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10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,)
)
 13 Plaintiff,)
)
 14 v.) 2:11-CV-647-ECR (GWF)
)
 15 \$43,473.41 IN UNITED STATES CURRENCY,)
)
 16 Defendant.)

17 **UNITED STATES OF AMERICA’S UNOPPOSED MOTION TO STRIKE PART OF THE**
NOTICE OF ELECTRONIC FILING IN DOCKET #10, REQUIRING DISCOVERY
 18 **PLAN/SCHEDULING ORDER BY 7/17/201 AND VACATING THE DISCOVERY**
PLAN/SCHEDULING ORDER DEADLINE OF AUGUST 1, 2011

19 The United States of America (“United States”), by and through Daniel G. Bogden, United
 20 States Attorney for the District of Nevada, and Daniel D. Hollingsworth, Assistant United States
 21 Attorney, respectfully moves this Honorable Court for an Order striking part of the Notice of
 22 Electronic Filing in Docket #10, requiring “Discovery Plan/Scheduling Order due by 7/17/201” and
 23 vacating the extended Discovery Plan/Scheduling Order deadline of August 1, 2011. #14.

24 The basis is as follows. Fed. R. Civ. P. 16(b) authorizes exemption of Discovery
 25 Plan/Scheduling Order under local rules. A civil forfeiture in rem action is exempt from a Discovery
 26 Plan/Scheduling Order under LR 16-1.

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The United States will soon file notice of service of process on all potential claimants. As soon as the time has expired for potential claimants to file a claim, this civil in rem action will be completed quickly thereafter.


J. Thomas Susich, Senior Legal Counsel for the State of Nevada DETR, was contacted on July 21, 2011 and does not object to this motion and agrees.

DATED this 21st day of July, 2011.

DANIEL G. BOGDEN
United States Attorney

/s/DanielDHollingsworth
DANIEL D. HOLLINGSWORTH
Assistant United States Attorney

IT IS SO ORDERED:


GEORGE FOLEY, JR.
United States Magistrate Judge
DATED: July 26, 2011

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PROOF OF SERVICE

I, Heidi L. Skillin, certify that the following individuals were served with copies of **UNITED STATES OF AMERICA’S UNOPPOSED MOTION TO STRIKE PART OF THE NOTICE OF ELECTRONIC FILING IN DOCKET #10, REQUIRING DISCOVERY PLAN/SCHEDULING ORDER BY 7/17/201 AND VACATING THE DISCOVERY PLAN/SCHEDULING ORDER DEADLINE OF AUGUST 1, 2011** on July 21, 2011, by the below identified method of service:

CM/ECF:

J. Thomas Susich, Esq.
State of Nevada Department of Employment, Training
& Rehabilitation Employment Security Division
1675 East Prater Way, Suite 103
Sparks, NV 89434
tsusich@nvdetr.org
Counsel for State of Nevada DETR

/s/HeidiLSkillin
HEIDI L. SKILLIN
Forfeiture Support Associates Clerk