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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY STONE,

Defendant.

STIPULATION REGARDING
FORFEITURE OF SNAKES

Case No. 2:14CR00009-CW

Judge Clark Waddoups

With respect to the forfeiture of eight boa constrictors (seven living), all seven of which are currently housed at Hogle Zoo in Salt Lake City, Utah (the "Snakes"), the United States of America, defendant Jeremy Stone, and third-party Petitioner Kara Stone agree as follows:

Background

1. On July 31, 2014, the Court entered an Order of Forfeiture regarding the Snakes. ECF No. 53.¹ This Order set forth the procedures for third parties to petition for a hearing to determine their interests, if any, in the Snakes.

¹ The order was docketed on August 1, 2014. However, the docket entry of the Court, No. 53, is in error. The docket entry states Defendant entered a plea to 16 U.S.C. § 3373(d)(2) and 16

2. On October 7, 2014, the Government of Brazil filed a petition asserting an ownership interest in the Snakes. ECF No. 59.
3. On November 11, 2014, defendant Jeremy Stone asserted an objection to Brazil's petition in which he contested the facts asserted in the petition. ECF No. 63.
4. On November 14, 2014, third-party petitioner Kara Stone filed a petition alleging an ownership interest in the Snakes. ECF No. 64. On November 20, 2014, she filed an amended petition alleging an ownership interest in the Snakes. ECF No. 67. On December 10, 2014, she filed a motion for leave to again amend her petition, and a memorandum in support, and submitted a proposed second amended petition, to assert an ownership interest in the Snakes on behalf of herself and JSR Incorporated. ECF Nos. 71, 72, and 73.
5. On November 24, 2014, the United States filed a motion to strike Mr. Stone's objection to Brazil's petition, arguing that Mr. Stone lacks standing to participate in the ancillary proceeding because it has no bearing on his rights, and that the basis for the forfeiture of the Snakes is not at issue in this ancillary proceeding.
6. On November 25, 2014, the United States filed a motion to dismiss Ms. Stone's original and amended petition. ECF No. 69. On December 18, 2014, the United States filed its opposition to Ms. Stone's motion for leave to amend her petition and her proposed, second amended petition. ECF No. 78.

U.S.C. 3372(d)(2), when he actually pleaded guilty to 16 U.S.C. § 3373(d)(2) and 16 U.S.C. § 3372(a)(1).

7. As set forth below, the United States of America, defendant Jeremy Stone, and third-party petitioner Kara Stone agree to resolve these motions without court adjudication, and seek an amended order of forfeiture that will recognize that although the Snakes were preliminarily forfeited to the United States, the Snakes will now be awarded to the Government of Brazil.

Stipulations

8. This Stipulation Regarding Forfeiture of Snakes is not an admission of guilt nor a concession by Mr. Stone or Ms. Stone regarding the merits of any allegations made in support of the ownership claims of any person or government to the Snakes. The parties stipulate that the factual allegations of the petition, ECF 59, are not admitted by any party to this stipulation.
9. Mr. Stone acknowledges that he has no standing to participate in this ancillary proceeding and that the Snakes should be forfeited pursuant to the terms of his plea agreement.
10. Ms. Stone hereby agrees to withdraw her petition (ECF No. 64), her amended petition (ECF No. 67), her motion to amend her petition to assert a claim on behalf of herself and JSR Incorporated (ECF Nos. 71 and 72), and her proposed, second amended petition on behalf of herself and JSR Incorporated (ECF No. 73), and agrees that she no longer seeks any hearing to adjudicate any alleged ownership interest she or JSR Incorporated may have in the Snakes.
11. Ms. Stone on behalf of herself, JSR Incorporated, and any other business or entity with which she may be associated, forever waives and disclaims any ownership interest that she or such entities have in the Snakes, and agrees that neither she nor such entities will

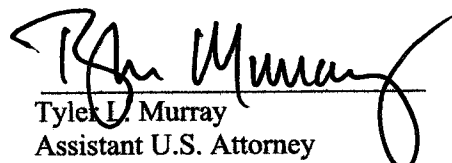
oppose forfeiture of the Snakes, or help any other person or entity do so. Further, Ms. Stone on behalf of herself, JSR Incorporated, and any other business or entity with which she may be associated, understands and agrees that by entering into this agreement, that she and these entities waive any rights to litigate further against the United States any interest in the Snakes and to petition for remission or mitigation of the forfeiture.

