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

10  
 11 UNITED STATES OF AMERICA,  
 12 Plaintiff,

2:14-cv-02198-MCE-CKD

13 v.

STIPULATION AND ORDER AMENDING  
 FINAL JUDGMENT OF FORFEITURE

14 REAL PROPERTY LOCATED AT 6620 LITTLE  
 CANYON ROAD, EL DORADO, CALIFORNIA,  
 15 EL DORADO COUNTY, APN: 092-021-35-100,  
 INCLUDING ALL APPURTENANCES AND  
 16 IMPROVEMENTS THERETO; and

17 REAL PROPERTY LOCATED AT 6671 LITTLE  
 CANYON ROAD, EL DORADO, CALIFORNIA,  
 18 EL DORADO COUNTY, APN: 046-032-46-100,  
 INCLUDING ALL APPURTENANCES AND  
 19 IMPROVEMENTS THERETO,

20 Defendants.  
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22 It is hereby stipulated by and between the United States and claimants Eric Portela and Keith  
 23 Toman Jr. (hereafter "Claimants"), by and through their respective counsel of record, as follows:

24 1. The Stipulation for Final Judgment of Forfeiture, Doc. 22, filed July 5, 2015,  
 25 provided that claimants Eric Portela and Keith Toman Jr. were to pay a settlement, and that when the  
 26 settlement was paid in full, the lis pendens would be removed. The claimants have now fully paid  
 27 the settlement.

1           2.       Removal of the lis pendens alone will not clear up the cloud on the title because there  
2 was a default judgment entered earlier in the case. Claimants moved to vacate the default judgment  
3 and then settlement negotiations began, and the default judgment was never officially vacated.

4           3.       Since the agreed settlement was paid in full, the Default Judgment, Doc. 16, entered  
5 February 13, 2015, should now be vacated and the recorded owners should be reinstated as title  
6 owners as follows:

7           4.       The recorded owner of the 6620 Little Canyon Road real property shall be Eric  
8 Portela, a single man. The recorded owners of the 6671 Little Canyon Road real property shall be  
9 Eric Portela, an unmarried man, and Keith Toman, an unmarried man, as tenants in common.

10 Dated: 12-20-2016

PHILLIP A. TALBERT  
United States Attorney

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13 By: /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

14  
15 Dated: 12-13-2016

16 By: /s/ Brenda Grantland  
BRENDA GRANTLAND  
Attorney for Claimants  
Eric Portela and Keith Toman Jr.

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18 (Original signatures retained by attorney)

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1 Dated: 12-2-16

/s/ Eric Portela  
ERIC PORTELA  
Claimant

4 ACKNOWLEDGMENT

5 A notary public or other officer completing this acknowledgment verifies only the identity of the  
6 individual who signed this document, and not the truthfulness, accuracy, or validity of this document.

7 State of California )  
8 County of Sacramento )

9 On 2<sup>nd</sup> Dec 2016, before me, Jessica Crum, Notary Public, personally appeared  
10 Eric P. Portela, who proved to me on the basis of satisfactory evidence to be the person(s) whose  
11 name(s) is are subscribed to the within instrument and acknowledged to me that he she/they  
executed the same in his her/their authorized capacity(ies), and that by his her/their signature(s) on  
the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the  
instrument.

12 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
13 paragraph is true and correct.

14 WITNESS my hand and official seal.

15 Signature /s/ Jessica Crum

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1 Dated: 12/8/16

/s/ Keith Toman Jr.  
KEITH TOMAN JR.  
Claimant

4 ACKNOWLEDGMENT

5 A notary public or other officer completing this acknowledgment verifies only the identity of the  
6 individual who signed this document, and not the truthfulness, accuracy, or validity of this document.

7 State of California )  
8 County of Orange )

9 On 12/8/2016, before me, Jae Hwan Kim, Notary Public, personally appeared  
10 Keith Toman, Jr., who proved to me on the basis of satisfactory  
11 evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
12 acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and  
13 that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which  
14 the person(s) acted, executed the instrument.

12 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
13 paragraph is true and correct.

14 WITNESS my hand and official seal.


15 Signature /s/ Jae Hwan Kim

17 ORDER

19 In accordance with the foregoing stipulation, and good cause appearing, the default judgment  
20 entered in this matter on February 13, 2015 (ECF No. 16) is hereby vacated and the recorded owners  
21 of the property in question shall be reinstated as title owners as agreed by the parties.

23 IT IS SO ORDERED.

24 Dated: January 4, 2017

25   
26 MORRISON C. ENGLAND, JR.  
27 UNITED STATES DISTRICT JUDGE