

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KEVIN C. KHASIGIAN
 Assistant U. S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2700
 5 Attorneys for the United States

6
 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,

2:12-MC-00081-WBS-KJN

13 v.

14 APPROXIMATELY \$66,379.31 IN U.S.
 CURRENCY SEIZED FROM GOLDEN
 15 ONE CREDIT UNION ACCOUNT
 NUMBER 1321409-2, HELD IN THE
 16 NAME OF REZA MEHDIZADEH, and

CONSENT JUDGMENT OF
 FORFEITURE

17 APPROXIMATELY \$3,905.03 IN U.S.
 CURRENCY SEIZED FROM GOLDEN
 18 ONE CREDIT UNION ACCOUNT
 NUMBER 909462-0, HELD IN THE
 19 NAME OF REZA MEHDIZADEH AND
 ABBAS TOURZANI,

20 Defendants.
 21

22 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court
 23 finds:

24 1. On June 19, 2012, the Internal Revenue Service (“IRS”) executed a
 25 Federal seizure warrant at Golden One Credit Union located at 8945 Cal Center Drive,
 26 Sacramento, California. The agents seized Approximately \$66,379.31 in U.S. Currency
 27 from Golden One Credit Union Account Number 1321409-2, held in the name of Reza
 28 Mehdizadeh and Approximately \$3,905.03 in U.S. Currency from Golden One Credit

1 Union Account Number 909462-0, held in the name of Reza Mehdizadeh and Abbas
2 Tourzani (hereafter the “defendant funds”). IRS then commenced administrative
3 forfeiture proceedings, sending direct written notice to all known potential claimants
4 and publishing notice to all others. On or about July 26, 2012, the IRS received a claim
5 from Abbas M. Tourzani asserting an ownership interest in the defendant funds.

6 2. The government represents that it could show at a forfeiture trial that on
7 June 19, 2012, IRS agents executed a Federal seizure warrant on the defendant funds.
8 The agents seized Approximately \$66,379.31 in U.S. Currency and Approximately
9 \$3,905.03 in U.S. Currency that was allegedly used to structure currency deposit
10 transactions by breaking them into amounts at or below \$10,000.00 to avoid the
11 currency transaction requirement in violation of 31 U.S.C. § 5324(a)(3).

12 3. Without admitting the truth of the factual assertions contained in this
13 stipulation, Abbas M. Tourzani and Reza Mehdizadeh specifically denying the same,
14 and for the purpose of reaching an amicable resolution and compromise of this matter,
15 Abbas M. Tourzani and Reza Mehdizadeh agree that an adequate factual basis exists
16 to support forfeiture of the defendant funds. Abbas M. Tourzani and Reza Mehdizadeh
17 hereby acknowledge that they are the sole owners of the defendant funds, and that no
18 other person or entity has any legitimate claim of interest therein. Should any person
19 or entity institute any kind of claim or action against the government with regard to its
20 forfeiture of the defendant funds, Abbas M. Tourzani and Reza Mehdizadeh shall hold
21 harmless and indemnify the United States, as set forth below.

22 4. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345
23 and 1355, as this is the judicial district in which acts or omissions giving rise to the
24 forfeiture occurred.

25 5. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial
26 district in which the property was seized.

27 6. The parties herein desire to settle this matter pursuant to the terms of a
28 duly executed Stipulation for Consent Judgment of Forfeiture.

1 Based upon the above findings, and the files and records of the Court, it is
2 hereby ORDERED AND ADJUDGED:

3 7. The Court adopts the Stipulation for Consent Judgment of Forfeiture
4 entered into by and between the parties.

5 8. Upon entry of the Consent Judgment of Forfeiture, \$30,000.00 of the
6 \$66,379.31 in U.S. Currency, together with any interest that may have accrued on the
7 total amount seized, shall be forfeited to the United States pursuant to 18 U.S.C. § 984
8 and 31 U.S.C. § 5317(c)(2), to be disposed of according to law.

9 9. Upon entry of the Consent Judgment of Forfeiture, but no later than 60
10 days thereafter, \$36,379.31 of the \$66,379.31 in U.S. Currency and the Approximately
11 \$3,905.03 in U.S. Currency, shall be returned to potential claimants Abbas M.
12 Tourzani and Reza Mehdizadeh.


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

20 11. No portion of the stipulated settlement, including statements or
21 admissions made therein, shall be admissible in any criminal action pursuant to
22 Rules 408 and 410(4) of the Federal Rules of Evidence.

23 12. All parties will bear their own costs and attorney's fees.

24 IT IS SO ORDERED.

25 DATED: March 18, 2013

26 
27 WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE