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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
 9 EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,	)	1:08-CV-01108-OWW-GSA
12 Plaintiff,	)	<b>FINAL JUDGMENT OF FORFEITURE</b>
13 v.	)	
14 APPROXIMATELY \$13,402.59 IN U.S. CURRENCY,	)	
15 Defendant.	)	
16		

17 Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein, the Court finds:

18 1. This is a civil forfeiture action against defendant approximately \$13,402.59 in U.S.  
19 Currency (hereafter “defendant currency”).

20 2. A Verified Complaint for Forfeiture *In Rem* was filed on July 31, 2008, seeking the  
21 forfeiture of the defendant currency, alleging said currency is subject to forfeiture to the United  
22 States of America pursuant to 18 U.S.C. § 981(a)(1)(C) because the defendant currency represents  
23 proceeds of a specified unlawful activity in violation of 18 U.S.C. § 2313 or fungible property  
24 thereof pursuant to 18 U.S.C. § 984.

25 3. On August 1, 2008, in accordance with said Complaint, a Warrant for Arrest of  
26 Articles *In Rem* for the defendant currency was issued and duly executed on August 7, 2008.

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1           4.       On or about August 26, 2008, a Public Notice of Arrest of the defendant currency  
2 appeared by publication in the *Modesto Bee*, a newspaper of general circulation in the county in  
3 which the defendant currency was seized (Stanislaus County). The Declaration of Publication was  
4 filed with the Court on November 3, 2008.

5           5.       In addition to the publication of the forfeiture action, actual notice was personally  
6 served upon Claimants. On August 21, 2008, Claimants Robert Holloway and Kathryn Holloway  
7 filed verified Claims and Answers in this action. To date, no other parties have filed claims or  
8 answers in this matter, and the time for which any other person or entity may file a claim and answer  
9 has expired.

10          6.       Claimants Robert Holloway and Kathryn Holloway represent and warrant that they  
11 are the sole owners of the defendant currency.

12               Based on the above findings, and the files and records of the Court, it is hereby

13               ORDERED AND ADJUDGED:

14          1.       The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and  
15 between the parties to this action.

16          2.       Judgment is hereby entered against all other potential claimants who have not filed  
17 claims in this action.

18          3.       Upon entry of a Final Judgment of Forfeiture, \$6,701.30 of the defendant  
19 approximately \$13,402.59 in U.S. Currency, together with any interest that may have accrued on this  
20 amount, shall be forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), to be disposed  
21 of according to law.

22          4.       Within 45 days of entry of a Final Judgment of Forfeiture, \$6,701.29 of the defendant  
23 approximately \$13,402.59 in U.S. Currency shall be returned to Claimant Kathryn Holloway through  
24 her attorney Roger K. Vehrs at 2300 Tulare Street, Suite 250, Fresno, California 93721.

25          5.       Plaintiff United States of America and its servants, agents, and employees, and all  
26 other public entities, their servants, agents, and employees, are released from any and all liability  
27 arising out of or in any way connected with the arrest, seizure, or forfeiture of the defendant  
28 currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or

1 damages arising out of said arrest, seizure, or forfeiture, as well as to those now known or disclosed.

2 The parties waive the provisions of California Civil Code § 1542.

3 6. There was reasonable cause for the seizure and arrest of the defendant currency, and  
4 the Court may enter a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465.

5 7. All parties shall bear their own costs and attorneys' fees.

6 SO ORDERED THIS 20th day of September , 2010.

7  
8 /s/ OLIVER W. WANGER  
9 OLIVER W. WANGER  
10 United States District Judge

11 CERTIFICATE OF REASONABLE CAUSE

12 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed July 31,  
13 2008, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this  
14 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for  
15 the seizure and arrest of the defendant currency.

16 Dated: September 20, 2010

17 /s/ OLIVER W. WANGER  
18 OLIVER W. WANGER  
19 United States District Judge  
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