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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	)	Civil No. 08cv1413-JM(RBB)
	)	
Plaintiff,	)	<b>JUDGMENT OF FORFEITURE</b>
	)	
v.	)	Doc. No. 18
	)	
\$36,208.00 IN U.S. CURRENCY,	)	
	)	
Defendant.	)	
_____	)	

Having reviewed the parties' Joint Motion and good cause appearing therefor,  
IT IS HEREBY ORDERED, ADJUDGED and DECREED:

The Joint Motion is approved.

1. The parties have entered into this joint motion in order to resolve the matter of the seizure and forfeiture of the above-referenced defendant, \$36,208.00 in U.S. Currency, ("defendant currency").

2. The parties have agreed to a settlement which is hereinafter described in its particulars:

a. \$18,104.00 of the defendant currency shall be forfeited and condemned to the United States pursuant to Title 21, United States Code, Section 881. \$18,104.00 of the defendant currency shall be returned to Claimants Lee Bowman and Dana O'Malley through their attorney of record, Ivan B. Schwartz.

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3. The terms of the settlement do not affect the tax obligations, fines, penalties, or any other monetary obligations the claimants owe to the United States.


4. The person or persons who made the seizure or the prosecutor shall not be liable to suit or judgment on account of such seizure in accordance with Title 28, United States Code, Section 2465. Claimants have agreed that by entering into this joint motion, they have not “substantially prevailed” within the meaning of 28 U.S.C. § 2465. All parties shall bear their own costs and expenses, including attorney fees. Judgment shall be entered in favor of the United States on its complaint.

5. Claimants have warranted and represented as a material fact that they are the sole owners of the defendant currency and has further warranted that no other person or entity has any right, claim or interest in the defendant currency, and that they will defend and indemnify the United States against any and all claims made against it on account of the seizure and forfeiture of the defendant currency.

6. The Claimants, their agents, employees, or assigns, shall hold and save harmless the United States of America, its agents and employees, from any and all claims which might result from the seizure of the defendant currency.

This case is hereby ordered closed. Let judgment be entered accordingly.

DATED: June 10, 2009

  
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Hon. Jeffrey T. Miller  
United States District Judge