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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	2:19-cv-02781-JFW-E
)	
Plaintiff,)	
)	STIPULATED
v.)	FINAL JUDGMENT
)	
20 ACRES OF LAND, MORE OR LESS,)	
SITUATE IN SAN BERNARDINO COUNTY,)	
CALIFORNIA; and JAN LAMNGO, et al.,)	
)	
Defendants.)	
)	

Plaintiff United States of America and Defendants Jan Lamngo and Dan Lam
a/k/a Dan Lamngo hereby agree and stipulate, and the Court hereby **ORDERS,**
ADJUDGES, AND DECREES as follows:

- On April 11, 2019, the United States filed a Complaint in
Condemnation (Dkt. No. 1) and a Declaration of Taking (Dkt. No. 3) in this eminent
domain proceeding.
- The Declaration of Taking provides for the United States acquiring a
fee simple interest in certain land in San Bernardino County, California, as described
in the Declaration of Taking (hereafter, the "Subject Property").
- On July 8, 2019, the United States transferred \$8,000.00 to the Court as
an estimate of just compensation for the taking of the Subject Property. Dkt. No.
26-1 (Receipt). At the time of the deposit, title to the Subject Property, to the extent

1 set forth in the Declaration of Taking, vested in the United States by operation of
2 law. 40 U.S.C. § 3114(b).
3

4 4. Defendants Jan Lamngo and Dan Lam a/k/a Dan Lamngo were the
5 record owner of the Subject Property immediately prior to the deposit with the Court
6 of the United States' estimate of just compensation.
7

8 5. Defendants have not requested the Court to withdraw any portion of the
9 deposit during the pendency of this action. Accordingly, the full deposited amount
10 of \$8,000.00, plus any applicable earned interest, remains in the Court's registry.
11

12 6. Defendant San Bernardino County Auditor-Controller/Treasurer/Tax
13 Collector has disclaimed any interest in the proceeds of this case and has requested
14 that no further pleadings be served upon it. Dkt. No. 10.
15

16 7. In order to settle this action, the parties agree that the just compensation
17 payable by the United States for the taking of the Subject Property as described in
18 the Declaration of Taking, together with all improvements thereon and
19 appurtenances thereunto belonging, shall be the sum of \$32,500.00 inclusive of
20 interest, attorneys' fees, and costs. Defendants are not represented by counsel.
21
22

23 8. **JUDGMENT** shall be, and is hereby, entered against the United States
24 in the amount of \$32,500.00.
25

26 9. The deficiency between the agreed settlement amount (\$32,500.00) and
27 the previously deposited amount (\$8,000.00) is \$24,500.00.
28

1 10. The United States shall pay into the Registry of the Court, and the Clerk
2 is hereby directed to accept, the deficiency amount of \$24,500.00.
3

4 11. The said sum of \$32,500.00 shall be full and just compensation and in
5 full satisfaction of any and all claims of whatsoever nature against the United States
6 by reason of the institution and prosecution of this action and taking of the Subject
7 Property and estates described in the Declaration of Taking filed herein, together
8 with all improvements thereon and appurtenances thereunto belonging.
9
10

11 12. The said sum of \$32,500.00 shall be subject to all liens, encumbrances
12 and charges of whatsoever nature existing against the Subject Property at the time
13 of vesting of title thereto in the United States and all such taxes, assessments, liens
14 and encumbrances shall be payable and deductible from said sum.
15
16

17 13. Defendants warrant that they have the exclusive right to compensation
18 herein and that no other person or entity is entitled to the same or any part thereof.
19 In the event that any other party is ultimately determined by a court of competent
20 jurisdiction to have any right to receive compensation for the Subject Property taken
21 in this case, Defendants shall refund into the Registry of the Court the compensation
22 distributed herein, or such part thereof as the Court may direct, with interest thereon
23 calculated in accordance with the provision of 40 U.S.C. § 3116, from the date of
24 the receipt of the deposit by Defendants to the date of repayment into the Registry
25 of the Court.
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1 14. The parties shall be responsible for their own legal fees, costs, and
2 expenses (including attorneys' fees, consultants' fees, experts' fees, transcript costs,
3 and any other expenses relating to this litigation).

4
5 15. Upon the United States depositing the deficiency amount of \$24,500.00
6 into the Registry of the Court, the Clerk of the Court shall, without further order of
7 this Court, disburse the total deposited amount of \$32,500.00, together with any
8 interest earned thereon while on deposit, by issuing a check payable to Jan Lamngo
9 and mailing the check to:
10
11

12 Jan Lamngo
13 5044 Enfield Avenue
14 Encino, CA 91316

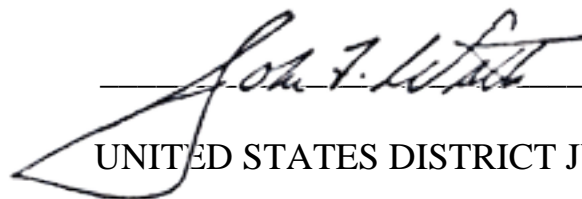
15 16. Following disbursement of funds to Defendants as described in
16 paragraph 15 above, this case shall be CLOSED.
17

18 17. The United States shall have the right immediately to possess the
19 Subject Property.
20

21 18. This Stipulated Final Judgment may be signed in counterparts.

22 **IT IS SO ORDERED:**

23
24 Dated this 7th day of October, 2019

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28 
UNITED STATES DISTRICT JUDGE

1 **THE UNDERSIGNED STIPULATE THAT THEY CONSENT TO THE**
2 **ENTRY OF THE PRECEDING FINAL JUDGMENT:**


3 ON BEHALF OF PLAINTIFF UNITED STATES OF AMERICA:

4 NICOLA T. HANNA
5 United States Attorney


6
7 /s/ Miles H. Plant
8 MILES H. PLANT (NY Bar No. 4901583)
9 miles.plant@usdoj.gov
10 Trial Attorney
11 U.S. Department of Justice
12 Environment & Natural Resources Div.
13 P.O. Box 7611 – Ben Franklin Station
14 Washington, D.C. 20044-7611
15 Telephone: (202) 305-0284
16 Facsimile: (202) 353-7763

DATED: October 2, 2019

17 ON BEHALF OF DEFENDANTS:

18 
19 Jan Lamngo
20 proceeding *pro se*
21 5044 Enfield Avenue
22 Encino, CA 91316

Dated: OCT-2-19

23
24 
25 Dan Lam a/k/a Dan Lamngo
26 proceeding *pro se*
27 5044 Enfield Avenue
28 Encino, CA 91316

Dated: OCT-2-19