

JS-6

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14 UNITED STATES DISTRICT COURT
 15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 16 WESTERN DIVISION

17 UNITED STATES OF AMERICA,)	NO. CV 05-4896 GAF (JWJx)
)	
18 Plaintiff,)	
)	
19 vs.)	CONSENT JUDGMENT OF FORFEITURE
)	
20 ONE TE SYSTEMS RF POWER)	
21 AMPLIFIER, ET AL.,)	
)	
22 Defendants.)	
)	
23 _____)	
24 JACK GERRITSEN,)	
)	
25 Claimant.)	
26 _____)	

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 28 / / /

1 This action was filed on July 5, 2005. Notice was given
2 and published in accordance with law. Jack Gerritsen, who is
3 pro se ("claimant"), filed a statement of interest and verified
4 answer on September 21, 2005. No other statements of interest
5 or answers have been filed, and the time for filing such
6 statements and answers has expired. This matter has been stayed
7 by the court since December 6, 2005. Plaintiff and claimant have
8 reached an agreement that is dispositive of the action. The
9 parties hereby request that the Court enter this Consent
10 Judgment of Forfeiture.
11

12 The parties have agreed to settle this forfeiture action
13 and to avoid further litigation.
14

15 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**
16

- 17 1. This court has jurisdiction over the parties and the
18 subject matter of this action.
- 19 2. Notice of this action has been given in accordance
20 with law. All potential claimants to the defendants
21 One TE Systems RF Power Amplifier, One Kenwood TM-
22 G707A Dual Bander Radio, serial number 60100221, One
23 Yeasu FT-3000M Transceiver, One VHF Antenna, including
24 coaxial cable, and One Diamond X5A UHF Antenna
25 (collectively referred to hereafter as "the defendant
26 equipment") other than claimant are deemed to have
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1 admitted the allegations of the Complaint. The
2 allegations set out in the Complaint are sufficient to
3 establish a basis for forfeiture.
4

5 3. In the related criminal case, United States v. Jack
6 Gerritsen, Case No. CR 05-466 RGK, claimant was
7 convicted of violations of 18 U.S.C. § 1362 (malicious
8 interference with radio system operated or controlled
9 by the United States), 47 U.S.C. §§ 333 and 561
10 (willful and malicious interference with radio
11 communications), and 47 U.S.C. §§ 301 and 501
12 (transmitting radio signals without a license). The
13 Judgment and Probation/Commitment Order in that matter
14 included the condition that claimant shall not own,
15 possess, or use any radio equipment from which
16 broadcasts can be made by the claimant.
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19 4. The United States of America agrees that claimant may
20 designate one individual to whom the United States of
21 America shall release the defendant equipment.
22 Claimant agrees that he will not thereafter own,
23 possess or use the defendant equipment at anytime.
24

25 5. Following entry of this Judgment, claimant shall
26 provide the United States of America with written
27 confirmation that the designated individual has
28

1 received a copy of the Judgment and provide the
2 designated individual's name, signature, address and
3 telephone number. Within thirty (30) days of receipt
4 of claimant's written confirmation, the United States
5 of America shall release the defendant equipment to
6 the designated individual. Claimant understands that
7 if he is found to be in possession of, or is found to
8 have used the defendant equipment, said equipment
9 shall be forfeited to the United States of America
10 without further Order of the Court.
11

12
13 6. Claimant hereby releases the United States of America,
14 it agencies, agents, and officers, including employees
15 and agents of the Federal Communications Commission,
16 from any and all claims, actions or liabilities
17 arising out of or related to this action, including,
18 without limitation, any claim for attorney's fees,
19 costs or interest which may be asserted on behalf of
20 the claimant.
21

22 7. Plaintiff United States of America agrees that it will
23 not seek to recover civil sanctions, attorney's fees
24 or costs in connection with this action or the
25 underlying seizure.
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