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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 \$13,934.00 IN U.S. CURRENCY,  
14 Defendant.

Case No. 14CV3002 BEN(BGS)

**ORDER GRANTING JOINT  
MOTION FOR JUDGMENT OF  
FORFEITURE**

[Docket No. 11]

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16 The United States of America and claimants Justin Lim, Jeffrey Oleksow, and Car  
17 Tune Independent Service, Inc. have filed a joint motion requesting the Court enter a  
18 judgment of forfeiture as described below. The joint motion is **GRANTED** and the  
19 Court enters Judgment of Forfeiture as follows:

20 1. The parties entered into this joint motion in order to resolve the matter of the  
21 seizure and forfeiture of the above-referenced defendant, \$13,934.00 in U.S. Currency  
22 (“defendant currency”). The parties agreed to a settlement which is hereinafter described  
23 in its particulars.

24 2. \$5,434.00 of the defendant currency shall be condemned and forfeited to the  
25 United States pursuant to Title 21, United States Code, Section 881. \$8,500.00 of the  
26 defendant currency, less any debt owed to the United States, any agency of the  
27 United States, or any other debt in which the United States is authorized to collect, shall  
28 be returned to claimant, Jeffrey Oleksow, through his attorney of record Elliott N. Kanter.

1 The claimants agree that the \$8,500.00 is to be returned to Jeffrey Oleksow and that the  
2 claimants are responsible for determining how the \$8,500.00 is to be distributed among  
3 the three claimants.

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

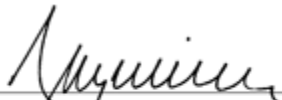
6 4. The person or persons who made the seizure or the prosecutor shall not be  
7 liable to suit or judgment on account of such seizure in accordance with Title 28,  
8 United States Code, Section 2465. Claimants agree that by entering into this joint  
9 motion, that they have not “substantially prevailed”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

13 5. Claimants warrant and represent as a material fact that they are the sole  
14 owners of the defendant currency and further warrants that no other person or entity has  
15 any right, claim or interest in the defendant currency, and that they will indemnify the  
16 United States against any and all claims made against it on account of the seizure and  
17 forfeiture of the defendant currency.

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

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

22 Dated: June 3, 2015

23   
24 Hon. Roger T. Benitez  
25 United States District Judge  
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