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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$84,102.21 SEIZED  
FROM SAFE CREDIT UNION ACCOUNT  
NUMBER 468871, HELD IN THE NAME  
OF POTHONG MARKET,

APPROXIMATELY \$28,353.38 SEIZED  
FROM SAFE CREDIT UNION ACCOUNT  
NUMBER 438814, HELD IN THE NAME  
OF BOUNMEE KANTHATHIN, and

APPROXIMATELY \$19,900.00 SEIZED  
FROM SAFE CREDIT UNION ACCOUNT  
NUMBER 462905, HELD IN THE NAME  
OF LIANNE KANTHATHIN,

Defendants.

2:14-MC-00024-KJM-KJN

CONSENT JUDGMENT OF  
FORFEITURE

Pursuant to the Stipulation for Consent Judgment of Forfeiture, the court finds:

1. On September 13, 2013, agents with the Internal Revenue Service – Criminal Investigation (“IRS-CI”) executed a Federal seizure warrant at Safe Credit Union at 3720 Madison Avenue, North Highlands, California. The agents seized Approximately \$84,102.21 from Safe Credit Union account number 468871, held in the

1 name of Pothong Market; Approximately \$28,353.38 from Safe Credit Union account  
2 number 438814, held in the name of Bounmee Kanthathin; and Approximately  
3 \$19,900.00 from Safe Credit Union account number 462905, held in the name of Lianne  
4 Kanthathin (hereafter the "defendant funds").

5 2. The IRS-CI commenced administrative forfeiture proceedings, sending  
6 direct notice to all known potential claimants and publishing notice to all others. On or  
7 about November 14, 2013, the IRS-CI received a claim from Lianne Kanthathin asserting  
8 an ownership interest in the defendant funds.

9 3. The United States represents that it could show at a forfeiture trial that  
10 from April 2, 2013 to June 24, 2013, Bounmee Kanthathin and Lianne Kanthathin or  
11 another person acting for their benefit, structured transactions by breaking up currency  
12 deposits to the Safe Credit Union Account Number 468871, held in the name of Pothong  
13 Market, Safe Credit Union Account Number 438814, held in the name of Bounmee  
14 Kanthathin, and Safe Credit Union Account Number 462905, held in the name of Lianne  
15 Kanthathin. The defendant funds were allegedly used to structure currency deposit  
16 transactions by breaking them into amounts at or below \$10,000.00 to avoid the currency  
17 transaction requirement in violation of 31 U.S.C. § 5324(a)(3).

18 4. The United States could further show at a forfeiture trial that the defendant  
19 funds are forfeitable to the United States pursuant to 18 U.S.C. § 984 and 31 U.S.C. §  
20 5317(c)(2), incorporating the procedures governing civil forfeiture actions pursuant to 18  
21 U.S.C. § 981.

22 5. Without admitting the truth of the factual assertions contained above,  
23 Bounmee Kanthathin and Lianne Kanthathin specifically denying the same, and for the  
24 purpose of reaching an amicable resolution and compromise of this matter, Bounmee  
25 Kanthathin and Lianne Kanthathin agree that an adequate factual basis exists to  
26 support forfeiture of the defendant funds. Bounmee Kanthathin and Lianne Kanthathin  
27 hereby acknowledge that they are the sole owners of the defendant funds and that no  
28 other person or entity has any legitimate claim of interest therein. Should any person or

1 entity institute any kind of claim or action against the government with regard to its  
2 forfeiture of the defendant funds, Bounmee Kanthathin and Lianne Kanthathin shall  
3 hold harmless and indemnify the United States, as set forth below.

4 6. This court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345 and  
5 1355, as this is the judicial district in which acts or omissions giving rise to the forfeiture  
6 occurred.

7 7. This court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial  
8 district in which the defendant funds were seized.

9 8. The parties herein desire to settle this matter pursuant to the terms of a  
10 duly executed Stipulation for Consent Judgment of Forfeiture.

11 Based upon the above findings, and the files and records of the court, it is hereby  
12 ORDERED AND ADJUDGED:

13 9. The court adopts the Stipulation for Consent Judgment of Forfeiture entered  
14 into by and between the parties.

15 10. Upon entry of this Consent Judgment of Forfeiture, Approximately \$84,102.21  
16 seized from Safe Credit Union account number 468871, held in the name of Pothong  
17 Market and \$21,782.26 of the Approximately \$28,353.38 seized from Safe Credit Union  
18 account number 438814, held in the name of Bounmee Kanthathin, together with any  
19 interest that may have accrued on the total amount seized, shall be forfeited to the United  
20 States pursuant to 18 U.S.C. § 984 and 31 U.S.C. § 5317(c)(2), incorporating the procedures  
21 governing civil forfeiture actions pursuant to 18 U.S.C. § 981, to be disposed of according to  
22 law.

23 11. Upon entry of this Consent Judgment of Forfeiture, but no later than 60  
24 days thereafter, \$6,571.12 of the Approximately \$28,353.38 seized from Safe Credit Union  
25 account number 438814, held in the name of Bounmee Kanthathin and Approximately  
26 \$19,900.00 seized from Safe Credit Union account number 462905, held in the name of  
27 Lianne Kanthathin, shall be returned to potential claimants Bounmee Kanthathin and  
28 Lianne Kanthathin through their attorney Mark J. Reichel.