12. The United States, Mr. Stone, and Ms. Stone agree to submit a joint motion for an amended order of forfeiture that will recognize that although the Snakes were preliminarily forfeited to the United States, the Snakes will now be awarded to the Government of Brazil and released to the Government of Brazil as soon as reasonably practical.
13. The United States, Mr. Stone, and Ms. Stone agree to execute further documents, as necessary, to implement the terms of this Stipulation. Each party agrees to bear its own costs and attorneys' fees.
14. The parties hereby warrant and represent that the terms of this Stipulation have been completely read, fully understood, and voluntarily accepted following opportunity for review by legal counsel of their choice. The parties further warrant and represent that they are satisfied with their counsel, if any.
15. This Stipulation, and any dispute arising therefrom shall be governed by the laws of the United States. The parties agree that should any judicial action be required to enforce or interpret this Stipulation, or to resolve any dispute hereunder, the exclusive venue for such an action shall be in the United States District Court for the District of Utah.

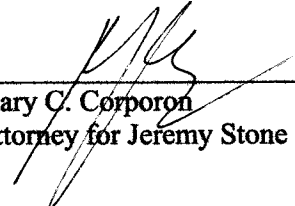
16. For purposes of construction, this Stipulation shall be deemed to have been drafted by all parties to this Stipulation and shall not, therefore, be construed against any party for that reason in any subsequent dispute.
17. This Stipulation, and Mr. Stone's plea agreement, represent the entire agreement between the parties regarding forfeiture of the Snakes, and supersedes and replaces all prior negotiations and agreements, whether written or oral, regarding forfeiture of the Snakes.
18. There shall be no modification of the Stipulation unless in writing and signed by all parties.
19. This Settlement Agreement may be executed in counterparts, each of which constitutes an original and all of which constitute one and the same Settlement Agreement.
20. Mr. Stone declares the snakes (seven of whom are living) are captive bred animals and an integrate BCI species of animal, and are not suitable for release into the wild.
21. This Settlement Agreement is effective on the date of the last signatory to the Agreement. Facsimiles of signatures shall constitute acceptable, binding signatures for purposes of this Settlement Agreement.

Dated: February 20, 2015

CARLIE CHRISTENSEN
United States Attorney

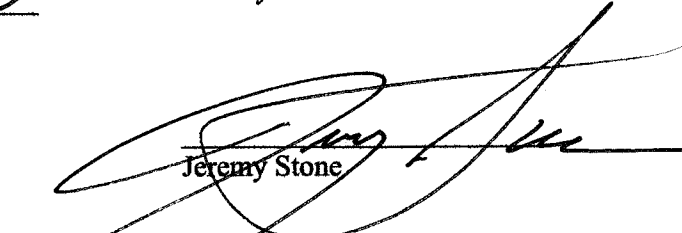

Tylee L. Murray
Assistant U.S. Attorney
Attorneys for the United States of America

Dated: 2-18-15

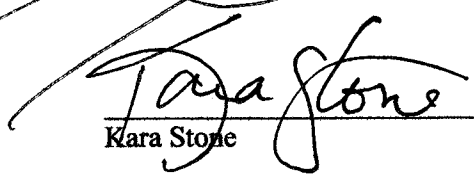


Mary C. Corporon
Attorney for Jeremy Stone and Kara Stone

Dated: 2/16/2015



Jeremy Stone



Kara Stone

Dated: 2.16.2015