

1 MELINDA HAAG (CABN 132612)
 2 United States Attorney
 3 J. DOUGLAS WILSON (DCBN 412811)
 4 Chief, Criminal Division
 5 ARVON J. PERTEET (CABN 242828)
 6 Assistant United States Attorney

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

Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,)	No. CV 13-1425 SBA
14 Plaintiff,)	
15 v.)	CONSENT JUDGMENT OF FORFEITURE
16 \$26,150.00 IN UNITED STATES)	[CASE-DISPOSITIVE]
17 CURRENCY,)	
18 Defendant.)	

22 CONSENT ORDER OF SETTLEMENT AND FORFEITURE

23 WHEREAS, on March 29, 2013, the United States filed a complaint for forfeiture of
 24 certain currency seized as a result of the investigation conducted by Santa Rosa Police
 25 Department and a seizure of the defendant currency, federally adopted by DEA;

26 WHEREAS, notice of this action has been given by publication and the only
 27 claim submitted with respect to the defendant currency is that of ISAIAH R. COOK, filed on
 28 May 14, 2013;

1 WHEREAS, pursuant to the settlement negotiations among the parties, ISALAH R.
2 COOK agrees to withdraw his claim with respect to \$10,150.00 of the seized currency in any
3 administrative or judicial forfeiture proceeding;

4 WHEREAS, ISALAH R. COOK agrees that sufficient evidence exists to establish
5 forfeiture of \$10,150.00 in U.S. currency pursuant to 21 U.S.C. § 881(a)(6).

6 WHEREAS, pursuant to the settlement negotiations among the parties, the United States
7 agrees to release to ISALAH R. COOK the sum of \$16,000.00, plus any accrued interest, less any
8 debt owed to the United States, any agency of the United States, or any other debt in which the
9 United States is authorized to collect.

10 WHEREAS, the parties agree that the United States and ISALAH R. COOK will each
11 bear its own attorney costs and fees related to this matter.

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

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

16 1. Notice of this action having been given by publication and there being only the claim
17 filed by ISALAH R. COOK, the default of all persons or entities other than ISALAH R. COOK is
18 entered.

19 2. A portion of the defendant currency, to wit \$10,150.00 is forfeited to the United States
20 pursuant to 21 U.S.C. § 881(a)(6), free from the claims of any other party.

21 3. A portion of the defendant currency, to wit the sum of \$16,000.00, plus any accrued
22 interest, less any debt owed to the United States, any agency of the United States, or any other
23 debt in which the United States is authorized to collect, shall be returned by the United States to
24 ISALAH R. COOK.

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

26 5. ISALAH R. COOK releases the United States of America and all of its respective
27 agencies, officers, agents, and employees from any claims or actions, including that for attorney
28 fees or cost or interest, concerning the seizure and custody of the defendant currency.

1 6. The United States releases ISALAH R. COOK from any claims or actions, including
2 that for attorney fees or costs or interest, concerning the seizure and custody of the defendant
3 currency.

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

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

10 9. This case is dismissed with prejudice.


11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO STIPULATED:

Dated: 6-10-13


ARVON J. PERJEET
Assistant United States Attorney

Dated: 06-06-13


ISALAH R. COOK
Claimant

ORDER

IT IS SO ORDERED.

Dated: 6/12/13


SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE