

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
2 United States Attorney

3 BRIAN J. STRETCH (CSBN 163973)
4 Chief, Criminal Division

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

7 450 Golden Gate Avenue, 11^h Floor
8 San Francisco, CA 94102
9 Telephone: 415.436.6598
10 Facsimile: 415.436.7234
11 Email: arvon.peteet@usdoj.gov

12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,)
16)
17 Plaintiff,)
18)
19 v.)
20)
21 APPROXIMATELY \$351,192.00 IN)
22 UNITED STATES CURRENCY,)
23)
24 Defendant.)

No. CV 09-5588 SBA

25 CONSENT ORDER OF SETTLEMENT

26 **CONSENT ORDER OF SETTLEMENT AND FORFEITURE**

27 WHEREAS, on September 28, 2009, the United States filed a complaint for forfeiture of
28 certain currency seized as a result of the investigation conducted by the Oakland Police
Department and a seizure federally adopted by the Federal Bureau of Investigation;

WHEREAS, notice of this action has been given by publication¹ and the only claim
submitted with respect to the defendant currency is that of SONJA JOHNSON and ROY
JOHNSON, submitted via this consent order of settlement;

WHEREAS, the parties agree that the defendant currency \$351,192.00 constitutes the
\$70,000.00 in United States currency seized from the ROY JOHNSON's person and

¹ No other party has filed a claim to date for the defendant currency. The deadline for all parties to submit a claim for the defendant currency expires on February 1, 2010.

1 \$281,192.00 in United States currency seized from SONJA JOHNSON's and ROY JOHNSON's
2 residence located at 3020 Broadmoor View in Oakland, California, on June 24, 2009.

3 WHEREAS, pursuant to the settlement negotiations between the parties, SONJA
4 JOHNSON and ROY JOHNSON agree to withdraw their claim with respect to \$351,192.00 of
5 the seized currency in any administrative or judicial forfeiture proceeding;

6 WHEREAS, SONJA JOHNSON and ROY JOHNSON are the sole owners of the
7 defendant currency and waive all rights, title and interest to any claims (administrative and
8 judicial, state and federal) to the defendant currency;

9 AND WHEREAS, it appearing to the court from the endorsement of the parties that the
10 parties have agreed to a resolution of this matter with respect to the defendant currency, and
11 deeming it proper so to do;

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

13 1. Notice of this action having been given by publication² and there being only the claim
14 filed by SONJA JOHNSON and ROY JOHNSON, the default of all persons or entities other than
15 SONJA JOHNSON and ROY JOHNSON is entered.

16 2. A portion of the defendant currency, to wit \$351,192.00 is forfeited to the United
17 States pursuant to 21 U.S.C. § 881(9)(6), free from the claims of any other party.

18 3. The United States shall dispose of the forfeited currency in accordance with the law.

19 4. SONJA JOHNSON and ROY JOHNSON releases the United States of America and all
20 of its respective agencies, officers, agents, and employees from any claims or actions, including
21 that for attorney fees or costs or interest, concerning the seizure and custody of the defendant
22 currency.

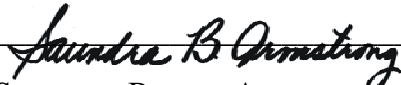
23 5. The United States releases SONJA JOHNSON and ROY JOHNSON from any claims
24 or actions, including that for attorney fees or costs or interest, concerning the seizure and custody
25 of the defendant currency.

26
27 ² No other party has filed a claim to date for the defendant currency. The deadline for all
28 parties to submit a claim for the defendant currency expires on February 1, 2010.

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

3
4 1/25/10

5 Date


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

6
7
8 WE ASK FOR THIS:

9 /S/ Arvon J. Perteet

10 Arvon J. Perteet

11 Special Assistant United States Attorney

12
13 /S/ Colin Cooper

14 Colin Cooper

15 Counsel for Claimants, SONJA Johnson and Roy Johnson

16
17 /S/ Sonja Johnson

18 SONJA JOHNSON

19 Claimant

20
21
22 /S/ Roy Johnson

23 ROY JOHNSON

24 Claimant