

1 ANDRÉ BIROTTE JR.
 United States Attorney
 2 ROBERT E. DUGDALE
 Assistant United States Attorney
 3 Chief, Criminal Division
 STEVEN R. WELK
 4 Assistant United States Attorney
 Chief, Asset Forfeiture Section
 5 FRANK D. KORTUM
 Assistant United States Attorney
 6 California Bar No.: 111984
 Federal Courthouse, 14th Floor
 7 312 North Spring Street
 Los Angeles, California 90012
 8 Telephone: (213) 894-5710
 Facsimile: (213) 894-7177
 9 E-mail: Frank.Kortum@usdoj.gov

10 Attorneys for Plaintiff
 United States of America
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12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,)	NO. CV 11-08861-SVW-(VBKx)
)	
16 Plaintiff,)	
)	
17 v.)	CONSENT JUDGMENT OF FORFEITURE
)	
18)	
)	
19 ALL PROCEEDS OF WELLS FARGO)	JS - 6
20 BANK CASHIER'S CHECK IN THE)	
AMOUNT OF \$466,680.00,)	
)	
21)	
Defendant.)	
)	
22)	
23 <hr/> ERIC MARK,)	
)	
24 Claimant.)	
25 <hr/>)	

26 On or about October 26, 2011, plaintiff United States of
 27 America ("the United States of America") filed a Complaint for
 28 Forfeiture alleging that the defendant \$466,680.00 of Wells

1 Fargo Bank Cashier's Check proceeds (the "defendant bank funds")
2 are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and
3 (C).

4 Claimant Eric Mark ("claimant") filed a claim on December
5 15, 2011 and an answer on December 29, 2011. No other parties
6 have appeared in this case and the time for filing claims and
7 answers has expired.

8 The United States of America and claimant have now agreed to
9 settle this action and to avoid further litigation by entering
10 into this Consent Judgment of Forfeiture.

11 The Court having been duly advised of and having considered
12 the matter, and based upon the mutual consent of the parties
13 hereto,

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

15 1. This Court has jurisdiction over the subject matter of
16 this action and the parties to this Consent Judgment of
17 Forfeiture.

18 2. The Complaint for Forfeiture states a claim for relief
19 pursuant to 18 U.S.C. § 981(a)(1)(A) and (C).

20 3. Notice of this action has been given as required by
21 law. No appearances have been made in this case by any person
22 other than the claimant. A partial default judgment has been
23 entered as to the interests of Eric Mark Family Limited
24 Partnership, Christopher Mark, Ivan Mark, Oregon Trail Finance
25 Group, Oregon Trail Corporation, Nationwide Realty Association,
26 LLC., Manual Arias, Alex Group, LLC., Samuel Rodriguez, Marc
27 Lantzman, and all other potential claimants by the Court on March
28 14, 2012.

1 4. The entire amount (i.e. \$466,680.00 of the defendant
2 bank funds), with no interest, shall be returned to claimant Eric
3 Mark via electronic wire transfer. Eric Mark, through his
4 counsel, will provide the necessary banking information to
5 facilitate the wire transfer.

6 5. The funds to be returned pursuant to paragraph 4 shall
7 be paid to the Eric Mark within sixty (60) days of the entry of
8 this Consent Judgment of Forfeiture.

9 6. Claimant hereby releases the United States of America,
10 its agencies, agents, officers, employees and representatives,
11 including, without limitation, all agents, officers, employees
12 and representatives of the Federal Bureau of investigation and
13 the Department of Justice and their respective agencies, as well
14 as all agents, officers, employees and representatives of any
15 state or local governmental or law enforcement agency involved in
16 the investigation or prosecution of this matter, from any and all
17 claims, actions, or liabilities arising out of or related to this
18 action, including, without limitation, any claim for attorney
19 fees, costs, and interest, which may be asserted by or on behalf
20 of claimant.

21 7. The Court finds that there was reasonable cause for the
22 seizure of the defendant bank funds and institution of these
23 proceedings. This judgment shall be construed as a certificate
24 of reasonable cause pursuant to 28 U.S.C. § 2465.

25 8. The Court further finds that the government promptly
26 recognized claimant's interest in the defendant asset. Each of
27 the parties hereto shall bear its own attorney fees and costs.

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1 9. The Court shall maintain jurisdiction in this case for
2 the purpose of effectuating the terms of this Consent Judgment of
3 Forfeiture.



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8 DATED: May 4, 2012

HON. STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

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1 CONSENT

2 The parties hereto consent to the above Consent Judgment of
3 Forfeiture and waive any right of appeal.
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5 DATED: April 30, 2012

ANDRÉ BIROTTE JR.
United States Attorney
ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division
STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

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11 /S/
12 _____
FRANK D. KORTUM
Assistant United States Attorney
13 Attorneys for Plaintiff
United States of America
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16 DATED: May 3, 2012

LAWRENCE LEWIS LAW OFFICES
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19 /S/
LAWRENCE LEWIS, ESQ.
20 Attorney for Claimant Eric Mark
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