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

10
 11 UNITED STATES OF AMERICA,

2:18-CV-00747-KJM-CKD

12 Plaintiff,

13 v.

PARTIAL FINAL JUDGMENT OF
 FORFEITURE RE REAL PROPERTY
 LOCATED AT 3788 DUNN ROAD,
 VALLEY SPRINGS, CA

14 REAL PROPERTY LOCATED AT 8911
 HIGHWAY 49, MOKELUMNE HILL,
 15 CALIFORNIA, CALAVERAS COUNTY, APN:
 018-019-057-000, INCLUDING ALL
 16 APPURTENANCES AND IMPROVEMENTS
 THERETO, ET AL.,

17 Defendants.

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 19 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

20 1. This is a civil forfeiture action against twelve real properties, one of which is the real
 21 property located at 3788 Dunn Road, Valley Springs, California, Calaveras County, APN: 072-033-018-
 22 000 (“defendant property”).

23 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on April 3, 2018,
 24 alleging that said defendant property is subject to forfeiture to the United States pursuant to 21 U.S.C. §§
 25 881(a)(6) and 881(a)(7).

26 3. On April 27, 2018, the defendant property was posted with a copy of the Complaint and
 27 Notice of Complaint.

28 4. Beginning on April 20, 2018, for at least 30 consecutive days, the United States

1 published Notice of the Forfeiture Action on the official internet government forfeiture site
2 www.forfeiture.gov. A Declaration of Publication was filed on May 21, 2018.

3 5. In addition to the public notice on the official internet government forfeiture site
4 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals or entities
5 related to this defendant property:

- 6 a. Yu Ying Cai, and
- 7 b. Superior Loan Servicing

8 6. Claimant Cavalier Asset Group, LLC filed a Claim on May 21, 2018, an Answer to the
9 Complaint on May 22, 2018, an Amended Verified Claim on June 15, 2018, and an Amended Answer to
10 the Complaint on July 19, 2018, claiming a lien holder interest in the defendant property. Claimant Yu
11 Ying Cai filed a Claim on May 24, 2018, and an Answer to the Complaint on June 14, 2018. No other
12 parties have filed claims or answers regarding this defendant property, and the time in which any person
13 or entity may file a claim and answer has expired.

14 7. On December 11, 2018, escrow closed for the defendant property at 3788 Dunn Road,
15 Valley Springs, California, Calaveras County, APN: 072-033-018-000, and the United States received a
16 wire transfer in the amount of \$33,642.22, which will be substituted in lieu of the real property.
17 Cavalier Asset Group, LLC was paid in full through escrow. Cavalier Asset Group, LLC withdrew their
18 Claim and Answer on March 6, 2019.

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

21 1. Judgment is hereby entered against claimants Yu Ying Cai, Cavalier Asset Group, LLC,
22 and all other potential claimants who have not filed claims in this action.

23 2. Upon entry of this Final Judgment of Forfeiture, \$25,231.66 of the Approximately
24 \$33,642.22 in net proceeds from the sale of defendant real property located at 3788 Dunn Road, Valley
25 Springs, California, Calaveras County, APN: 072-033-018-000, together with any interest that may have
26 accrued on the total amount of net proceeds, shall be forfeited to the United States pursuant to 21 U.S.C.
27 §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

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1 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,
2 \$8,410.56 of the Approximately \$33,642.22 in net proceeds from the sale of defendant real property
3 located at 3788 Dunn Road, Valley Springs, California, Calaveras County, APN: 072-033-018-000,
4 shall be returned to claimant Yu Ying Cai through attorney Robert J. Saria.

5 4. The United States and its servants, agents, and employees are released from any and all
6 liability arising out of or in any way connected with the filing of the Complaint and the posting of the
7 defendant property with the Complaint and Notice of Complaint. This is a full and final release
8 applying to all unknown and unanticipated injuries, and/or damages arising out of or in any way
9 connected with the filing of the Complaint and the posting of the defendant property with the Complaint
10 and Notice of Complaint, as well as those now known or disclosed. Claimant waived the provisions of
11 California Civil Code § 1542.

12 5. Claimant waived any and all claim or right to interest that may have accrued on the
13 money being forfeited in lieu of the defendant real property.

14 6. All parties are to bear their own costs and attorneys' fees.

15 7. The U.S. District Court for the Eastern District of California, Hon. Kimberly J. Mueller,
16 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

17 8. Based upon the allegations set forth in the Complaint filed April 3, 2018, and the
18 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
19 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the filing of the Complaint and
20 the posting of the defendant property with the Complaint and Notice of Complaint, and for the
21 commencement and prosecution of this forfeiture action.

22 SO ORDERED THIS 4th day of January, 2023.

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25 _____
26 CHIEF UNITED STATES DISTRICT JUDGE
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