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MELINDA HAAG (CSBN 132612)
United States Attorney

MIRANDA KANE (CSBN 150630)
Chief, Criminal Division

ARVON J. PERTEET (CSBN 242828)
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor
San Francisco, CA 94102
Telephone: 415.436.6598
Facsimile: 415.436.7234
Email: arvon.perteet@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

- 1. One (1) Weatherby Mark V .300 Magnum with Leopold Scope (Serial No. H119520);
 - 2. One (1) Weatherby Mag. .30-378 with Swarovski Scope (Serial No. S6200265);
 - 3. One (1) Ruger M77 Mark II .223 with Nikko Stirling Scope (Serial No. 783-68341);
 - 4. One (1) Browning Magnum Twenty Shotgun (Serial No. 76X54074);
 - 5. One (1) Benelli Super Black Eagle .12 gauge Shotgun (Serial No. U131364);
 - 6. One (1) Ruger Super Blackhawk .44 Magnum (Serial No. 80-27572); and
 - 7. One (1) Browning Light Twelve .12 gauge Shotgun (Serial No. 340982),
- Defendants.

No. CV 10-0206 EMC

CONSENT ORDER OF SETTLEMENT

1 **CONSENT ORDER OF SETTLEMENT AND FORFEITURE**

2 WHEREAS, on January 15, 2010, the United States filed a complaint for forfeiture of
3 certain firearms seized as a result of the investigation conducted by the federal Drug Enforcement
4 Administration ("DEA);

5 WHEREAS, notice of this action has been given by publication and the only claim
6 submitted with respect to the defendant firearms is that of JON GREEN, filed on March 2, 2010;

7 WHEREAS, pursuant to the settlement negotiations among the parties, JON GREEN
8 agrees to withdraw his claim with respect to defendant firearms, the third Defendant is One (1)
9 Ruger M77 Mark II .223 (Serial No. 783-68341) and the sixth Defendant is One (1) Ruger Super
10 Blackhawk .44 Magnum (Serial No. 80-27572) in any administrative or judicial forfeiture
11 proceeding;

12 WHEREAS, pursuant to the settlement negotiations among the parties, the United States
13 agrees to release to JON GREEN c/o Chris Andrian, his attorney of record, the remaining
14 defendant firearms, the first Defendant One (1) Weatherby Mark V .300 Magnum with Leopold
15 Scope (Serial No. H119520); the second Defendant is One (1) Weatherby Mag. .30-378 with
16 Swarovski Scope (Serial No. S6200265); the fourth Defendant is One (1) Browning Magnum
17 Twenty Shotgun (Serial No. 76X54074); the fifth Defendant is One (1) Benelli Super Black
18 Eagle .12 gauge Shotgun (Serial No. U131364); the seventh Defendant is One (1) Browning Light
19 Twelve .12 gauge Shotgun (Serial No. 340982); Nikko Sterling Scope and associated holster.

20 WHEREAS, the parties agree that the United States and JON GREEN will each bear its
21 own attorney costs and fees related to this matter.

22 AND WHEREAS, it appearing to the court from the endorsement of the parties, that the
23 parties have agreed to a resolution of this matter with respect to the defendant firearms, and
24 deeming it proper to do so;

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NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. Notice of this action having been given by publication and there being only the claim filed by JON GREEN, the default of all persons or entities other than JON GREEN is entered.

2. Defendants firearms, the third Defendant is One (1) Ruger M77 Mark II .223 (Serial No. 783-68341) and the sixth Defendant is One (1) Ruger Super Blackhawk .44 Magnum (Serial No. 80-27572) , are forfeited to the United States pursuant to 21 U.S.C. § 881(a)(11), free from the claims of any other party.

3. Defendant firearms, the first Defendant One (1) Weatherby Mark V .300 Magnum with Leopold Scope (Serial No. H119520); the second Defendant is One (1) Weatherby Mag. .30-378 with Swarovski Scope (Serial No. S6200265); the fourth Defendant is One (1) Browning Magnum Twenty Shotgun (Serial No. 76X54074); the fifth Defendant is One (1) Benelli Super Black Eagle .12 gauge Shotgun (Serial No. U131364);the seventh Defendant is One (1) Browning Light Twelve .12 gauge Shotgun (Serial No. 340982); Nikko Sterling Scope and associated holster, shall be returned by the United States to JON GREEN c/o Chris Andrian, his attorney of record.

4. The United States shall dispose of the forfeited firearms in accordance with the law.

5. JON GREEN releases the United States of America and all of its respective agencies, officers, agents, and employees from any claims or actions, including that for attorney fees or cost or interest, concerning the seizure and custody of the defendant firearms.

6. The United States releases JON GREEN from any claims or actions, including that for attorney fees or costs or interest, concerning the seizure and custody of the defendant currency.

7. The parties agree that this Consent Order of Settlement is the result of a compromise, and shall not, by any person, at any time or for any purpose be considered an admission of liability or responsibility, or of the truth of any allegation of any party, at any time, for any purpose, in any form or in any amount.

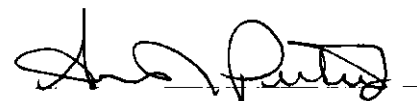
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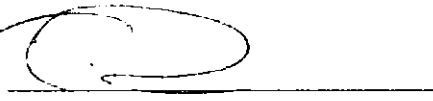
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8. The parties to this action shall execute any documents necessary or proper to effectuate the terms of this Order.

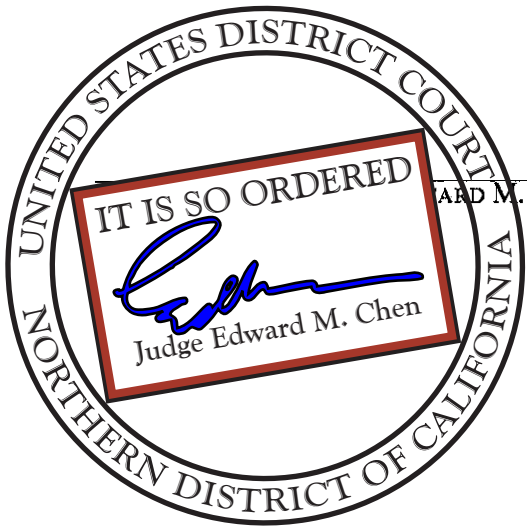
7/22/11
Date

WE ASK FOR THIS:


ARVON J. PERFEET
Assistant United States Attorney


CHRIS ANDRIAN
Counsel for Claimant, JON GREEN


JON GREEN
Claimant



EDWARD M. CHEN