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United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)
3 Acting Chief, Criminal Division

4 SUSAN B. GRAY (CSBN 100374)
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6 San Francisco, CA 94102
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9 Email: Susan.B.Gray@usdoj.gov

Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 APPROXIMATELY \$73,562 IN UNITED)
18 STATES CURRENCY,)
19 Defendant.)

No. 08-2458 SBA

**United States Exparte Request to
Continue United States Motion for
Default**

20 The United States, hereby requests that the Motion for Default Judgement, currently set
21 for October 6, 2009, be continued for 30 days or the next available date convenient for the Court.

22 The United States makes this request exparte and on an expedited basis because of
23 counsel's travel schedule to Vietnam, which necessitates counsel's absence from the district for
24 the week during which the United States reply brief is due (September 21-25) and the likelihood
25 that counsel will also be out of the office on October 6, 2009, the date currently scheduled for the
26 hearing.

27 The Assistant United States Attorney assigned this case is scheduled to leave September
28 18, 2009, for Ho Chi Minh City, Vietnam where she will be an instructor for a Department of

1 Justice sponsored seminar. She will be out of the country for the entire week of September 21-
2 25, 2009. In addition, she may have to be out of the office the week of October 5-9, 2009, to
3 deal with her elderly parents' health issues. Since the claimant's opposition to the Motion for
4 Default Judgement alleges the Court and counsel for the government conspired to deprive her of
5 her constitutional rights, (*see*, Claimants Opposition, p.3, lines 18-23) the United States believes
6 the Assistant United States Attorney assigned to the case should file the reply brief and be
7 present for the hearing.

8 The United States, therefore, respectfully requests that the hearing on the Motion for
9 Default Judgement currently scheduled for October 6, at 1:00 p.m. be continued for 30 days or
10 such time as is convenient for the Court.

11 Respectfully submitted,

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14 Dated: September 15, 2009

15 /s/ Susan B. Gray
16 SUSAN B. GRAY
17 Assistant United States Attorney

18
19 GOOD CAUSE APPEARING, the Motion for Default Judgement currently scheduled for
20 October 6, 2009, at 1:00 p.m. is continued to December 15, 2009, at 1:00 p.m. in courtroom 1, 4th
21 floor.

22 IT IS SO ORDERED.
23 9/16/09

24 Saundra B. Armstrong
25 SAUNDRA B. ARMSTRONG
26 United States District Judge
27
28

1 UNITED STATES DISTRICT COURT

2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4
5
6 USA,
7 Plaintiff,
8 v.

Case Number: CV08-02458 SBA

CERTIFICATE OF SERVICE

9 \$73,562 U.S. CURRENCY et al,
10 Defendant.

11
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

13 That on September 17, 2009, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

17 Eugene Brisco
18 2243 Stern Place
19 Stockton, CA 95206

20 Raashida J. Moore-Brisco
21 1946 Country Club #19
22 Stockton, CA 95204

23 Dated: September 17, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk

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24 *Saundra B. Armstrong*
25 SAUNDRA B. ARMSTRONG
26 United States District Judge
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2 FOR THE
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