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7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,) 1:12-CV-01977-LJO-SKO
)
 12 Plaintiff,) **FINAL JUDGMENT OF FORFEITURE**
)
 13 v.)
)
 14 APPROXIMATELY \$423,600.00 SEIZED)
 FROM MISSION BANK ACCOUNT)
 15 NUMBER 1006675, HELD IN THE)
 NAME OF MIKE SEGUINE dba MIKE'S)
 16 COIN & STAMP,)
)
 17 Defendant.)

18 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

- 19 1. This is a civil forfeiture action against defendant approximately \$423,600.00
 20 seized from Mission Bank account number 1006675, held in the name of Mike Seguine dba
 21 Mike's Coin & Stamp (hereafter "defendant funds"), seized on or about July 19, 2012.
- 22 2. A Verified Complaint for Forfeiture In Rem ("Complaint") was filed on
 23 December 3, 2012, alleging that said defendant funds are subject to forfeiture to the United
 24 States of America pursuant to 18 U.S.C. §§ 981(a)(1)(A), 984, and 31 U.S.C. § 5317(c)(2).
- 25 3. On December 10, 2012, the Clerk issued a Warrant for Arrest for the
 26 defendant funds. The warrant for the defendant funds was duly executed on December 19,
 27 2012.
- 28 4. Beginning on December 11, 2012, for at least 30 consecutive days, the United

1 States published notice of this action on the official government forfeiture site
2 www.forfeiture.gov.

3 5. In addition to the public notice on the official internet government forfeiture
4 site www.forfeiture.gov, actual notice or attempted notice was given to the following
5 individuals:

- 6 a. Michael Seguine
- 7 b. Cathy Seguine
- 8 c. Mike's Coin & Stamp c/o Michael Seguine
- 9 d. Michael P. Mears, attorney

10 6. On January 9, 2013, Michael Seguine and Cathy Seguine ("Claimants") filed
11 claims and on January 29, 2013, filed an Answer. To date, no other parties have filed
12 claims or answers in this matter, and the time in which any person or entity may file a
13 claim and answer has expired.

14 Based on the above findings, and the files and records of the Court, it is hereby
15 ORDERED AND ADJUDGED:

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

18 2. That judgment is hereby entered against Michael Seguine, Cathy Seguine,
19 Mike's Coin & Stamp, and all other potential claimants.

20 3. Upon entry of a Final Judgment of Forfeiture here, \$304,992.00 of the
21 defendant funds, together with any interest that has accrued on the entire amount of
22 defendant funds, shall be forfeited to the United States pursuant to 18 U.S.C. §§
23 981(a)(1)(C), 984, and 31 U.S.C. § 5317(c)(2), to be disposed of according to law.

24 4. Upon entry of a Final Judgment of Forfeiture herein, but no later than 90 days
25 after the court issues the Final Judgment of Forfeiture or 90 days after Claimants have
26 provided the necessary electronic funds transfer paperwork – whichever is later,
27 \$118,608.00 of the defendant funds shall be returned to Claimants through their attorney
28 Kenneth M. Barish, at Kajan, Mather & Barish, 9777 Wilshire Blvd., Suite 805, Beverly

1 Hills, California, telephone (310) 278-6080.

2 5. That the United States of America and its servants, agents, and employees
3 and all other public entities, their servants, agents, and employees, are released from any
4 and all liability arising out of or in any way connected with the seizure, arrest, or forfeiture
5 of the defendant funds. This is a full and final release applying to all unknown and
6 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as
7 well as to those now known or disclosed. The parties to this agreement agree to waive the
8 provisions of California Civil Code § 1542.

9 6. That pursuant to the stipulation of the parties, and the allegations set forth in
10 the Complaint filed on December 3, 2012, the Court finds that there was probable cause for
11 arrest and seizure of the defendant funds, and for the commencement and prosecution of
12 this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465
13 shall be entered accordingly.

14 7. All parties are to bear their own costs and attorney's fees.

15 8. The U.S. District Court for the Eastern District of California shall retain
16 jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

17 **SO ORDERED**

18 **Dated: August 1, 2014**

19 /s/ Lawrence J. O'Neill
20 **United States District Judge**

21 CERTIFICATE OF REASONABLE CAUSE

22 Based upon the allegations set forth in the Complaint filed December 3, 2012, and
23 the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this
24 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable
25 cause for the seizure or arrest of the defendant funds, and for the commencement and
26 prosecution of this forfeiture action.

27 **SO ORDERED**

28 **Dated: August 1, 2014**

/s/ Lawrence J. O'Neill
United States District Judge