

1 BENJAMIN B. WAGNER
United States Attorney
2 KEVIN C. KHASIGIAN
MICHAEL D. ANDERSON
3 Assistant U.S. Attorneys
501 I Street, Suite 10-100
4 Sacramento, CA 95814
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,

2:14-CV-01242-JAM-AC

12 Plaintiff,

13 v.

FINAL JUDGMENT OF
FORFEITURE

14 APPROXIMATELY \$546,104.80 SEIZED FROM
WACHOVIA BANK ACCOUNT NUMBER
15 2000019689368,

16 Defendant.
17

18 Pursuant to the Request for Final Judgment of Forfeiture filed herein, the Court
19 finds:

20 1. This is a civil forfeiture action against defendant Approximately \$546,104.80
21 seized from Wachovia Bank Account Number 2000019689368¹ (hereafter “defendant
22 funds”) seized on or about May 28, 2013.

23 2. The United States and potential claimants Alex Goldman and Harold
24 Levinson and Associates, Inc. entered into several Stipulations and Orders extending the
25 United States’ time to file a complaint in Case No. 2:13-MC-00070-MCE-DAD. The last
26 Order was entered on or about March 25, 2014, and it extended the time to file the
27 complaint to May 21, 2014.

28 ¹ The seizure warrant was served on a Wells Fargo Bank branch based on the merger between the two financial institutions.

1 3. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on May
2 21, 2014, alleging that said defendant funds are subject to forfeiture to the United States
3 pursuant to 18 U.S.C. § 981(a)(1)(C).

4 4. On June 12, 2014, the Clerk issued a Warrant for Arrest for the defendant
5 funds, and that warrant was duly executed on June 16, 2014.

6 5. Beginning on May 29, 2014, for at least thirty consecutive days, the United
7 States published Notice of the Forfeiture Action on the official internet government
8 forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on July 17, 2014.

9 6. On April 8 and 9, 2014 pursuant to a Stipulation for Final Judgment of
10 Forfeiture and/or Consent Judgment of Forfeiture, potential claimants Alex Goldman,
11 Marni Goldman, Mark Goldman, and Laura Goldman agreed to forfeit all of their right,
12 title, and interest in the defendant funds, plus any accrued interest, to the United States
13 pursuant to 18 U.S.C. § 981(a)(1)(A) and (C), to be disposed of according to law. That
14 Stipulation is attached and incorporated as Exhibit A to the Request for Final Judgment
15 of Forfeiture filed herein.

16 7. On or about May 20, 2014 pursuant to a Stipulation for Final Judgment of
17 Forfeiture, potential claimant Harold Levinson and Associates, Inc. (“HLA”) agreed to
18 forfeit all of their right, title, and interest in the defendant funds, plus any accrued
19 interest, to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), to be disposed of
20 according to law. That Stipulation is attached and incorporated as Exhibit B to the
21 Request for Final Judgment of Forfeiture filed herein.

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

24 1. That judgment is hereby entered against potential claimants Alex Goldman,
25 Marni Goldman, Mark Goldman, Laura Goldman, and HLA, and all other potential
26 claimants who have not filed claims in this action.

27 2. All right, title, and interest of Alex Goldman, Marni Goldman, Mark
28 Goldman, Laura Goldman, and HLA in the defendant Approximately \$546,104.80 seized

1 from Wachovia Bank Account Number 2000019689368, plus any accrued interest, shall
2 be forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), to be disposed of
3 according to law.

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

11 4. All parties are to bear their own costs and attorneys' fees.

12 SO ORDERED THIS 11th day of August, 2014

13
14 /s/ John A. Mendez
15 JOHN A. MENDEZ
16 United States District Court Judge
17
18
19
20
21
22
23
24
25
26
27
28