```
THOMAS P. O'BRIEN
 1
    United States Attorney
 2
   CHRISTINE C. EWELL
    Assistant United States Attorney
    Chief, Criminal Division
    STEVEN R. WELK
    Assistant United States Attorney
    Chief, Asset Forfeiture Section
   FRANK D. KORTUM
    Assistant United States Attorney
 6
   Asset Forfeiture Section
    California Bar No. 110984
 7
    United States Attorney's Office
       U. S. Courthouse, Suite 8000
       411 West Fourth Street
 8
       Santa Ana, California 92701
 9
       Telephone: (714) 338-3591
       Facsimile:
                   (714) 338-3561
10
       E-Mail:
                   Frank.Kortum@usdoj.gov
11
    Attorneys for Plaintiff
    United States of America
12
13
                       UNITED STATES DISTRICT COURT
14
                  FOR THE CENTRAL DISTRICT OF CALIFORNIA
15
                             WESTERN DIVISION
16
    UNITED STATES OF AMERICA,
                                        NO. CV 05-3640-SVW (CTx)
                                    )
17
              Plaintiff,
18
                                        CONSENT JUDGMENT
              v.
19
    $702,036.14 IN BANK ACCOUNT
20
    FUNDS, et al.,
                                        [NOTICE OF LODGING LODGED
                                        CONCURRENTLY HEREWITH]
21
              Defendants.
22
                                                  JS - 6
23
    PHU TAN LUONG, HOANG LUONG, and)
    HELENE NGOC BUCH LUONG,
24
              Claimants.
25
26
    //
27
    //
28
```

On May 16, 2005, plaintiff United States of America ("plaintiff" or the "government") filed a Complaint for Forfeiture against the defendant properties as follows: \$702,036.14 in bank account funds (the "defendant funds"); one 2004 Mercedes Benz E320 (the "2004 Mercedes"); one 2003 Mercedes Benz SL500 (the "2003 Mercedes"); one 2001 Lamborghini Diablo (the "2001 Lamborghini"); one 2000 Rolls Royce Seraph (the "2000 Rolls Royce"); and one 1999 41-foot Maxum Yacht (the "1999 Yacht") (collectively the "defendant properties"). The government alleged that the defendant properties were subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and (C).

Claimants Phu Tan Luong, Hoang Luong, and Helen Ngoc Buch Luong (collectively "claimants") filed Statements of Interest on June 2, 2005. No other claims, statements of interest, or answers have been filed, and the time for filing claims, statements, and answers has expired.

The government and claimants have agreed to settle this forfeiture action and to avoid further litigation.

The Court having been duly advised of and having considered the matter, and based upon the consent of plaintiff and claimants,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

- 1. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.
- 2. The Complaint for Forfeiture states a claim for relief pursuant to 18 U.S.C. § 981(a)(1)(A) and (C).
- 3. Notice of this action has been given as required by law. Claimants filed the only statement of interests or claims.

 Claimants are relieved of their duty to file answers in this

//

- 4. Claimants agree to forfeiture as set out below. A judgment of forfeiture is hereby entered in favor of the United States, which shall dispose of the following defendant properties in accordance with the law:
 - (A) The defendant funds plus all accrued interest are hereby forfeited to the United States of America, and no other right, title, or interest shall exist therein.
- (B) The 2004 Mercedes is hereby forfeited to the United States of America, and no other right, title, or interest shall exist therein.
- (C) The 2003 Mercedes is hereby forfeited to the United States of America, and no other right, title, or interest shall exist therein.
- (D) The 2001 Lamborghini is hereby forfeited to the United States of America, and no other right, tittle, or interest shall exist therein.
- (E) The 2000 Rolls Royce is hereby forfeited to the United States of America, and no other right, title, or interest shall exist therein.
- (F) The 1999 Yacht is hereby forfeited to the United States of America, and not other right, title, or interest shall exist therein.
- 5. Claimants will execute further documents, to the extent necessary, to convey clear title to the defendant properties and to further implement the terms of this Consent Judgment.

- 6. Claimants waive the redacting and sealing requirements of L.R. 79-5.4.
- 7. Claimants hereby release the United States of America, its agencies, officers, and employees, including employees of the Federal Bureau of Investigation, and local law enforcement agencies, their agents, officers, and employees, from any and all claims, actions, or liabilities arising out of or related to this action, including, without limitation, any claim for attorneys' fees, costs, or interest on behalf of claimants, whether pursuant to 28 U.S.C. § 2465 or otherwise.
- 8. The Court finds that there was reasonable cause for the institution of these proceedings against the defendant real properties. This judgment shall be construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.
- 10. The Court further finds that claimants did not substantially prevail in this action, and the parties shall bear their own attorneys' fees and other costs of litigation.

DATED: November 4, 2008

STEPHEN V. WILSON UNITED STATES DISTRICT JUDGE

23 //

24 //

25 //

26 //

27 //

28 //

1	<u>CONSENT</u>	
2	The government and claimants consent to judgment and waive	
3	any right to appeal.	
4	DATED: September, 2008	
5		United States Attorney CHRISTINE C. EWELL Assistant United States Attorney
6		Chief, Criminal Division STEVEN R. WELK
7		Assistant United States Attorney Chief, Asset Forfeiture Section
8		chief, hobbet forferedre becefon
9		FRANK D. KORTUM
10		Assistant United States Attorney
11		Attorneys for Plaintiff United States of America
12		
13	DATED: September, 2008	STANLEY I. GREENBERG A Law Corporation
14		-
15		STANLEY I. GREENBERG
16		Attorney for Claimants
17		Phu Tan Luong and Hoang Luong
18	DATED: September, 2008	3
19		
20		PHU TAN LUONG, Claimant
21	DATED: September, 2008	3
22		
23		ALEXANDER LUONG
24		Power of Attorney for Claimant Hoang Luong
25		
26	DATED: September, 2008	3
27		HELEN NGOC BUCH LUONG, Claimant

28