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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
APPROXIMATELY \$750,680.00 IN  
UNITED STATES CURRENCY;  
APPROXIMATELY \$27,387.00 IN  
UNITED STATES CURRENCY;  
\$35,424.80 IN FUNDS FROM CHASE  
ACCOUNT # 0980; \$6,300.00 IN FUNDS  
FROM CHASE ACCOUNT #8688  
  
Defendants.

No. 10-0974 LB

~~[PROPOSED]~~

CONSENT ORDER OF SETTLEMENT

CONSENT ORDER OF SETTLEMENT AND FORFEITURE

WHEREAS, on March 8, 2010, this action was filed. Notice was given and published in accordance with law. Claimant Radek Stastny ("claimant") filed a verified claim on April , 2010 as to the defendant APPROXIMATELY \$27,387.00 IN UNITED STATES CURRENCY (hereinafter known as "defendant currency"). No other statements of interest or answers have been filed with respect to defendant currency and the time for filing such statements of interest and answers has expired;

1 WHEREAS, pursuant to the settlement negotiations among the parties, RADEK  
 2 STASTNY agrees to withdraw his claim with respect to \$20,000.00 of the seized currency in any  
 3 administrative or judicial forfeiture proceeding;

4 WHEREAS, pursuant to the settlement negotiations among the parties, the United States  
 5 agrees to release to RADEK STASTNY c/o Douglas Horngrad, his attorney of record, the sum of  
 6 \$7,387.00 plus interest, less any debt owed to the United States, any agency of the United States,  
 7 or any other debt in which the United States is authorized to collect.

8 WHEREAS, the parties agree that the United States and RADEK STASTNY will each  
 9 bear its own attorney costs and fees related to this matter.

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

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

14 1. Notice of this action having been given by publication and there being only the claim  
 15 filed by RADEK STASTNY as to the defendant currency, the default of all persons or entities  
 16 other than RADEK STASTNY as to the defendant currency is entered.

17 2. A portion of the defendant currency, to wit \$20,000.00 is forfeited to the United States  
 18 pursuant to 21 U.S.C. § 881(a)(6), free from the claims of any other party.

19 3. A portion of the defendant currency, to wit the sum of \$7,387.00 plus interest, less any  
 20 debt owed to the United States, any agency of the United States, or any other debt in which the  
 21 United States is authorized to collect, shall be returned by the United States to RADEK  
 22 STASTNY c/o Douglas Horngrad, his attorney of record.

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

24 5. RADEK STASTNY hereby releases the United States of America, its agencies, agents,  
 25 and officers, including employees and agents of the Drug Enforcement Administration,  
 26 California Highway Patrol, and Marin County Major Crimes Task Force from any and all claims,  
 27 actions or liabilities arising out of or related to this action, including, without limitation, any  
 28

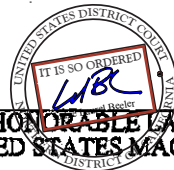
1 claim for attorney's fees, costs or interest which may be asserted on behalf of the claimant,  
2 whether pursuant to 28 U.S.C. § 2465 or otherwise.

3 6. The United States releases RADEK STASTNY from any claims or actions, including  
4 that for attorney fees or costs or interest, concerning the seizure and custody of the defendant  
5 currency.

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

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

12 Dated: October 7, 2011



13 THE HONORABLE LAUREL S. BEELER  
14 UNITED STATES MAGISTRATE JUDGE

15 Dated: 9/20, 2011

16 MELINDA HAAG  
17 United States Attorney

18 ARVON J. PERLEE  
19 Assistant United States Attorney  
20 Attorneys for Plaintiff

21 Dated: 9/19, 2011

22 By:   
23 DOUGLAS HORNGRAD For  
24 Attorney for Claimant  
25 Radek Stastny  
26 Sam O'Keefe

26 Dated: 09/19, 2011

27   
28 RADEK STASTNY  
Claimant