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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. 14-CV-03960 YGR (KAW)
14 Plaintiff,)	ORDER APPROVING
15 v.)	SETTLEMENT AGREEMENT AND ENTERING
16 APPROXIMATELY \$36,223 IN UNITED)	PROPOSED JUDGMENT OF FORFEITURE
17 STATES CURRENCY,)	
18 Defendant.)	

19 The parties stipulate and agree as follows:

20 1. Plaintiff is the United States of America ("United States"). Defendant is approximately
21 \$36,322 in United States Currency seized on April 4, 2014 ("defendant currency" or the "defendant
22 \$36,322"). After proper notification and publication was given, Vu Nguyen was the only party to file a
23 claim. The United States and Mr. Nguyen 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
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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. Nguyen asserts that he is the lawful bailee of the defendant currency.

8 5. The parties have agreed that the United States will return \$18,111.50 of the defendant
9 currency (and all interest accrued thereon, subject to any delinquent debts owed to any federal or state
10 agencies) to claimant. The return of \$18,111.50 shall be in full settlement and satisfaction of any and all
11 claims by claimant, his heirs, representatives and assignees to the defendant currency. Claimant, his
12 heirs, representatives and assignees, shall hold harmless the United States, any and all agents, officers,
13 representatives and employees of same, including all federal, state and local enforcement officers, for
14 any and all acts directly or indirectly related to the seizure of defendant currency and the facts alleged in
15 the Complaint for Forfeiture filed on or about September 2, 2014.

16 6. Mr. Nguyen agrees that sufficient evidence exists to establish forfeiture of the remaining
17 \$18,111.50 of the defendant currency (plus all interest accrued on that amount) pursuant to Title 21,
18 United States Code, Section 881(a)(6), and Mr. Nguyen consents to its forfeiture to the United States
19 without further notice to him. Mr. Nguyen relinquishes all right, title and interest in \$18,111.50 of the
20 defendant currency and agrees that said currency shall be forfeited to the United States and disposed of
21 according to law by the United States.

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

2 8. Based on the foregoing Settlement Agreement between the United States and Mr.
3 Nguyen, the Parties agree that, subject to the Court's approval, the proposed JUDGMENT OF
4 FORFEITURE which is submitted with this Settlement Agreement be entered and that this action be and
5 hereby is DISMISSED.

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7 IT IS SO STIPULATED:

8 MELINDA HAAG
9 United States Attorney


10 Dated: 1/6/15


11 DAVID COUNTRYMAN
12 Assistant United States Attorney

13 Dated: 1/5/15


14 VU NGUYEN
15 Claimant

16 Dated: 1/5/2015


17 STEVE HUYNH, ESQ.
18 Attorney for Vu Nguyen

19 ~~PROPOSED~~ JUDGMENT OF FORFEITURE

20 UPON CONSIDERATION of the Settlement Agreement, the entire record, and for good cause
21 shown, it is by the Court on this 6th day of January, 2015,

22 ORDERED, ADJUDGED AND DECREED that \$18,111.50 of the defendant currency be, and
23 hereby is, FORFEITED to the United States for disposition by the Attorney General in accordance with
24 law; and it is FURTHER ORDERED that the instant case be, and hereby is, DISMISSED.

25 The United States will return \$18,111.50 of the defendant currency to claimant
26 Vu Nguyen.

27 IT IS SO ORDERED.


28 HONORABLE YVONNE GONZALEZ ROGERS
United States District Judge