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 United States of America

10  
 11 UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 13 WESTERN DIVISION

14 UNITED STATES OF AMERICA, )  
 15 )  
 Plaintiff, )  
 16 )  
 v. )

NO. CV 08-06066-DSF (CW<sub>x</sub>)  
 (Consolidated With)  
 NO. CV 10-6727-DSF (CW<sub>x</sub>)

17 \$61,098.00 IN MONEY ORDERS; )  
 18 \$12,850 IN TRAVELERS )  
 CHECKS;) \$17,741.00 IN U.S. )  
 19 CURRENCY; \$208,220.00 IN U.S. )  
 CURRENCY; \$1,031,900.00 IN )  
 20 U.S. CURRENCY; and )  
 \$404,600.01 IN BANK FUNDS, )  
 21 Defendants. )

**FINAL CONSENT JUDGMENT  
 OF FORFEITURE**

22 \_\_\_\_\_ )  
 23 BEHZAD ZAMAN, NEDA )  
 ZAMAN, )  
 24 Claimants. )  
 25 \_\_\_\_\_ )

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1 The lead civil forfeiture action captioned above was commenced on  
2 September 16, 2008. The real property action was commenced on September 10,  
3 2010. The cases were consolidated by order of November 15, 2010 (DN 33). The  
4 sole remaining parties are plaintiff United States of America (the “government”)  
5 and claimants Behzad and Neda Zaman (“Claimants”). The parties have reached  
6 an agreement that is dispositive of this action, and request that the Court enter this  
7 consent judgment of forfeiture.

8 The Court, having been duly advised of and having considered the matter,  
9 and based upon the mutual consent of the parties hereto,

10 **ORDERS ADJUDGES AND DECREES:**

11 1. This Court has jurisdiction over the subject matter of this action and over  
12 the parties to this Consent Judgment.

13 2. The Complaint for Forfeiture states a claim for relief pursuant to 18  
14 U.S.C. § 981(a) with respect to the defendant assets.

15 3. Notice of this action has been given as required by law. No one other  
16 than Claimants is claiming any of the defendant assets.

17 4. The government shall have judgment for a total of two million dollars  
18 (\$2,000,000.00), consisting of the following:

- 19 a. \$61,098.00 in Money Orders, \$12,850 in Travelers Checks, and  
20 \$17,741.00 in U.S. currency seized on April 9, 2008, at  
21 Concord English Language Center (“Concord”);
- 22 b. \$199,080.00 in U.S. currency seized on April 9, 2008 at the  
23 defendant real property;<sup>1</sup>

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24  
25 <sup>1</sup> The total amount seized from the defendant real property was  
26 \$208,220.00 in U.S. Currency. The government reached a settlement with former  
27 claimant Irma Torres, who was the sole claimant to \$9,140.00 of that currency.  
28 The money claimed by Irma Torres was returned to her in exchange for her  
agreement to withdraw her claim. DN 74.

- 1 c. \$1,031,900.00 in U.S. currency seized on April 14, 2008 from  
2 safe deposit box number \*\*\*\*\*3352 in the names of Claimants  
3 at California Bank & Trust;
- 4 d. \$14,308.95 seized from First Bank account number  
5 \*\*\*\*\*1837 held in the name of Jila Zaman;
- 6 e. \$112,617.54 from First Bank account number \*\*\*\*\*1811 held  
7 in the name of Bahman Zaman;
- 8 d. \$66,612.78 from Bank of America account number \*\*\*\*\*-  
9 3132 in the name of Behzad Zaman;
- 10 e. \$68,908.70 from Bank of America account number \*\*\*\*\*-  
11 1069 held in the name of Concord Educational Group, Inc.;
- 12 f. \$92,599.06 from Bank of America account number \*\*\*\*\*-  
13 2201 held in the name of Concord Educational Group, Inc
- 14 g. \$15,000.00 seized from Bank of America account number  
15 \*\*\*\*\*-9091 held in the names of Jinnette M. Zaman and  
16 Behrouz Zaman<sup>2</sup>;
- 17 h. \$1,651.73 seized from California Bank & Trust account number  
18 \*\*\*\*\*6461 held in the name of Zaman Plaza, LLC;
- 19 i. \$16,012.64 seized from Center Bank account number \*\*\*-1017  
20 held in the name of Bahman Zaman. (The total value of assets  
21 (a) - (i), immediately above, is \$1,710,380.40); and
- 22 j. a payment by Claimants of \$289,619.60, in lieu of forfeiture of  
23 any interest in the defendant real property.
- 24

25 5. Claimants shall pay to the government the amount set out in paragraph

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26  
27 <sup>2</sup> A total of \$26,510.35 was originally seized from this account, but  
28 \$11,510.35 of those funds were returned to Behrouz and Jinnette Zaman in  
settlement of their claims. DN 73.

