

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA;

11 Plaintiff;

v.

12 THE REAL PROPERTY COMMONLY
13 KNOWN AS 101 WEST HERMOSA DRIVE,
14 SAN GABRIEL, CALIFORNIA 91775, LOS
15 ANGELES COUNTY, PARCEL NO.
16 536021022, TITLED IN THE NAME OF DEK
17 GROUP, LLC;

18 ALL FUNDS CONTAINED IN WELLS
19 FARGO BANK ACCOUNT NUMBER
20 XXXXXX4582, HELD IN THE NAME OF
21 BRIAN K. BURNETT;

22 AND

23 ALL FUNDS CONTAINED IN BANK OF
24 AMERICA ACCOUNT NUMBER
25 XXXXXXXX9392, HELD IN THE NAME OF
26 DEK GROUP, LLC;

Defendants.

CASE NO. C17-1138-JCC

ORDER

This matter comes before the Court on the Government's status report (Dkt. No. 24). The Court previously stayed all proceedings in this civil forfeiture case because the Government was

ORDER
C17-1178-JCC
PAGE - 1

1 prosecuting a related criminal case before the Court. *See United States v. Shelburne, et al.*, Case
2 No. CR17-0203-JCC, Dkt. No. 1 (W.D. Wash. 2017). The Court concluded that the civil and
3 criminal cases were sufficiently related and that civil discovery would adversely affect the
4 Government's ability to investigate and prosecute the criminal case. (Dkt. No. 15 at 3) (citing 18
5 U.S.C. § 981(g)(1)). The Court has granted four extensions of the stay. (Dkt. Nos. 18, 20, 22,
6 24.)

7 In its status report, the Government notes that the criminal case is ongoing. (Dkt. No. 25
8 at 3.) The Government is continuing to prosecute a defendant who may claim ownership of the
9 properties at issue in this civil forfeiture action. (*Id.*); *see also* *Shelburne*, CR17-0203-JCC, Dkt.
10 No. 268. Therefore, the Government asks the Court to continue the current stay. (Dkt. No. 25 at
11 3.)

12 The Court concludes that it is appropriate to continue its stay of proceedings. The
13 Government continues to investigate and prosecute the related criminal case. The Government
14 seeks forfeiture of some of the same assets named in this civil forfeiture action. *Shelburne*,
15 CR17-0203-JCC, Dkt. No. 48 at 15–17; (Dkt. No. 1 at 55–59.) The Court finds that allowing
16 civil discovery in this case would adversely affect the Government's ongoing investigation and
17 prosecution in the criminal case. 18 U.S.C. § 981(g)(1).

18 All proceedings in this matter remain STAYED until the related criminal case, *Shelburne*,
19 CR17-0203-JCC, is resolved, either through a verdict or guilty plea. The United States shall file
20 a status report no later than November 9, 2020.

21 DATED this 7th day of July 2020.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE