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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 YANIV GOHAR,
15 Defendant,

16 REAL PROPERTY LOCATED AT 2040 SOLANO WAY,
OAKLAND, CALIFORNIA, ALAMEDA COUNTY, APN:
17 020-0109-006-3, INCLUDING ALL APPURTENANCES
AND IMPROVEMENTS THERETO,

18 REAL PROPERTY LOCATED AT 925 EAST 11TH
19 STREET, OAKLAND, CALIFORNIA, ALAMEDA
COUNTY, APN: 019-0017-003, INCLUDING ALL
20 APPURTENANCES AND IMPROVEMENTS THERETO,

21 REAL PROPERTY LOCATED AT 832-836 7TH AVENUE,
OAKLAND, CALIFORNIA, ALAMEDA COUNTY, APN:
22 019-0011-016, INCLUDING ALL APPURTENANCES
AND IMPROVEMENTS THERETO,

23 2013 MASTERCRAFT X-STAR WAKEBOARD BOAT,
24 VIN: MBCSLDD0K213, CALIFORNIA VESSEL
NUMBER: CF 4080 RV,

25 APPROXIMATELY \$7,129.51 SEIZED FROM JP
26 MORGAN CHASE, ACCOUNT NUMBER 819151536,

27 APPROXIMATELY \$12,218.09 SEIZED FROM JP
MORGAN CHASE, ACCOUNT NUMBER 928009591,
28 and

2:18-CV-00305-GEB-DB

REQUEST TO EXTEND DEADLINE TO
FILE A JOINT STATUS REPORT

1 APPROXIMATELY \$7,286.14 SEIZED FROM JP
2 MORGAN CHASE, ACCOUNT NUMBER 3367633756,

3 Defendants-*In Rem*.

4 The United States and claimants Northpointe Bank, Velocity Commercial Capital LLC, and
5 Cenlar FSB submit the following Request to Extend the Deadline to file a Joint Status Report from July
6 26, 2018 to September 27, 2018. No other party has appeared in this action.

7 **Introduction**

8 This case involves a criminal defendant that chose to flee this jurisdiction to avoid criminal
9 prosecution for his gambling crimes. As set forth in the Verified Complaint, the defendant assets were
10 purchased by this individual with criminal proceeds and are therefore subject to forfeiture to the United
11 States. ECF No. 1, 4. The United States has defaulted the defendant in this civil case, ECF No. 20, and
12 subsequently moved to sell the properties to preserve equity for forfeiture. *See* ECF No. 24. This Court
13 granted the motion and the U.S. Marshals are currently in the process of selling the properties.

14 On February 8, 2018, the United States filed a civil forfeiture complaint *in rem* against the above-
15 captioned assets (“defendant assets”), based on their involvement in violations of federal gambling laws.
16 All known potential claimants to the defendant property were served in a manner consistent with
17 *Dusenberry v. United States*, 534 U.S. 161, 168 (2002) and the applicable statutory authority.¹
18 Additionally, public notice on the official internet government forfeiture site, www.forfeiture.gov, began
19 on March 21, 2018, and ran for thirty consecutive days, as required by Rule G(4)(a)(iv)(C) of
20 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of
21 Publication was filed on May 2, 2018. ECF No. 16.

22 **Good Cause**

23 The United States has diligently pursued its forfeiture case against the defendant assets and
24 noticed all known potential claimants as required by the Supplemental Rules governing forfeiture cases.
25 On March 16, 2018, Northpointe Bank filed a claim in the forfeiture action alleging a loan interest in the

26
27 ¹ The primary potential claimant, Yaniv Gohar, was criminally indicted in the Eastern District of
28 California for violating federal gambling laws, *United States v. Yaniv Gohar, et al.*, Case 2:17-CR-
00232-GEB. He has since fled the jurisdiction. However, the United States has noticed his legal
representation consistent with the authorities on notice.

1 defendant property located at 925 East 11th Avenue. ECF No. 13. The Bank filed an answer on April 5,
2 2018. ECF No. 15. On May 14, 2018, Velocity Commercial Capital LLC filed a claim in the forfeiture
3 action alleging a loan interest in the defendant property located at 2040 Solano Way. ECF No. 23. On
4 June 8, 2018, Cenlar FSB filed a claim in the forfeiture action alleging a loan interest in the defendant
5 property located at 832-836 7th Avenue. ECF No. 26. Cenlar FSB filed an answer on June 14, 2018.
6 ECF No. 29. No other party has entered this case claiming an interest in the defendant assets.

7 As explained briefly above, this case presents the unique circumstance of the primary potential
8 claimant, Yaniv Gohar, having fled this jurisdiction to avoid criminal prosecution. *See United States v.*
9 *Yaniv Gohar, et al., Case 2:17-CR-00232-GEB.* The United States has obtained Clerk's Defaults against
10 Yaniv Gohar, Eran Berkovich (registered owner of the Mastercraft boat) and United Home SF, Inc. (Mr.
11 Gohar's company which holds an interest in some of the defendant assets). On June 15, 2018, an Order
12 Granting the United States Motion for Interlocutory Sale of the Real Properties was entered and the
13 defendant real properties are in the process of being sold by the United States Marshals Service.

14 The United States has filed a motion for default judgment and final judgment of forfeiture against
15 all potential claimants that have not filed claims to this action. *See* ECF No. 40. If granted, the motion
16 would close the case.

17 Accordingly, there is good cause to extend the deadline to file a joint status report in this case
18 from July 26, 2018 to September 27, 2018, or to a date the Court deems appropriate.

19
20 Dated: 7/16/2018

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KEVIN C. KHASIGIAN
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21
22
23 Dated: 7/16/2018

/s/ Andrew A. Bassak
ANDREW A. BASSAK
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24
25
26 Dated: 7/16/2018

/s/ John P. Ward
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JOHN P. WARD
Attorneys for claimant Velocity Commercial Capital LLC

1 Dated: 7/16/2018

/s/ Jillian A. Benbow
JILLIAN A. BENBOW
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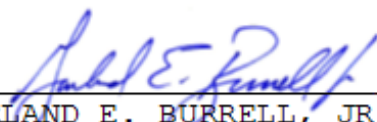
4 **ORDER**

5 Pursuant to the United States' request and good cause appearing, the Court makes the following
6 order:

7 The deadline to file a Joint Status Report currently due on July 26, 2018 is extended to September
8 27, 2018.

9 **IT IS SO ORDERED.**

10 Dated: July 17, 2018

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12 
13 GARLAND E. BURRELL, JR.
14 Senior United States District Judge