

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KRISTIN S. DOOR, SBN 84307
 Assistant U.S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916)554-2723
 5 Attorneys for Plaintiff
 United States of America
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8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	2:10-CV-00223-WBS-GGH
)	
11 Plaintiff,)	DEFAULT JUDGMENT AND FINAL
)	JUDGMENT OF FORFEITURE
12 v.)	
)	
13 45 units, more or less, of the)	
14 Model AOS-1M Ozone)	
Generator, articles of device,)	
15 labeled in part:)	
)	
16 "AOS-1M OZONE GENERATOR" ***)	Date: N/A
APPLIED OZONE SYSTEMS MODEL)	Time: N/A
17 AOS-1M VOLTS *** SERIAL *** 10072)	Dept: N/A
Streeter Rd. Suite 2 Auburn, CA)	
18 95602 530-268-6690)	
www.appliedozone.com)	
19 "MADE IN USA" and)	
)	
20 35 units, more or less, of the)	
21 Model AOS-1MD Ozone Generator,)	
articles of device, labeled in)	
22 part:)	
)	
23 "AOS-1MD" APPLIED OZONE)	
SYSTEMS MODEL AOS-1MD VOLTS ***)	
24 SERIAL *** 10072 Streeter Rd.)	
Suite 2 Auburn, CA 95602)	
530-268-6690)	
25 www.appliedozone.com *** MADE IN)	
26 USA ***,")	
)	
27 Defendants.)	

1 This matter came on before the Honorable Magistrate Judge
2 Gregory G. Hollows on plaintiff United States' *ex parte* motion
3 for default judgment. There was no appearance by or on behalf of
4 any person or entity claiming an interest in the above-captioned
5 defendant articles of device (hereafter "the defendant devices")
6 to oppose plaintiff's motion. The Magistrate Judge has
7 recommended that plaintiff's motion for default judgment be
8 granted. Based on the Magistrate Judge's Findings and
9 Recommendations and the files and records of the Court, it is

10 ORDERED, ADJUDGED AND DECREED:

11 1. The Magistrate Judge's Findings and Recommendations are
12 adopted herein.

13 2. Charles C. Ankeney is held in default.

14 3. A judgment by default is hereby entered against any
15 right, title or interest of Charles C. Ankeney in the defendant
16 devices.

17 4. Pursuant to 21 U.S.C. § 334(a)(2)(D), the defendant
18 devices are adulterated under the Federal Food, Drug, and
19 Cosmetic Act (hereafter "the Act"), 21 U.S.C. §§ 351(f)(1)(B) and
20 351(h), and misbranded under the Act, 21 U.S.C. §§ 352(o),
21 352(f)(1), 352(t)(2), and 352(j) and are hereby condemned.

22 5. A final judgment of forfeiture is hereby entered,
23 forfeiting all right, title and interest in the defendant devices
24 to the United States, to be disposed of according to law.

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1 6. All parties shall bear their own costs and
2 attorneys' fees.

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4 SO ORDERED, this 13th day of August, 2010.

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7 WILLIAM B. SHUBB
8 UNITED STATES DISTRICT JUDGE
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