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JS-6

10 Attorneys for Plaintiff  
 11 UNITED STATES OF AMERICA

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

15 UNITED STATES OF AMERICA, ) No. CV 13-01583-ODW(JPRx)  
 16 )  
 Plaintiff, )  
 17 )  
 v. ) **CONSENT JUDGMENT OF FORFEITURE**  
 18 )  
 \$127,240.00 IN U.S. )  
 19 CURRENCY, )  
 )  
 20 Defendant. )  
 21 )

22  
 23 On or about March 6, 2013, Plaintiff United States of America  
 24 ("the government," "the United States of America" or "plaintiff")  
 25 filed a Complaint for Forfeiture alleging that the defendant  
 26 \$127,240.00 in U.S. Currency (the "defendant currency") is subject  
 27 to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 21 U.S.C.  
 28 § 881(a)(6).

1 Jaime Rosario ("claimant") claims an interest in the defendant  
2 currency, but has not filed a claim to the defendant currency or an  
3 answer to the Complaint. As reflected in the stipulation to extend  
4 time to respond to the initial complaint filed on or about May 14,  
5 2013, the government and claimant extended the time for claimant to  
6 file a claim and answer to June 20, 2013 (with respect to the  
7 claim) and July 11, 2013 (with respect to the answer). No other  
8 parties have appeared in this case and the time for filing claims  
9 and answers has expired.

10 The government and claimant have now agreed to settle this  
11 action by entering into this Consent Judgment of Forfeiture.

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

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

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

18 2. The Complaint for Forfeiture states a claim for relief  
19 pursuant to 18 U.S.C. § 981(a)(1)(C) and 21 U.S.C. § 881(a)(6).

20 3. Notice of this action has been given as required by law.  
21 No appearances have been made in the litigation by any person other  
22 than claimant. By entering into this Consent Judgment of  
23 Forfeiture, claimant does not admit the allegations of the  
24 Complaint for Forfeiture to be true. The Court deems that all  
25 other potential claimants admit the allegations of the Complaint  
26 for Forfeiture to be true. Claimant is relieved of claimant's  
27 obligation to file a claim and answer in this litigation.

28 / / /

1           4.     The sum of \$6,000.00 only (without interest) shall be  
2 returned to claimant.   The remainder of the defendant currency  
3 (i.e., \$121,240.00), plus the interest earned by the United States  
4 of America on the defendant currency shall be condemned and  
5 forfeited to the United States of America, which shall dispose of  
6 those funds in accordance with law.

7           5.     The funds to be returned to claimant pursuant to  
8 paragraph 4 above shall be paid to claimant by electronic transfer  
9 into the client trust account of Gottlieb & Gordon, which is the  
10 New York law firm that has represented claimant in connection with  
11 the government's seizure of the defendant currency.   Claimant  
12 (through his attorney Justin F. Heinrich, Esq.<sup>1</sup> of the law firm of  
13 Gottlieb & Gordon) shall provide all information and complete all  
14 documents requested by the United States of America in order for  
15 the United States of America to process the transfer including,  
16 without limitation, providing (i) claimant's social security and  
17 taxpayer identification numbers (if any); (ii) Gottlieb & Gordon's  
18 taxpayer identification number; and (iii) the identity of the bank,  
19 the bank's address and the account name, account number, account  
20 type and wire transfer routing number for the Gottlieb & Gordon  
21 trust account to which the transfer of funds is to be made.

22           6.     Claimant hereby releases the United States of America,  
23 its agencies, agents, officers, employees and representatives,  
24 including, without limitation, all agents, officers, employees and  
25 representatives of the Drug Enforcement Administration and the

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27           <sup>1</sup>Justin F. Heinrich works at the New York law firm of Gottlieb  
28 & Gordon and is not admitted to practice in California. Claimant is  
representing himself pro se in the instant litigation and has signed  
the Consent Judgment of Forfeiture.

1 Department of Justice and their respective agencies, as well as all  
2 agents, officers, employees and representatives of any state or  
3 local governmental or law enforcement agency involved in the  
4 investigation or prosecution of this matter, from any and all  
5 claims, actions, or liabilities arising out of or related to this  
6 action, including, without limitation, any claim for attorney fees,  
7 costs, and interest, which may be asserted by or on behalf of  
8 claimant.

9 7. The Court finds that there was reasonable cause for the  
10 seizure of the defendant currency and institution of these  
11 proceedings. This judgment shall be construed as a certificate of  
12 reasonable cause pursuant to 28 U.S.C. § 2465.

13 8. The parties hereto shall bear their own attorney fees and  
14 costs.

15 9. Claimant hereby agrees that this Consent Judgment of  
16 Forfeiture can be served on claimant by the government and the  
17 Court as follows: Jaime Rosario, c/o Justin F. Heinrich, Esq.,  
18 Gottlieb & Gordon, 111 Broadway, Suite 701, New York, New York  
19 10006.

20  
21 CONSENT

22 The parties hereto consent to the above Consent Judgment of  
23 Forfeiture and waive any right of appeal.

24 DATED: June 20, 2013

25  
26   
27 THE HONORABLE OTIS D. WRIGHT, II  
28 UNITED STATES DISTRICT JUDGE