1 4(j) in the form of a certified or cashier's check made payable to "United States  
2 Custom and Border Protection," and delivered to AUSA Steven R. Welk within 60  
3 days of the entry of this judgment. This date may be extended in a writing signed  
4 by counsel for the parties, and the government agrees that it will not unreasonably  
5 withhold its consent to a request for such an extension. In the event the payment is  
6 not made within 60 days of entry of this judgment (or an extended deadline as  
7 provided for above), the government shall be allowed to take possession of the  
8 defendant property and sell it to satisfy this obligation, in accordance with  
9 paragraph 6, below. If said payment is made in a timely manner, the government  
10 shall withdraw its lis pendens against the defendant real property within 10 days of  
11 its receipt of such payment.

12 6. Should the payment called for in paragraph 4(j) not be made in a timely  
13 manner, the government shall have the right, without further order of the Court:

- 14 a. to take possession of the defendant property and remove all  
15 persons and personal property from such real property upon the  
16 giving of ten (10) days notice to any occupant(s);
- 17 b. to thereafter sell the property pursuant to its usual procedures  
18 for the sale of forfeited real property; and
- 19 c. to distribute the proceeds of sale as follows:
  - 20 (1) First, toward the payment of any real property taxes  
21 owing on the property;
  - 22 (2) Second, toward the payment of any recorded lien pre-  
23 dating the recording of the government's Notice of Lis  
24 Pendens with respect to the property;
  - 25 (3) Third, toward the payment of any costs incurred by the  
26 government in connection with the taking of possession  
27 and sale of the property;
  - 28 (4) Fourth, toward the payment of the amount remaining due

1 to the government pursuant to this Consent Judgment;

2 (5) Fifth, toward the payment of any recorded liens post-  
3 dating the recording of the government's Notice of Lis  
4 Pendens with respect to the property; and

5 (6) Sixth, the remainder, if any, shall be paid to Claimants.

6 7. Claimants hereby release the United States of America, its agencies,  
7 agents, officers, employees and representatives, including, without limitation, all  
8 agents, officers and employees of the Department of Homeland Security and the  
9 Department of Justice, as well as any and all agents, officers, employees and  
10 representatives of any state or local governmental or law enforcement agency  
11 involved in the investigation or prosecution of this matter, from any and all claims,  
12 actions, or liabilities arising out of or related to this action, including, without  
13 limitation, any claim for attorney fees, costs and interest, which may be asserted by  
14 or on behalf of Claimants.

15 8. The Court finds that there was reasonable cause for seizure of the  
16 defendant assets and the institution of these proceedings. This judgment shall be  
17 construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

18 9. Pursuant to the agreement of the parties, each of the parties to this  
19 Consent Judgment shall bear its own fees and costs associated with this action.

20  
21 DATED:4/2/12



22  
23 THE HONORABLE DALE S. FISCHER  
24 UNITED STATES DISTRICT JUDGE

25  
26 [Signatures of counsel appear on following page]  
27  
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1 By their signatures hereunder, the government and Claimants stipulate and  
2 request that the Court enter this Consent Judgment and waive any right to appeal.

3  
4 DATED: March 30, 2012

ANDRÉ BIROTTE JR.  
United States Attorney  
ROBERT E. DUGDALE  
Assistant United States Attorney  
Chief, Criminal Division

7  
8 /s/  
STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section

9  
10 Attorneys for Plaintiff  
United States of America

11  
12 DATED: March 30, 2012

KATTEN MUCHIN ROSENMAN LLP

14 /s/  
DAVID A. KETTEL

15 Attorney for Claimants  
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