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

13 UNITED STATES OF AMERICA,)
 14 Plaintiff,)
 15 v.)
 16 \$30,064.94 IN FUNDS SEIZED FROM)
 17 ACCT # XXXXX08318; \$8,298.00 IN)
 18 FUNDS SEIZED FROM ACCT #)
 XXXXX21933; \$854.53 IN FUNDS)
 19 SEIZED FROM ACCT # XXXXX60403,)
 ALL FROM BANK OF AMERICA,)
 20 Defendant.)
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No. CV 12-3839 DMR
**STATUS REPORT AND STIPULATION
 AND ~~PROPOSED~~ ORDER FOR
 FURTHER STAY OF PROCEEDINGS
 PURSUANT TO 18 U.S.C. §§ 981(g)(1)
 AND (2)**

22 IT IS HEREBY STIPULATED by and between Plaintiff UNITED STATES OF AMERICA
 23 and Claimant COAST EXPORTS, INC., through their respective counsel, that this matter be
 24 stayed pursuant to 18 U.S.C. § 981(g).

25 2. There exists a related federal criminal investigation regarding the principals of the
 26 claimant, COAST EXPORTS, INC. Many of the issues and the targets in that investigation are
 27 related to this forfeiture proceeding.

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STIPULATION AND ~~PROPOSED~~ ORDER FOR FURTHER STAY OF
 PROCEEDINGS PURSUANT TO 18 U.S.C. § 981(g)
 [No. CV 12-3839 DMR]

1 3. If this case were to proceed, target’s Fifth Amendment rights against self-incrimination
2 will be burdened in the related criminal case.

3 4. The provision of 18 U.S.C. § 981(g)(1), provides that “Upon the motion of the United
4 States, the court shall stay the civil forfeiture proceeding if the court determines that civil
5 discovery will adversely affect the ability of the Government to conduct a related criminal
6 investigation. Here, the parties have agreed that both the Government and the Claimant’s
7 principal officers would be adversely affected if the civil case were to proceed. The
8 Government’s criminal investigation would be adversely affected by allowing the claimant to
9 take discovery in this matter and allow them to question the Government’s witnesses about the
10 ongoing criminal investigation and the Government may be forced to disclose matters prior to the
11 time it would normally have to do so within the confines of a criminal case.

12 5. The provisions of 18 U.S.C. § 981(g)(2), related to stays of civil forfeiture proceedings,
13 provide that “[u]pon the motion of a claimant, the court shall stay the civil forfeiture proceeding
14 with respect to that claimant if the court determines that (A) the claimant’s principal officer is the
15 subject of a related criminal investigation or case; (B) the claimant’s principal officers on behalf
16 of COAST EXPORTS, Inc., appear to have standing to assert a claim in the civil forfeiture
17 proceeding; and (C) continuation of the forfeiture proceeding will burden the right of the
18 claimant’s officers against self-incrimination in the related criminal investigation or case.

19 6. Pursuant to the above representations, and the provisions of 18 U.S.C. §§ 981(g)(1) and
20 (2), the parties hereby stipulate and agree to stay this civil forfeiture proceeding until the
21 completion of the criminal investigation, or until such earlier time as either party, or this Court,
22 may request that the matter be heard.

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