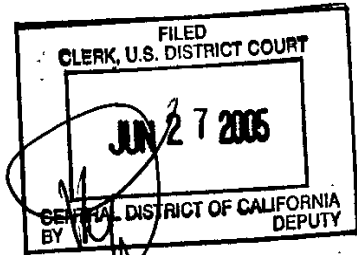


1 DEBRA WONG YANG
 United States Attorney
 2 THOMAS P. O'BRIEN
 Assistant United States Attorney
 3 Chief, Criminal Division
 STEVEN R. WELK
 4 Assistant United States Attorney
 Chief, Asset Forfeiture Section
 5 ANN LUOTTO WOLF
 Assistant United States Attorney
 6 Asset Forfeiture Section
 California State Bar No. 137163
 7 United States Courthouse
 411 West Fourth Street, Suite 8000
 8 Santa Ana, California 92701
 Telephone: (714) 338-3533
 9 Facsimile: (714) 338-3708
 Email: Ann.Wolf@usdoj.gov

Priority
 Send
 Enter
 Closed
 JS-5/JS-6
 JS-2/JS-3
 Scan Only



10 Attorneys for Plaintiff
 11 United States of America

12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 SOUTHERN DIVISION

15 J. DODGED

15 2005 JUN 24 PM 3:11
 U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIF.
 SANTA ANA

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 \$99,402.00 IN U.S. CURRENCY,
 20 et al.,

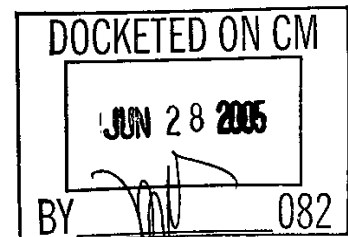
21 Defendants.

22 ALEX PALACIO, OMAR DHANANI aka
 23 OMAR PATRYN, and NAZMIN
 DHANANI,

24 Claimants.

) NO. SACV 05-374 JVS (RNBx)

) STIPULATION AND REQUEST TO
) STAY ACTION PENDING CONCLUSION
) OF RELATED CRIMINAL CASE;
) ~~PROPOSED~~ ORDER THEREON



26 Plaintiff United States of America ("plaintiff" or the
 27 "government") commenced this civil forfeiture action on April 22,
 28 2005. Plaintiff alleges that the defendant properties constitute

14

1 or were derived from proceeds of identification and access device
2 fraud and were also involved in money laundering transactions and
3 are, therefore, subject to forfeiture under 18 U.S.C.

4 § 981(a)(1)(A) and (C).

5 Claimant Alex Palacio filed a Statement of Interest in the
6 defendant properties on May 23, 2005. On June 17, 2005,
7 claimants Omar Dhanani aka Omar Patryn and Nazmin Dhanani filed
8 Statements of Interest in the defendant properties and Answers to
9 the Complaint for Forfeiture.

10 On October 28, 2004, claimants Palacio and Omar Dhanani were
11 indicted in the District of New Jersey at Newark on charges of
12 identification fraud, the same criminal conduct upon which the
13 government's civil forfeiture action is based (the "related
14 criminal case"). [See United States of America v. Mantovani, et
15 al., CR 04-786-WJM.] Claimant Palacio was arrested in this
16 district on October 27, 2004. His time to report to the District
17 of New Jersey has been extended by stipulation and order to July
18 8, 2005, while the parties consider possible Criminal Procedure
19 Rule 20 disposition.

20 18 U.S.C. § 981(g)(2) provides:

21 Upon the motion of a claimant, the court shall stay the
22 civil forfeiture proceeding with respect to that
23 claimant if the court determines that-

24 (A) the claimant is the subject of a related
25 criminal investigation or case;

26 (b) the claimant has standing to assert a claim in
27 the civil forfeiture proceeding; and

28 / / /

1 (c) continuation of the forfeiture proceeding will
2 burden the right of the claimant against self-
3 incrimination in the related investigation or case.

