



1 This action was filed on October 18, 2007. Notice was  
2 given and published in accordance with law. Claimant Howard  
3 Chen ("Claimant") filed the only claim to the defendants which  
4 are described more particularly as follows (collectively the  
5 "defendant assets"):

6 a. \$86,988.18 in Bank Account Funds seized on or about  
7 May 23, 2007, comprised of the following funds from accounts in  
8 the name of Yen Lin Hsu at Cathay Bank: i) \$46,853.86 from  
9 account number ending with 7401<sup>1</sup> (CATS Identification Number 07-  
10 DEA-485082); ii) \$31,075.00 from account number ending with  
11 7820 (CATS Identification Number 07-DEA-485083); and iii)  
12 \$9,059.32 from account number ending with 1656 (CATS  
13 Identification Number 07-DEA-484969); and \$21,056.02 in Bank  
14 Account Funds seized on or about May 23, 2007, comprised of the  
15 following funds from accounts in the name of Howard Chen at  
16 Washington Mutual Bank: iv) \$10,222.92 from account number  
17 ending with 2076 (CATS Identification Number 07-DEA-484572); and  
18 v) \$10,833.10 from account number ending with 8359 (CATS  
19 Identification Number 07-DEA-484656) (collectively the  
20 "defendant bank account funds");

21 b. \$44,500.00 in U.S. Currency (the "defendant currency")  
22 comprised of i) \$40,000.00 seized on or about May 23, 2007, from  
23 a Washington Mutual Bank safe deposit box in the name of Howard  
24 Chen (CATS Identification Number 07-DEA-484564); and ii)  
25 \$4,500.00 seized on or about May 16, 2007, from the residence of  
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28 <sup>1</sup> Pursuant to Local Rule 5.2-1, only the last four digits of  
the bank account are listed.

1 Howard Chen and Victoria Hsieh in Temple City, California (CATS  
2 Identification Number 07-DEA-484903);

3 c. One 2003 Honda Accord, VIN 1HGCM826X3A029670 (CATS  
4 Identification Number 07-DEA-484845) (the "defendant vehicle").

5 Pursuant to the Judgment and Commitment Order against  
6 Claimant in United States v. Howard Chen, et al., Case No. CR  
7 07-00463-JFW (Docket No. 161), the Court ordered Claimant to pay  
8 a fine in the amount of \$17,500.00 plus interest (the "criminal  
9 fine") to the Clerk of the Court for the Central District of  
10 California. The interest accumulated as of November 14, 2014,  
11 on the criminal fine is \$1,854.32. The daily rate of interest  
12 on the fine is \$0.77.

13 No other statements of interest or answers have been filed,  
14 and the time for filing such statements of interest and answers  
15 has expired. Plaintiff and Claimant have reached an agreement  
16 that is dispositive of the action. The parties have requested  
17 that the Court enter this Consent Judgment of Forfeiture.

18 **WHERE, IT IS ORDERED, ADJUDGED AND DECREED:**

19 A. This Court has jurisdiction over this action pursuant  
20 to 28 U.S.C. §§ 1345 and 1355 and over the parties hereto.

21 B. The Complaint for Forfeiture states a claim for relief  
22 pursuant to 21 U.S.C. §§ 881(a)(4), (a)(6), 18 U.S.C. §§  
23 981(a)(1)(A) and (C).

24 C. Notice of this action has been given in accordance  
25 with law. All potential claimants to the defendant assets other  
26 than Claimant are deemed to have admitted the allegations of the  
27 Complaint. The allegations set out in the Complaint are  
28 sufficient to establish a basis for forfeiture.

1 D. The United States of America (the "government") shall  
2 pay the total amount of the criminal fine with the defendant  
3 bank account funds. 50% of the remainder of the defendant bank  
4 account funds plus any interest earned by the government on that  
5 amount since the time of seizure shall be paid to Claimant no  
6 later than sixty (60) days from the date of entry of this  
7 judgment, through his attorney, David J.P. Kaloyanides, by  
8 electronic transfer directly into the account entitled "David  
9 J.P. Kaloyanides Attorney-Client Trust Account." Claimant  
10 agrees to provide the appropriate financial institution account  
11 information with 10 days of execution of this consent judgment.  
12 Said payment shall be subject to applicable federal law.

13 E. The United States of America shall have judgment as to  
14 (1) the remaining defendant bank account funds and the defendant  
15 currency, together with all interest earned by the government on  
16 those amounts since the time of seizure; and (2) the defendant  
17 vehicle, and no other person or entity shall have any right,  
18 title or interest therein.

19 F. Claimant has released the United States of America,  
20 its agencies, agents, and officers, including employees and  
21 agents of the Drug Enforcement Administration, from any and all  
22 claims, actions or liabilities arising out of or related to this  
23 action, including, without limitation, any claim for attorney's  
24 fees, costs or interest which may be asserted on behalf of  
25 Claimant, whether pursuant to 28 U.S.C. § 2465 or otherwise.  
26 Nothing in this proposed consent judgment is intended as, nor  
27 should anything in this proposed consent judgment be interpreted  
28 as an admission by Claimant of any liability or wrongdoing.

1 G. The court finds that there was reasonable cause for  
2 the seizure of the defendant assets and institution of these  
3 proceedings. This judgment shall be construed as a certificate  
4 of reasonable cause pursuant to 28 U.S.C. § 2465.

5  
6 Dated: May 15, 2015



7 THE HONORABLE STEPHEN V. WILSON  
8 UNITED STATES DISTRICT JUDGE

9 Approved as to form and content:

10  
11 DATED: May 8, 2015  
~~November \_\_, 2014~~

12 STEPHANIE YONEKURA  
13 Acting United States Attorney  
14 ROBERT E. DUGDALE  
15 Assistant United States Attorney  
16 Chief, Criminal Division  
17 STEVEN R. WELK  
18 Assistant United States Attorney  
19 Chief, Asset Forfeiture Section



17 JENNIFER M. RESNIK  
18 Assistant United States Attorney  
19 Asset Forfeiture Section

20 Attorneys for Plaintiff  
21 United States of America

22 DATED: ~~December \_\_, 2014~~

23 4-28-2015

24   
25 HOWARD CHEN, Claimant

26 DATED: ~~December \_\_, 2014~~

27 May 7, 2015

28 DAVID J.P. KALOYANIDES, APLC

29   
30 DAVID J.P. KALOYANIDES

31 Attorney for Claimant  
32 HOWARD CHEN