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6 United States

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

9  
10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 SALAM KALASHO,  
14 Defendant and Judgment Debtor.  
15  
16 BANK OF MICHIGAN,  
17 Garnishee.

Case No.: 2:14-MC-00103-KJM-KJN

**STIPULATION FOR CONTINUING ORDER OF  
GARNISHMENT; AND ORDER THEREON**

CRIMINAL CASE. NO. 2:08-CR-00577-KJM

No Hearing Requested

18  
19 The parties and signatories (the Signatories) stipulate to the resolution of the United States'  
20 pending garnishment action against defendant Salam Kalasho's interest in multiple bank accounts  
21 maintained at the Bank of Michigan as follows:

- 22 1. By judgment imposed on April 3, 2013 in case number 2:08-CR-00577-KJM, the Court  
23 ordered Defendant to pay a \$100 special assessment and \$8,503,544.00 in restitution. ECF No. 95.  
24 2. The United States sought, and on August 14, 2014, the Clerk issued a writ of garnishment  
25 against Defendant's interests in banking accounts at garnishee Bank of Michigan. Misc. ECF No. 5.  
26 3. The Bank of Michigan filed and served its answer to the writ on August 20, 2014. ECF  
27 No. 7. The Bank of Michigan's answer states Defendant possesses an interest in two checking accounts  
28

1 maintained by Liquor Company, Inc. (Liquor Company): an account ending in the numbers 8037 and  
2 the other in 9285. The answer describes Defendant’s interest in account no. 8037 as “Signer.” It does  
3 not describe Defendant’s interest in account no. 9285. *Id.*

4 4. Defendant’s spouse, Ruaa Kano, is the president and sole shareholder of Liquor  
5 Company. Kano moved to quash the writ of garnishment arguing, among other reasons, that Liquor  
6 Company’s accounts do not belong to the Defendant. ECF No. 9.<sup>1</sup> Kano has also requested the Court to  
7 transfer the writ proceeding to the Eastern District of Michigan, arguing that she, the Defendant and the  
8 bank accounts are located in the Detroit area. ECF No. 10.

9 5. Bank of Michigan bank records show that, as of August 17, 2014, Defendant was a signer  
10 on Liquor Company’s two checking accounts even though he is not listed as an officer, director or  
11 shareholder of the company. The check signature forms state: “All signers are acting on behalf of the  
12 business entity.” By Bank of Michigan document dated August 18, 2014, however, Kano removed  
13 Defendant as a signer on the two accounts. The Signatories differ on how these facts resolve the issue  
14 whether Defendant maintains a property interest in Liquor Company’s checking accounts. To avoid the  
15 delay, expense and uncertainty of litigating the property interest issue and other relief sought by Kano  
16 and/or Defendant, the parties and signatories agree that:

17 A. This Court has jurisdiction and venue over this writ of garnishment proceeding with  
18 the Bank of Michigan;

19 B. This proceeding can be properly adjudicated in the Eastern District of California;

20 C. Kano affirms that Defendant will not have access to the Liquor Company’s—and to  
21 the extent that Defendant ever had access to Liquor Company accounts, if any, Defendant will no longer  
22 have such access to the—checking accounts at issue here or to any other Liquor Company accounts until  
23 further order from this Court;

24 D. Neither Kano nor Liquor Company will move within 180 days of the signing of this  
25 Stipulation to quash a subpoena from the United States to determine the relationship between Defendant  
26 and the Liquor Company; however, any such subpoena summoning the personal appearance of Ruaa  
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28 <sup>1</sup> Defendant also objected to the writ. *See*, ECF No. 9-8.

