

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CIVIL NO. 3:10cv 00747
EBONY WOOD IN VARIOUS FORMS)	JUDGE HAYNES
)	
Defendant.)	

MOTION TO STAY

Comes now the plaintiff, United States of America, by and through its attorneys, Jerry E. Martin, United States Attorney for the Middle District of Tennessee, and Debra Teufel Phillips, Assistant United States Attorney for said district moves for a stay of the above-styled civil forfeiture case pursuant to 18 U.S.C. § 981(g) as to Gibson Guitar Corporation, Inc. on the basis that to allow civil discovery in this case, at this time, will adversely affect the investigation and the prosecution of a related criminal investigation. Theodor Nagel GMBH & Co KG (“Nagel”) has not responded to the Motion to Strike Claims for Lack of Standing after a Hearing, and therefore his Claim and Answer should be dismissed.

This motion is based on the files and records in this case and the attached memorandum of law and fact filed in conjunction herewith and a Declaration of Lana N. Pettus which is the subject of a motion to file *ex parte* and under seal.

Respectfully submitted,
JERRY E. MARTIN
United States Attorney for the
Middle District of Tennessee

By: s/Debra Teufel Phillips
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July 2011 a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was mailed by regular U.S. Mail to:

<p>Steven Allen Riley Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p> <p>Timothy G. Harvey Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p> <p>W. Russell Taber , III Riley, Warnock & Jacobson 1906 West End Avenue Nashville, TN 37203</p>	<p>David Alexander Fardon Harwell, Howard, Hyne, Gabbert & Manner, P.C. 315 Deaderick Street Suite 1800 Nashville, TN 37238</p> <p>Hans Rudolf Schuler Am Hunengrab 1 21521 Aumuhle, Germany</p>
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s/Debra Teufel Phillips
DEBRA TEUFEL PHILLIPS