UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

Civil No. 10-14930

Honorable: Robert H. Cleland

Magistrate Judge: Mona Majzoub

UNITED STATES OF AMERICA,

Plaintiff.

(VALUED AT \$67,595),

v.

ONE 2005 CHEVROLET CORVETTE, VIN: 1G1YY34U655124061; FIFTY THOUSAND SEVEN HUNDRED FIFTY FOUR DOLLARS AND THIRTY SIX CENTS (\$50,754.36) IN U.S. CURRENCY FROM PUTNAM INVESTMENTS, OHIO TRUST TUITION AUTHORITY EDUCATION FUND ACCOUNT NOS. 3352-550567755 AND 3355-550567755; AND ASSORTED JEWELRY

Defendants in rem,

STIPULATION FOR ENTRY OF ORDER STAYING

STIPULATION FOR ENTRY OF ORDER STAYING <u>CIVIL FORFEITURE PROCEEDING</u>

WHEREAS, Plaintiff, the United States of America, and Claimants, Angela Jones-Payne and Lewis Payne each, by and through their undersigned attorney, hereby acknowledge that there is an ongoing criminal investigation involving Angela Jones-Payne and Lewis Payne that is related to this civil forfeiture case, therefore:

IT IS HEREBY STIPULATED AND AGREED that this civil forfeiture case be stayed pursuant to 18 U.S.C. §981(g)(1), or alternatively, 18 U.S.C. §981(g)(2), on the grounds that continuation of the civil proceeding may negatively impact one or more party in the manner described in the cited statutes; and that the stay continue during the pendency of the investigation and related criminal proceedings, if any, or until further order of the Court as provided in the accompanying Order without prejudice to any party to seek an advance termination or an

extension of the stay.

IT IS FURTHER STIPULATED AND AGREED that upon termination of the stay, the parties shall be afforded a reasonable time to file answers, conclude discovery, file dispositive motions, and file all witness lists prior to any pretrial or trial proceedings. No claims or defenses are waived as a result of the stay.

IT IS FURTHER STIPULATED AND AGREED that upon termination of the stay, the Court will set a scheduling conference.

Respectfully submitted,

BARBARA L. McQUADE United States Attorney

S/TERRENCE J.L. THOMPSON

Assistant United States Attorney 211 W. Fort Street, Suite 2001 Detroit, Michigan 48226 (313) 226-9694 terrence.thompson@usdoj.gov (P72445)

Dated: January 7, 2011

S/GERALD K. EVELYN (with consent)

Attorney for Lewis Payne 535 Griswold, Suite 1030 Detroit, MI 48226 (313) 962-3500 geraldevelyn@yahoo.com (P29182)

Dated: January 7, 2011

S/JUAN A. MATEO (with consent)
Attorney for Angela Jones-Payne
535 Griswold, Suite 1030
Detroit, MI 48226
(313) 962-3500
mateoja@aol.com
(P33156)

Dated: January 7, 2011

IT IS SO ORDERED:

S/Robert H. Cleland ROBERT H. CLELAND UNITED STATES DISTRICT JUDGE

Dated: January 18, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 18, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner

Case Manager and Deputy Clerk (313) 234-5522