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IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JOHN THAT LUONG, et al. Defendants.	2:96-CR-00350-WBS STIPULATION AND ORDER REGARDING DEPOSIT OF ASSET AND DISCHARGE OF BOND

Plaintiff United States of America, Stewart Title Company and defendants Ping Sherry Chan, Lisa Le Chan and Paul Minh Chan, and their counsel of record, hereby agree and stipulate as follows:

WHEREAS,

1. The defendants are named in a superseding indictment returned July 16, 1998.

2. The superseding indictment includes a forfeiture allegation against real property located at 110 Burwood Way, Folsom, California, APN: 072-1130-056. Defendants Ping Sherry Chan, Lisa Le Chan and Paul Minh Chan (hereinafter "the defendants") were the recorded owners at the time the indictment was returned on or about August 2, 1996. The government recorded a lis pendens against the real property on September 24, 1996.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

3. On or about September 26, 1996, the defendants sold the above-listed real property to Bruce and Carol Azzarito. In December of 1997, the Azzaritos sold the real property to new buyers and escrow was due to close until Stewart Title Guaranty Company was informed that the lis pendens recorded by the government was holding up the close of escrow.

4. On or about December 10, 1997, the government and Stewart Title Guaranty Company reached an agreement whereby Stewart Title Guaranty Company would deposit a bond in the amount of $84,421.63 in lieu of the above-referenced real property and the government would release its lis pendens. (See the letter agreement dated December 8, 1997 attached as Exhibit A hereto). Surety Bond number 5916395 in the amount of $84,421.63 was deposited with the government on or about December 12, 1997.

5. Stewart Title Guaranty Company would now like to pay the government the amount of $84,421.63 rather than paying the expenses of renewing the bond each year.

THEREFORE, the parties stipulate as follows:

1. Stewart Title Guaranty Company shall send a check within thirty (30) days of the entry of this order in the amount of $84,421.63 made payable to the United States Department of Treasury to the following address: U.S. Attorney's Office, Att: Forfeiture Unit, 501 I Street, Suite 10-100, Sacramento, California 95814. Said funds shall be substituted as the res herein and shall be held in a United States Department of Treasury suspense account, pending further order of the Court. Upon receipt of said check, the government will return and discharge the original bond to Stewart Title Guaranty Company.

2. The $84,421.63 shall be held by the U.S. Department of Treasury pending further order of the Court. Defendants waive any objection to

the pretrial seizure and restraint of the $84,421.63 pending trial.

3. In the event that defendants are not convicted of any offense giving rise to forfeiture, the government agrees not to oppose a motion made by Stewart Title Guaranty Company for an order authorizing the return of the $84,421.63 to them.

4. All parties agree to sign any and all documents required to effectuate this Stipulation.

IT IS SO STIPULATED.

DATED: 7/27/06

McGREGOR W. SCOTT
United States Attorney

/s/ William S. Wong
WILLIAM S. WONG
Assistant U.S. Attorney

DATED: 5-24-06

/s/ Geri M. Kaye
GERI M. KAYE
Vice President and Regional Counsel
for Stewart Title Guaranty Company

DATED: 6/19/06

/s/ Ping Sherry Chan
PING SHERRY CHAN
Defendant

DATED: 7-5-06

/s/ Randolph E. Daar
RANDOLPH E. DAAR
Attorney for Defendant
Ping Sherry Chan

DATED: 6/19/06

/s/ Lisa Chan
LISA LE CHAN
Defendant

DATED: 6/1/06

/s/ Gail R. Shifman
GAIL R. SHIFMAN
Attorney for Defendant
Lisa Le Chan

DATED: 6/19/06

/s/ Paul Minh Chan
PAUL MINH CHAN
Defendant

DATED: 6/19/06

/s/ Bruce Locke
BRUCE LOCKE
Attorney for Defendant
Paul Minh Chan

(Original signatures retained by attorney)

IT IS SO ORDERED.

DATED: July 27, 2006

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE