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

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 REAL PROPERTY LOCATED AT 10170
 PATTI WAY, ELK GROVE, CALIFORNIA,
 15 SACRAMENTO COUNTY, APN: 132-0910-
 069-0000, INCLUDING ALL
 16 APPURTENANCES AND IMPROVEMENTS
 THERETO, ET AL.,
 17 Defendants.

2:18-CV-00763-KJM-CKD
 PARTIAL FINAL JUDGMENT OF
 FORFEITURE RE REAL PROPERTY
 LOCATED AT 9009 FERNWAY COURT,
 ELK GROVE, CA

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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 nine real properties, one of which is the real
 21 property located at 9009 Fernway Court, Elk Grove, California, Sacramento County, APN: 116-1290-
 22 019-0000 (“defendant property”).

23 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on April 4, 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 June 26, 2018, the defendant property was posted with a copy of the Complaint and
 27 Notice of Complaint.

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1 4. Beginning on May 12, 2018, for at least 30 consecutive days, the United States published
2 Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A
3 Declaration of Publication was filed on July 15, 2018.

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

- 7 a. Bi Juan Li, and
- 8 b. Lone Oak Fund LLC.

9 6. Claimant Lone Oak Fund, LLC filed a Claim on May 29, 2018, claiming a lien holder
10 interest in the defendant property. Claimant Bi Juan Li filed a Claim on June 25, 2018, and an Answer
11 to the Complaint on July 11, 2018. No other parties have filed claims or answers regarding this
12 defendant property, and the time in which any person or entity may file a claim and answer has expired.

13 7. On October 4, 2019, escrow closed for the defendant property at 9009 Fernway Court,
14 Elk Grove, California, Sacramento County, APN: 116-1290-019-0000, and the United States received a
15 wire transfer in the amount of \$164,994.26, which will be substituted in lieu of the real property. Lien
16 holder Lone Oak Fund, LLC was paid in full through escrow. Lone Oak Fund, LLC withdrew their
17 Claim on February 21, 2020.

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

20 1. Judgment is hereby entered against claimants Bi Juan Li and Lone Oak Fund, LLC, and
21 all other potential claimants who have not filed claims in this action.

22 2. Upon entry of this Final Judgment of Forfeiture, \$95,000.00 of the Approximately
23 \$164,994.26 in net proceeds from the sale of defendant real property located at 9009 Fernway Court, Elk
24 Grove, California, Sacramento County, APN: 116-1290-019-0000, together with any interest that may
25 have accrued on the total amount of net proceeds, shall be forfeited to the United States pursuant to
26 21 U.S.C. §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

27 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,
28 \$69,994.26 of the Approximately \$164,994.26 in net proceeds from the sale of defendant real property

1 located at 9009 Fernway Court, Elk Grove, California, Sacramento County, APN: 116-1290-019-0000,
2 shall be returned to claimant Bi Juan Li through attorney Terry R. Hunt.

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

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

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

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

15 8. Based upon the allegations set forth in the Complaint filed April 4, 2018, and the
16 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
17 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the filing of the Complaint and
18 the posting of the defendant property with the Complaint and Notice of Complaint, and for the
19 commencement and prosecution of this forfeiture action.

20 SO ORDERED THIS 16th day of May, 2023.

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24 CHIEF UNITED STATES DISTRICT JUDGE
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