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8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
)
 14 Plaintiff,)
)
 15 v.)
)
 16 2008 INFINITI G37, VIN: JNKCV64E98M103041;)
 17 2008 INFINITI QX56, VIN: 5N3AA08D68N905742;)
 18 APPROXIMATELY \$40,388.19 IN UNITED)
 STATES CURRENCY;)
 19 APPROXIMATELY \$10,127.33 SEIZED FROM)
 20 MONEY MARKET ACCOUNT #*****6402;)
 21 APPROXIMATELY \$1,043.35 SEIZED FROM)
 CHECKING ACCOUNT #*****6401;)
 22 APPROXIMATELY \$160,291.04 FUNDS SEIZED)
 23 FROM DIAMOND TRUST ACCOUNT; and)
 24 APPROXIMATELY \$1,487.32 SEIZED FROM)
 BANK OF AMERICA ACCOUNT,)
 25)
 26 Defendants.)

CV 09-1728 RMW

STIPULATION AND ~~XXXXXXXX~~
 ORDER TO DISMISS ACTION

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1 **STIPULATION**

2 Pursuant to Rule 41(a)(1) of Federal Rules of Civil Procedure, the parties hereby submit this
3 stipulation to dismiss the above-captioned action. The parties contend that dismissal of this action is
4 appropriate because the property subject to forfeiture in this civil action are now subject to forfeiture in a
5 related criminal action captioned *United States v. Melissa Perkins*, CR 10-0620 WHA, currently pending
6 in United States District Court in San Francisco. The parties request that this matter be dismissed without
7 prejudice and that each party bear their own costs for this action.

8 IT IS SO STIPULATED:

9 MELINDA HAAG
10 United States Attorney

11 Dated: 9/3/10

12 STEPHANIE M. HINDS
13 Assistant United States Attorney

14 Dated: 9/21/10

15 *Randy Sue Pollock*
16 MICHAEL STEPANIAN
17 RANDY SUE POLLOCK
18 Attorneys for Claimant Melissa Perkins

19 |XXXXXXXX ORDER RE DISMISSAL

20 Upon the above stipulation of the parties, and good cause appearing, the Court hereby dismisses
21 the above-captioned action without prejudice. The Court further orders that each party bears its own
22 costs in this action.

23 IT IS SO ORDERED.

24 Dated: 9/15/10

25 *Ronald M. Whyte*
26 RONALD M. WHYTE
27 UNITED STATES DISTRICT JUDGE

28 STIPULATION AND |XXXXXXXX
ORDER TO DISMISS ACTION
CV 09-1728 RMW