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Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. CV 13-5250 CRB
)	
14 Plaintiff,)	SETTLEMENT AGREEMENT AND
)	JUDGMENT OF FORFEITURE
15 v.)	
)	
16 APPROXIMATELY \$60,000 IN UNITED)	
17 STATES CURRENCY,)	
Defendant.)	

19 The parties stipulate and agree as follows:

20 1. Plaintiff is the United States of America (“United States”). Defendant is approximately
21 \$60,000 in United States Currency seized on May 29, 2013 (“defendant currency” or the “defendant
22 \$60,000”). After proper notification and publication was given, Sean Garton was the only party to file a
23 claim. The United States and Mr. Garton are hereafter referred to as the “parties” in this document
24 which is hereinafter referred to as the “Settlement Agreement” or “Agreement.”

25 2. The parties agree that the resolution of the lawsuit is based solely on the terms stated in
26 this Settlement Agreement. It is expressly understood that this Agreement has been freely and
27 voluntarily entered into by the parties. The parties further agree that there are no express or implied
28

SETTLEMENT AGREEMENT AND
[PROPOSED] JUDGMENT OF FORFEITURE

1 terms or conditions of settlement, whether oral or written, other than those set forth in this Agreement.
2 This Agreement shall not be modified or supplemented except in writing signed by the parties. The
3 parties have entered into this Settlement Agreement in lieu of continued protracted litigation and District
4 Court adjudication.

5 3. This settlement is a compromise over disputed issues and does not constitute any
6 admission of wrongdoing or liability by any party.

7 4. Mr. Garton asserts that he is the sole owner of the defendant currency.

8 5. Mr. Garton agrees that sufficient evidence exists to establish forfeiture of \$35,000 of the
9 defendant currency (plus all interest accrued on that amount) pursuant to Title 21, United States Code,
10 Section 881(a)(6), and consents to its forfeiture to the United States without further notice to him. Mr.
11 Garton relinquishes all right, title and interest in \$35,000 of the defendant currency and agrees that said
12 currency shall be forfeited to the United States and disposed of according to law by the United States.

13 6. Mr. Garton, his heirs, representatives and assignees, shall hold harmless the United
14 States, any and all agents, officers, representatives and employees of same, including all federal, state
15 and local enforcement officers, for any and all claims, defenses, actions, or liabilities arising out of or
16 related to this action against the defendant currency.

17 7. The parties agree that each party shall pay its own attorneys' fees and costs.

18 8. Based on the foregoing Settlement Agreement between the United States and Mr. Garton,
19 the Parties agree that, subject to the Court's approval, the proposed JUDGMENT OF FORFEITURE
20 which is submitted with this Settlement Agreement be entered and that this action be and hereby is
21 DISMISSED.

22
23 IT IS SO STIPULATED:

24 MELINDA HAAG
25 United States Attorney

26 Dated:

27 _____
28 DAVID COUNTRYMAN
Assistant United States Attorney

SETTLEMENT AGREEMENT AND
[PROPOSED] JUDGMENT OF FORFEITURE

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Dated:

SEAN GARTON
Claimant

Dated:

JACEK W. LENTZ, ESQ.
Attorney for Sean Garton

JUDGMENT OF FORFEITURE

UPON CONSIDERATION of the Settlement Agreement and for good cause shown, it is by the Court on this 24th day of January, 2014,

ORDERED, ADJUDGED AND DECREED that \$35,000 of the defendant currency be, and hereby is, FORFEITED to the United States for disposition by the Attorney General in accordance with law; and it is FURTHER ORDERED that the instant case be, and hereby is, DISMISSED.

