

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 14-294-PB</b>
	)	
<b>Six Hundred Ninety Five Dollars (\$695.00) in</b>	)	
<b>U.S. Currency, more or less, seized from Phat</b>	)	
<b>Stuff, Keene, New Hampshire; et al,</b>	)	
	)	
<b>Defendants <i>in rem</i></b>	)	
_____	)	

**ASSENTED-TO MOTION TO STAY PROCEEDINGS**

NOW COMES Katie Eliopoulos, (the “Claimant”), by and through counsel, Wilson, Bush, Durkin & Keefe, P.C., and respectfully requests that this Court stay these proceedings until the conclusion of the related criminal matter. In support thereof, the Claimant asserts the following

1. 18 U.S.C. § 981 (g)(2) provides:

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

- (A) the claimant is the subject of a related criminal investigation or case;
- (B) the claimant has standing to assert a claim in the civil forfeiture proceeding; and
- (C) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

2. The Claimant is currently the subject of a related criminal investigation which arises out of the same investigation that was the basis of the claim in this case.

3. The continuation of forfeiture proceedings during the pendency of the related

criminal investigation would burden the right of the Claimant in self-incrimination in a related investigation or case.

5. The Claimant is identified as owner of property sought to be forfeited both in the Government's Complaint and in the claim filed, therefore, there is no issue as to his standing to file a claim.

6. Robert J. Rabuck, Assistant U.S. Attorney, assents to the relief sought in this motion.

WHEREFORE, the Claimant moves that this court stay all proceedings pending the resolution of the case in the United States District Court.

Respectfully submitted,

Dated: October 8, 2014

Katie Eliopoulos

By her attorneys,  
Wilson, Bush, Durkin & Keefe, P.C.

By: /s/ Charles J. Keefe

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### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served on this date upon AUSA Robert Rabuck, Attorney for the United States as designated under the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, via ECF filing at:

Rob Rabuck, Esq.

rob.rabuck@usdoj.gov

/s/ Charles Keefe

Charles Keefe