

1 Plaintiff and potential claimants Fang Zeng and Sal S.
2 Ruiz, Trustee of the Sarsons, Inc. profit sharing plan
3 ("potential claimants") have made a stipulated request for the
4 entry of this Consent Judgment, resolving this action in its
5 entirety.

6 The Court, having considered the stipulation of the
7 parties, and good cause appearing therefor, **HEREBY ORDERS**
8 **ADJUDGES AND DECREES:**

9 1. The government has given and published notice of this
10 action as required by law, including Rule G of the Supplemental
11 Rules for Admiralty or Maritime Claims and Asset Forfeiture
12 Actions, Federal Rules of Civil Procedure, and the Local Rules
13 of this Court. Potential claimants have not filed claims in
14 this case or answered the complaint. However, potential
15 claimants would have filed claims and answers in this case
16 absent this agreement. No other statements of interest or
17 answers have been filed, and the time for filing such statements
18 of interest and answers has expired. This Court has
19 jurisdiction over the parties to this judgment and the defendant
20 property. Any potential claimants to the defendant property
21 other than Fang Zeng and Sal S. Ruiz, Trustee of the Sarsons,
22 Inc. profit sharing plan are deemed to have admitted the
23 allegations of the complaint with respect to the defendant
24 property.

25 2. The United States of America shall have judgment as to
26 the defendant property, and, other than those interests
27 recognized herein, no other person or entity shall have any
28

1 right, title or interest therein. The legal description of the
2 defendant property, which property has Assessor Parcel Number
3 253-221-008, is more fully described as follows:

4
5 Parcel 1: A condominium comprised of the following:

6 (a) A separate interest in Condominium Unit #8 as
7 shown on Condominium Plat ("Plan") recorded on July
8 23, 2014, as instrument No. 2014-0273191, of the
9 Riverside County Official Records, and as further
10 described in the Master Declaration of Covenants,
11 Conditions and Restrictions for the Rocky Point
Terrace recorded on July 23, 2014, as instrument No.
12 2014-0273192 of the Riverside County Official Records
13 ("Declaration"), and (b) An undivided one-seventh
14 (1/7th) tenancy-in-common interest in the Phase 2
15 Common Area as described in the Plan and Declaration.

16
17 Parcel 2: The exclusive right to use the appurtenant
18 Exclusive Use Areas set aside and allocated for the
19 exclusive use of the Owner of the Condominium
20 described as Parcel 1, above, as described in the
21 Declaration and as shown on the Plan.

22
23 Parcel 3: Non-exclusive rights and easements in the
24 Association Property as described in the Declaration.

25
26 3. The United States is hereby authorized to remove any
27 occupants and/or personal property remaining on the defendant
28 property thirty days after the giving of written notice to any
occupants of the defendant property without further order of
this Court. The United States shall thereafter sell the
property. The proceeds of the sale shall be distributed in the
following priority, to the extent proceeds are available:

a. To the United States for its costs and expenses
of the sale;

b. To the Riverside County Assessor and Tax
Collector of all unpaid real property taxes

1 assessed against the defendant property to the
2 date of entry of the Judgment of Forfeiture;

3 c. To Sal R. Ruiz, Trustee of the Sarsons, Inc.
4 profit sharing plan as follows:

5 i. All unpaid principal and interest due under
6 the Note which is secured by the Deed of
7 Trust recorded as Instrument No. 2017-
8 0017823 against the defendant property
9 identifying Sal Ruiz, Trustee of the
10 Sarsons, Inc. Profit Sharing Plan as
11 beneficiary, as of the date of the
12 closing with respect to Plaintiff's sale of
13 the defendant property; and

14 ii. All other fees, costs and advances as
15 provided under the terms of the Note and
16 Deed of Trust, as of the date of the closing
17 with respect to Plaintiff's sale of the
18 defendant property. These fees, costs and
19 advances include, but are not limited to,
20 fees, advances or costs for property taxes,
21 insurance (including for hazard insurance),
22 reasonable attorney fees and costs and fees
23 and costs incurred in protecting
24 Sal S. Ruiz's security interest; and

25 d. The balance shall be paid and forfeited to the
26 United States of America, and such funds shall be
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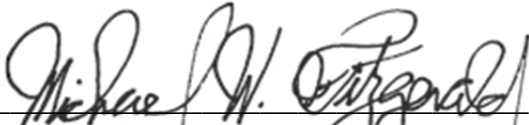
1 disposed of according to law.

2 4. Potential claimants have agreed to release the United
3 States of America, its agencies, agents, and officers, including
4 employees and agents of the Federal Bureau of Investigation,
5 from any and all claims, actions or liabilities arising out of
6 or related to this action, including, without limitation, any
7 claim for attorneys' fees, costs or interest which may be
8 asserted on behalf of potential claimants against the United
9 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.
10 Potential claimants have also waived any rights they may have to
11 seek remission or mitigation of the forfeiture. Nothing in this
12 Consent Judgment is intended as, nor should anything in this
13 Consent Judgment be interpreted as an admission by potential
14 claimants of any liability or wrongdoing.
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1 5. The court finds that there was reasonable cause for the
2 institution of these proceedings pursuant to 28 U.S.C.
3 § 2465. This judgment constitutes a certificate of reasonable
4 cause pursuant to 28 U.S.C. § 2465.

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6 DATED: August 31, 2017



7 THE HONORABLE MICHAEL W. FITZGERALD
8 UNITED STATES DISTRICT JUDGE

9 Prepared by:

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