

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$227,280.00 IN UNITED STATES
CURRENCY,

Defendant.

Case No. 15-510-SMY-PMF

STIPULATED ORDER FOR FORFEITURE AND FOR RETURN OF PROPERTY

Upon stipulation by the United States of America by and through its attorneys, Stephen R. Wigginton, United States Attorney for the Southern District of Illinois, and Jennifer Hudson, Assistant United States Attorney, and Peter Scuderi, Attorney for Kheim Minh Tran, the Court hereby finds and orders as follows:

1. Peter Scuderi entered his appearance on behalf of Kheim Minh Tran on July 2, 2015.
2. All due notices required by law with respect to the forfeiture have been provided.
3. Kheim Minh Tran agrees that \$172,280.00 of the \$227,280.00 claimed by him shall be forfeited to the United States, and the \$172,280.00 is hereby ordered so forfeited. The United States Marshal shall dispose of the \$172,280.00 pursuant to law.
4. The remaining \$55,000.00 shall be returned by the United States to Kheim Minh Tran through his attorney, Peter Scuderi, and the United States shall not seek any further forfeiture of the funds based on any activity which occurred prior to the entry of this Order. The return of the funds shall be processed through and subject to the Treasury Offset Program, which will mean that the \$55,000.00 can and will be used towards satisfying other outstanding debts, if any, of

Kheim Minh Tran to the United States with only the balance, if any, of the \$55,000.00 to be returned to the claimant through his attorney.

5. Kheim Minh Tran warrants, that subject only to the right of the United States to forfeit the currency, he has at all relevant times been the sole owner of the \$227,280.00 claimed by him and that there are no other liens or legal or equitable interests in same.

6. This Order does not resolve, affect, or determine the income tax liabilities, if any, of the claimant with respect to any of the funds and the United States is making no representations herein concerning those liabilities, if any.

7. Kheim Minh Tran hereby releases and holds harmless the United States of America, all officers, agents, employees, and attorneys of the United States of America, and any other law enforcement officers, from any and all damages or causes of action arising from the seizure of any of the subject-matter currency and the institution of forfeiture proceedings against the currency, including, but not limited to, any damages for loss of any interest, attorney fees, or litigation costs, further including but not limited to any amounts which could be imposed under 28 U.S.C. §2465(b)(1). The parties stipulate, and the Court so finds, that there is reasonable cause for the seizure of the subject-matter property and that this order may serve as a certificate of reasonable cause pursuant to 28 U.S.C. §2465(a)(2).

Dated: February 1, 2016

/s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge