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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS GROSSI, SR.,

Defendant.

No. 04-CR-40127 DLJ

FINAL ORDER OF FORFEITURE
AND JUDGMENT

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$608,916.58 IN U.S. CURRENCY, AS
SUBSTITUTE RES. FOR REAL PROPERTY
LOCATED AT 2638 MARKET STREET,
OAKLAND, CALIFORNIA,

Defendant.

No. 04-CV-03055 DLJ

FINAL ORDER OF FORFEITURE
AND JUDGMENT

1 The United States filed a civil forfeiture action against 2638 Market Street, Oakland,
2 California. *See* No. 04-CV-3055 DLJ, Complaint for Forfeiture, filed July 24, 2004. The parties'
3 agreed to an interlocutory sale of that property and substituted the net proceeds from the sale,
4 \$608,916.58, as defendant. *See* Notice to Clerk of Change in Defendant to \$608,916.58, filed
5 November 24, 2004. In this related criminal case, the civil defendant \$608,916.58 was reduced by
6 a settlement with a third party. Thereafter, the issue litigated with respect to the remaining net
7 proceeds in this criminal case was whether the amount of the net proceeds forfeited to the United
8 States should be reduced by \$87,666.80. On June 1, 2012, the Ninth Circuit's Memorandum
9 Judgment ruled that the final order of forfeiture should be entered reflecting \$257,680.48 forfeited
10 to the United States, and \$87,666.80 refunded to Grossi. *See* Mandate, No. 10-17821 (9th Cir. July
11 25, 2011).

12 UPON CONSIDERATION OF the foregoing, the motion of Thomas Grossi, Sr., and Laurretta
13 Weimer, the proposed order of the United States approved by counsel for Grossi and Weimer, the
14 entire record and for good cause shown, it is by the Court on this _____ day of _____, 2012,

15 ORDERED, ADJUDGED AND DECREED that \$257,680.48 in proceeds from the
16 interlocutory sale of 2638 Market Street, Oakland, California, in November 2004 and accrued
17 interest on those proceeds from the date of deposit into the government forfeiture account be, and
18 hereby are, forfeited to the United States pursuant to 21 U.S.C. §§ 853(a)(2) and 881(a)(7); and it
19 is further

20 ORDERED that all right, title and interest in that \$257,680.48, plus accrued interest be, and
21 hereby is, vested in the United States as of the date of the criminal activities giving rise to the
22 forfeiture pursuant to 21 U.S.C. §§ 853(c) and 881(h); and it is further

23 ORDERED that the United States Marshals Service shall, in accordance with law, dispose
24 of the forfeited \$257,680.48 plus accrued interest; and it is further

25 ORDERED that \$87,666.80 in proceeds from the interlocutory sale of 2638 Market Street,
26 Oakland, California, in November 2004 and accrued interest on those proceeds from the date of
27 deposit into the government forfeiture account be, and hereby are, to be refunded by wire transfer

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Final Order of Forfeiture and Judgment
CR 04-40127 DLJ
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1 to Thomas Grossi, Sr., and his counsel, David M. Michael, 101 California Street, Suite 2450, San
2 Francisco, California, 94111, following submission by them of a properly filled out ACH form
3 authorizing the wire transfer to Patricia J. Kenney, Assistant United States Attorney.

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6 HONORABLE D. LLOWELL JENSEN
7 United States District Judge

8 Approved as to form:

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10 
11 DAVID M. MICHAEL
12 Attorney for Thomas Grossi, Sr.,
13 and Laurretta Weimer