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

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 APPROXIMATELY \$16,923.87 IN
 U.S. CURRENCY,
 15 Defendant.
 16

2:09-CV-02087-WBS-EFB
 FINAL JUDGMENT OF FORFEITURE

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

20 1. This is a civil forfeiture action against the
 21 Approximately \$16,923.70 in U.S. Currency (hereafter "defendant
 22 currency") seized on or about February 20, 2009.

23 2. A Verified Complaint for Forfeiture In Rem ("Complaint")
 24 was filed on July 28, 2009, alleging that said defendant currency
 25 is subject to forfeiture to the United States of America pursuant
 26 to 21 U.S.C. § 881(a)(6). Doc #1.

27 3. On or about July 30, 2009, the Clerk issued a Warrant
 28 for Arrest for the defendant currency, and that warrant was duly

1 executed on August 3, 2009. Docs. #3,4, respectively.

2 4. Beginning on August 5, 2009, for at least 30 consecutive
3 days, the United States published Notice of the Forfeiture Action
4 on the official internet government forfeiture site
5 www.forfeiture.gov. A Declaration of Publication was filed on
6 September 16, 2009. Doc #8.

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

- 11 a) Eric Engstrom
- 12 b) Mona Colomb

13 6. Claimants filed a verified claim to the defendant
14 currency on November 11, 2009 and answer to the complaint on
15 November 11, 2009. Docs. #9, #10, respectively.

16 7. No other parties have filed claims or answers in this
17 matter and the time for which any person or entity may file a
18 claim and answer has expired.

19 Based on the above findings, and the files and records of
20 this Court, it is hereby

21 ORDERED AND ADJUDGED:

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

25 2. Judgment is hereby entered against Eric Engstrom and
26 Mona Colomb, and all other potential claimants who have not filed
27 claims in this action.

28 3. Upon entry of a Final Judgment of Forfeiture, \$9,923.87

1 of the \$16,923.87 in U.S. Currency, together with any interest
2 that may have accrued on that amount, shall be forfeited to the
3 United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed
4 of according to law.

5 4. Upon entry of a Final Judgment of Forfeiture herein, but
6 no later than 60 days thereafter, \$7,000.00 of the \$16,923.87 in
7 U.S. Currency, together with any interest that may have accrued
8 on that amount, shall be returned to claimants Eric Engstrom and
9 Mona Colomb, through their attorney Stephen A. Munkelt.

10 5. Plaintiff United States of America and its servants,
11 agents, and employees and all other public entities, their
12 servants, agents, and employees, are released from any and all
13 liability arising out of or in any way connected with the
14 seizure, arrest, or forfeiture of the defendant properties. This
15 is a full and final release applying to all unknown and
16 unanticipated injuries, and/or damages arising out of said
17 seizure, arrest, or forfeiture, as well as to those now known or
18 disclosed. The parties to the stipulation waived the provisions
19 of California Civil Code § 1542.

20 6. Pursuant to the stipulation of the parties, no party
21 substantially prevailed in this action within the meaning of 28
22 U.S.C. § 2465.

23 7. Pursuant to the stipulation of the parties, and the
24 allegations set forth in the Complaint filed on or about July 28,
25 2009, the Court finds that there was reasonable cause for the
26 seizure and arrest of the defendant currency, and for the
27 commencement and prosecution of this forfeiture action, and a
28 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465

1 shall be entered accordingly.

2 8. Each party shall bear its own costs and attorney's fees.

3 9. The Court shall maintain jurisdiction to enforce the
4 terms of this Final Judgment of Forfeiture.

5 SO ORDERED THIS 5TH day of December, 2011.

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7 WILLIAM B. SHUBB
8 UNITED STATES DISTRICT JUDGE
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12 CERTIFICATE OF REASONABLE CAUSE

13 Based upon the allegations set forth in the Complaint filed
14 July 28, 2009, and the Stipulation for Final Judgment of
15 Forfeiture filed herein, the Court enters this Certificate of
16 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
17 reasonable cause for seizure, or arrest of the defendant
18 currency, and for the commencement and prosecution of this
19 forfeiture action.
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22 DATED: December 5, 2011
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25 WILLIAM B. SHUBB
26 UNITED STATES DISTRICT JUDGE
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