant, FARSHID (FRED) EZAZI,
22 ("Claimant") hereby submits this stipulation to request a modification to the dismissal of the
23 government's Verified Complaint for Forfeiture with prejudice. The parties previously entered into a
24 stipulated agreement to dismiss the instant action on February 22, 2012. The parties now seek to modify
25 that agreement based on the following terms:


- 26 1. Claimant will and hereby does release the United States of America, its agencies, agents, and
27 officers, including employees and agents of the Drug Enforcement Administration ("DEA"), from any
28 and all claims, actions or liabilities arising out of or related to this civil forfeiture action, including,

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1 without limitation, any claim for attorney's fees, cost or interest which may be asserted on behalf of
 2 Claimant against the United States, whether pursuant to 28 U.S.C. § 2465 or otherwise.
 3 2. Claimant further agrees to waive appellate rights if any, related to this civil action.
 4 3. The Government dismisses this action with prejudice and without conditions other than those
 5 listed above.

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7 Dated: March 9, 2017

BRIAN J. STRETCH
United States Attorney

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 ARVON J. PERFETT, AUSA
 Attorney for Plaintiff,
 United States of America

12 Dated: March 9, 2017

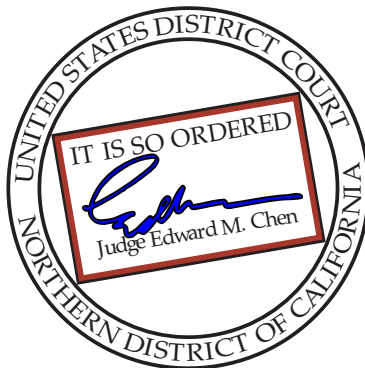
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 LAWRENCE BRAGMAN
 Attorney for Claimant
 FARSHID (FRED) EZAZI

15 Dated: March 9, 2017

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 FARSHID (FRED) EZAZI
 Attorney for Claimant BPG

18 IT IS SO ORDERED. The MOTION for Relief from and
 19 Modification of Judgment of Dismissal is hereby
 20 terminated and the hearing is vacated.



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