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

13 UNITED STATES OF AMERICA,)
 14)
 15 Plaintiff,)
 16)
 17 v.)
 18)
 19 2008 TOYOTA TUNDRA, CALIFORNIA)
 LICENSE NO. 8S22586 (VIN)
 5TFDV58128X070714); RUGER .45)
 18 CALIBER SEMI-AUTOMATIC)
 HANDGUN (SERIAL NO. 664-66556);)
 19 AND ALL .45 CALIBER AMMUNITION,)
 20)
 21 Defendant.)
 22)
 23 YESENIA RODRIGUEZ,)
 Claimant.)
 24)
 25)
 26)
 27)
 28)

No. 11-CV-4009 CW

JOINT CASE MANAGEMENT
 STATEMENT; REQUEST TO
 TAKE THE CASE MANAGEMENT
 CONFERENCE OFF CALENDAR;
 AND PROPOSED ORDER

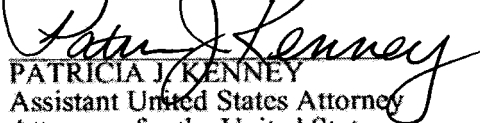
1 Pursuant to the parties' stipulation, the Court stayed the instant case by order entered
2 November 22, 2012. See Order Staying the Instant Action, entered November 22, 2011; Stipulation
3 to Stay the Instant Action Pending Resolution of the State Criminal Case, filed November 18, 2011.
4 The reason for the stay was that claimant is a defendant in a related state court case. *People of the*
5 *State of California v. Jose Miguel Flores-Garcia, Yesenia Pena-Rodriguez, et al.*, Court No. SCR-
6 509334, DA No. DAR-633852, filed March 16, 2011 (Superior Court, Sonoma County). Based on
7 subsequent reports filed with the Court, this case is still stayed because the state criminal case is
8 ongoing.

9 The parties are informed by the DEA agent assisting the state deputy district attorney and
10 defense counsel that the preliminary hearing for defendant Pena-Rodriguez in the state case is now
11 scheduled for September 13, 2012. For the reasons previously stated, the parties agree that the stay
12 entered by the Court is appropriate and should be continued in effect pursuant to 18 U.S.C.
13 §981(g)(1) and (2).

14 IT IS SO STIPULATED:

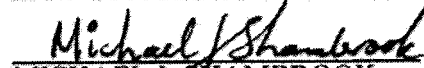
15 Dated: August 20, 2012

MELINDA HAAG
United States Attorney


PATRICIA J. KENNEY
Assistant United States Attorney
Attorneys for the United States

18
19 Dated: August 20, 2012

LAW OFFICES OF MICHAEL J. SHAMBROOK


MICHAEL J. SHAMBROOK
Attorney for Claimant Yesenia Rodriguez

22 IT IS SO ORDERED ON THIS 24th DAY OF AUGUST, 2012, THAT THE CASE
23 MANAGEMENT CONFERENCE SCHEDULED FOR AUGUST 29, 2012, BE, AND HEREBY
24 IS, TAKEN OFF CALENDAR. A FURTHER CASE MANAGEMENT CONFERENCE IS
25 SCHEDULED FOR OCTOBER 24, 2012.


HONORABLE CLAUDIA WILKEN
United States District Judge