

O/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 14-07195-JCG
)
18 Plaintiff,)
) [Proposed]
19 vs.) CONSENT JUDGMENT
20 \$47,225.03 IN BANK FUNDS,)
)
21 Defendants.)
)
22 <hr/> IDEAL KITCHEN SUPPLY AND NORIK)
23 BARSEGHIAN,)
)
24 <hr/> Claimants.)

1 Plaintiff and Claimant Ideal Kitchen Supply (the
2 "Claimant") have made a stipulated request for the entry of this
3 Consent Judgment, resolving this action in its entirety. The
4 defendant funds were seized from Claimant, and it asserts an
5 interest in the defendant funds. Claimant has filed a
6 responsive pleading in this case asserting an interest in the
7 defendant funds and answering, in part, the allegations of the
8 plaintiff's complaint. The Court construes the Claimant's
9 pleading as a combined claim and answer. No other claims or
10 answers were filed, and the time for filing claims and answers
11 has expired. No other person is believed to have any claim to
12 the defendant funds.

13 The Court, having considered the stipulation of the
14 parties, and good cause appearing therefor, **HEREBY ORDERS**
15 **ADJUDGES AND DECREES:**

16 1. The government has given and published notice of this
17 action as required by law, including Rule G of the Supplemental
18 Rules for Admiralty or Maritime Claims and Asset Forfeiture
19 Actions, Federal Rules of Civil Procedure, and the Local Rules
20 of this Court. Claimant has filed a claim and answer to contest
21 the forfeiture of the defendant funds.¹ No other claims were
22 filed, and the time for filing claims and answers has expired.
23 This Court has jurisdiction over the parties to this judgment
24 and the defendant funds. Any potential claimants to the
25 defendant funds other than Claimant are deemed to have admitted

26
27 ¹ Though a dispute as to the sufficiency of the Claimant's
28 pleading exists, the government waives its objections for the
purposes of this Consent Judgment.

1 the allegations of the complaint with respect to the defendant
2 funds.

3 2. \$10,000.00 of the defendant funds, without interest,
4 shall be returned to Claimant through its counsel. The United
5 States Secret Service shall return the defendant \$10,000.00 not
6 later than 45 days after (a) the court enters this Consent
7 Judgment and (b) Claimant provides to the government the bank
8 routing and personal identifiers needed to effectuate a wire
9 transfer of the funds, whichever is later. The government shall
10 have judgment against the interests of Claimant (and any
11 potential claimants) as to the \$37,225.03 in defendant funds,
12 which assets are hereby forfeited and condemned to the United
13 States, and no other right, title or interest shall exist
14 therein. The government shall dispose of the forfeited assets
15 according to law.

16 3. Claimant has agreed to release the United States of
17 America, its agencies, agents, and officers, including employees
18 and agents of the United States Secret Service ("USSS"), as well
19 as all agents, officers, employees and representatives of any
20 state or local government or law enforcement agency involved in
21 the investigation or prosecution of this matter, from any and
22 all claims, actions or liabilities arising out of or related to
23 the seizure and retention of the defendant funds and/or the
24 commencement of this civil forfeiture action, including, without
25 limitation, any claim for attorneys' fees, costs or interest
26 which may be asserted on behalf of Claimant against the United
27 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.

1 4. The court finds that there was reasonable cause for the
2 seizure of the defendant funds and the institution of this
3 action as to the defendant funds. This judgment constitutes a
4 certificate of reasonable cause pursuant to 28 U.S.C. § 2465 as
5 to the defendant funds.

6 5. Each of the parties shall bear its own fees and costs
7 in connection with the seizure, retention and return of the
8 defendant funds.

9
10 DATED: March 2, 2015

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12 
13 _____
14 THE HONORABLE JAY C. GANDHI
15 UNITED STATES MAGISTRATE JUDGE

16 Prepared by:

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