4 Claimants believe that continuation of this civil forfeiture
5 proceeding will burden their right against self-incrimination in
6 the related criminal case.

7 Accordingly, plaintiff and claimants hereby request that the
8 Court stay this case until December 30, 2005. At that time, the
9 parties will inform the Court of the status of the related
10 criminal case. If the related criminal case is completed before
11 that date, the parties will, within two weeks of the conclusion,
12 lodge a stipulation to vacate the stay.

13 SO STIPULATED.

14 DATED: June 24, 2005

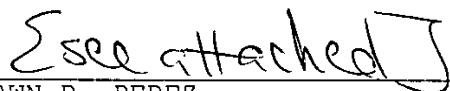
DEBRA WONG YANG
United States Attorney
THOMAS P. O'BRIEN
Assistant United States Attorney
Chief, Criminal Division
STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

19 
ANN LUOTTO WOLFE
Assistant United States Attorney

Attorneys for Plaintiff
United States of America

24 DATED: June __, 2005

LAW OFFICE OF SHAWN R. PEREZ

26 
SHAWN R. PEREZ

Attorney for Claimant
Alex Palacio

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(c) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

Claimants believe that continuation of this civil forfeiture proceeding will burden their right against self-incrimination in the related criminal case.

Accordingly, plaintiff and claimants hereby request that the Court stay this case until December 30, 2005. At that time, the parties will inform the Court of the status of the related criminal case. If the related criminal case is completed before that date, the parties will, within two weeks of the conclusion, lodge a stipulation to vacate the stay.

SO STIPULATED.

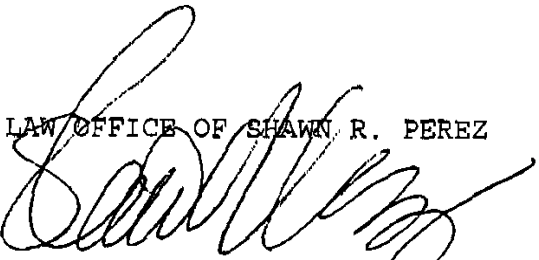
DATED: June __, 2005

DEBRA WONG YANG
United States Attorney
THOMAS P. O'BRIEN
Assistant United States Attorney
Chief, Criminal Division
STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

ANN LUOTTO WOLF
Assistant United States Attorney

Attorneys for Plaintiff
United States of America

DATED: June ²⁰_, 2005

LAW OFFICE OF SHAWN R. PEREZ

SHAWN R. PEREZ
Attorney for Claimant
Alex Palacio

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: June 10, 2005

LAW OFFICES OF KENNETH L. SCHREIBER


KENNETH L. SCHREIBER


Attorney for Claimants
Omar Dhanani aka Omar Patryn and
Nazmin Dhanani

ORDER

Pursuant to the stipulation of the parties and for good cause appearing, the request to stay this action until December 30, 2005, is GRANTED. At that time, the parties will file a joint report informing the Court of the status of the related criminal case. If the related criminal case is completed before December 30, 2005, the parties will, within two weeks of the conclusion, lodge a stipulation to vacate the stay.

IT IS SO ORDERED.

DATED: 6.24, 2005


THE HONORABLE JAMES V. SELNA
UNITED STATES DISTRICT JUDGE

The case is removed from the active list. JVS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: June __, 2005

LAW OFFICES OF KENNETH L. SCHREIBER

[see attached]

KENNETH L. SCHREIBER

Attorney for Claimants
Omar Dhanani aka Omar Patryn and
Nazmin Dhanani

O R D E R

Pursuant to the stipulation of the parties and for good cause appearing, the request to stay this action until December 30, 2005, is GRANTED. At that time, the parties will file a joint report informing the Court of the status of the related criminal case. If the related criminal case is completed before December 30, 2005, the parties will, within two weeks of the conclusion, lodge a stipulation to vacate the stay.

IT IS SO ORDERED.

DATED: _____, 2005

THE HONORABLE JAMES V. SELNA
UNITED STATES DISTRICT JUDGE