

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:12-CV-136-FL

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 \$307,970.00 IN U.S. CURRENCY,)
)
 Defendant.)

CONSENT ORDER

By signing below, the undersigned parties have informed the Court of the following:

1. They have settled the litigation in this matter.
2. No other person has filed a claim to the defendant property within the time prescribed by law, and all parties who claim an interest in the defendant property have consented to the entry of this Order.

It is, therefore,

ORDERED that Claimant shall forfeit to the United States of America \$32,041.76 of the subject currency seized, to be disposed of by the United States Department of Justice according to law;

ORDERED that the United States shall effectuate the transfer of \$195,735.24 of the subject currency seized from the Seized Asset Deposit Fund to the U.S.

Department of Labor, Wage and Hour Division, to be applied by that agency to back wages owed to approximately 210 H2-A workers, as set forth more particularly in the Final and Unappealable Order of the Secretary of Labor dated March 5, 2018 (Case File No. 1772890). The Department of Labor shall distribute these monies owed to the aforementioned H-2A employees, or to their personal representatives, and any amounts not so distributed by the Department of Labor within the period of three (3) years shall be deposited into the Treasury of the United States as miscellaneous receipts;

ORDERED that the United States shall return to Claimants' counsel, the Law Offices of Michael and Burch, LLP, \$80,193.00 of the subject currency seized, to be applied to litigation costs and attorney's fees only. Payment shall be made only to Claimants' counsel and only to the benefit of said counsel via electronic funds transfer by the U.S. Marshals Service according to the information regarding Claimants' counsel as provided by said counsel on a properly executed UFMS Vendor Request Form;

ORDERED that Claimants individually shall have and recover nothing, and no party shall return any portion of the subject currency seized to Claimants or their designees;

ORDERED that except as explicitly provided herein, each party shall bear its own attorneys' fees, costs and expenses in this litigation; and

Upon the entry of this order, the Clerk of Court is DIRECTED to close this

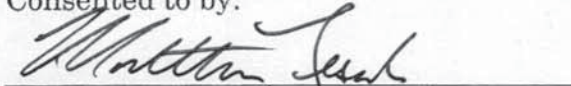
case.

SO ORDERED this 24th day of September, 2019.




LOUISE W. FLANAGAN
United States District Judge

Consented to by:



MATTHEW L. FESAK
Attorney for United States of America



EDWARD M. BURCH, Law Office of Michael and Burch, LLP
Attorney for Claimants Cirila Garcia Pineda, Lucia Yasmin Covarrubias, and
Apolinar Garcia-Ancelmo