1 Kano and/or Liquor Company, Inc., if at all, will not summon their appearance outside the boundaries of  
2 the Eastern District of Michigan, unless the parties so agree;

3 E. This stipulation and order are not intended to restrain Defendant's possible future  
4 employment at the Liquor Company upon his release from prison;

5 F. Defendant is free to seek employment at Liquor Company so long as he does not have  
6 access to its checking accounts unless permitted to do so by Court order or agreement with the United  
7 States;

8 G. This is a continuing writ of garnishment, to be terminated upon the earlier of 180 days  
9 from the date of this order or further order of this Court;

10 H. Kano and the Liquor Company agree the United States may garnish account no. 9285  
11 in the amount of \$1,500;

12 I. Kano, the Liquor Company, and Defendant, jointly and severally, agree to pay to the  
13 Clerk of the United States District Court \$2,000 within 30 days from the date this Order is signed;

14 J. Any action to enforce compliance with paragraph 5I, above, shall remain in this  
15 District;

16 K. Kano and the Liquor Company may regain control of any remaining funds above  
17 \$1,500.00 in account no. 9285, and resume regular banking transactions in this and the other Bank of  
18 Michigan account upon signature of the accompanying Order; and

19 L. Upon compliance with the above terms, the United States will not apply for another  
20 writ with regard to the Bank of Michigan nor seek to enforce the current writ with regard to the Bank of  
21 Michigan on these accounts unless further information is discovered by the United States after the  
22 signing of this Stipulation demonstrating that Defendant has taken action with regard to those accounts  
23 after the date of this agreement.

1 FOR THE UNITED STATES OF AMERICA:

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BENJAMIN B. WAGNER  
United States Attorney

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4 Dated: September \_\_, 2014

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KURT A. DIDIER  
Assistant United States Attorney

6 FOR RUAA KANO:

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8 Dated: September \_\_, 2014

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\_\_\_\_\_  
RUAA KANO, an individual

10 FOR LIQUOR COMPANY, INC.:

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12 Dated: September \_\_, 2014

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\_\_\_\_\_  
RUAA KANO, President

14 FOR DEFENDANT SALAM KALASHO:

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16 Dated: September \_\_, 2014

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\_\_\_\_\_  
SALAM KALASHO, an individual, in pro per

18 APPROVED AS TO FORM AND CONTENT:

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20 Dated: September \_\_, 2014

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\_\_\_\_\_  
MICHAEL MAURO, ESQ.  
Attorney for Ruaa Kano and Liquor Company, Inc.

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1 **ORDER**

2 The Court, having reviewed the files and the parties' Stipulation for Continuing Order of  
3 Garnishment (the Stipulation) and finding good cause therefore, hereby APPROVES the Stipulation.

4 ACCORDINGLY, the Court hereby ORDERS, ADJUDGES and DECREES as follows:

5 1. The United States' application for a continuing order of garnishment in the amount of  
6 \$1,500 as set forth above is GRANTED;

7 2. Bank of Michigan shall DELIVER, within twenty (20) days of the date of this Order, a  
8 cashier's check, money order or company draft in the sum of \$1,500 drawn from the account ending in  
9 numbers 9285, and made payable to the "Clerk of the Court" at the Office of the Clerk, United States  
10 District Court, Eastern District of California, 501 I Street, Suite 4-200, Sacramento, California 95814.  
11 Bank of Michigan shall also state the docket number (Case No.: 2:08-CR-00577-KJM) on the payment  
12 instrument and, if it desires a payment receipt, shall include a self-addressed, stamped envelope with the  
13 payment;

14 3. Upon the signing of this Order, the Bank of Michigan shall RELEASE its hold on any  
15 amount exceeding \$1,500 in account No. 9285 and on any other Bank of Michigan accounts associated  
16 with Liquor Company, Inc.;


17 4. Kano, the Liquor Company, Inc. and Defendant, jointly and severally, shall PAY to the  
18 Clerk of the United States District Court \$2,000 as set forth in paragraph 2 of this Order, within 30 days  
19 from the date this Order is signed;

20 5. Any action to enforce compliance with paragraph 4 of this Order shall remain in this  
21 District; and

22 6. The other agreements of the parties within the Stipulation are approved.

23  
24 IT IS SO ORDERED.

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26 Dated: October 22, 2014

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28 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE