

1 The Honorable Robert S. Lasnik

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7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

CASE NO. 2:16-CV-373-RSL

11 Plaintiff,

JUDGMENT OF FORFEITURE

12 v.

13 FIVE (5) VERIZON WIRELESS CARDS
14 VALUED AT \$500.00 IN U.S. CURRENCY, and
15 NINETEEN (19) AMEX BUSINESS GIFT
16 CARDS VALUED AT \$39,052.06 IN U.S.
CURRENCY,

17 Defendants.

18
19 On March 11, 2016, the United States filed a Complaint for Forfeiture *in rem*, against
20 the following defendant property in this matter:

- 21 1. Five (5) Verizon Wireless Cards valued at \$500.00 in U.S. Currency, seized from
22 Maziar Rezakhani, at 688 110th Avenue, NE, Unit #S-3301, Bellevue,
23 Washington, and
24 2. Nineteen (19) Amex Business Gift Cards Valued at \$39,052.06 in U.S. Currency,
25 seized from Maziar Rezakhani, at 688 110th Avenue, NE, Unit #S-3301, Bellevue,
Washington;

26 (hereinafter referred to as “defendant property.”) In its complaint the United States alleged
27 that the defendant properties was proceeds traceable to bank fraud, in violation of 18 U.S.C.
28 § 1344 and thus subject to forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C).

Judgment of Forfeiture as to Remaining Defendant Property - 1
Case No. 2:12-CV-373-RSL

UNITED STATES ATTORNEY
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SEATTLE, WASHINGTON 98101
(206) 553-7970

1 On March 11, 2016, the United States filed a Notice of Complaint for Forfeiture *In*
2 *Rem* in which all interested persons were advised to file their claims pursuant to
3 Supplemental Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the Court
4 within thirty-five (35) days after the date of service of the complaint and to serve their
5 Answers to the Complaint within twenty-one (21) days after filing a claim.

6 Notice of the forfeiture action was published on the www.forfeiture.gov website for at
7 least thirty (30) consecutive days, starting on March 17, 2016. All interested persons were
8 advised to file their claims pursuant to Supplemental Rule G(5) of the Federal Rules of Civil
9 Procedure with the Clerk of the Court within sixty (60) days after the first date of publication
10 and to serve their Answers to the Complaint within twenty-one (21) days after filing a claim.

11 Notice was effected on potential individual claimants pursuant to the Federal Rules of
12 Civil Procedure Supplemental Rule G(4)(b)(iii)(B) on June 6, 2016 and June 7, 2016, by
13 mailing copies of the Verified Complaint for Forfeiture in rem, and Notice of Complaint for
14 Forfeiture and Warrant of Arrest in rem. Such notice was sent via certified mail return
15 receipt requested, as set forth below.

16 On March 30, 2016, Maziar Rezakhani submitted a claim of ownership to the
17 defendant property. On April 14, 2016, Claimant Maziar Rezakhani filed an Answer to the
18 Complaint and Counter-Claim. On April 20, 2016, Claimant Maziar Rezakhani filed an
19 Amended Answer to the Complaint and Counter-Claim.

20 On August 24, 2017, this Court approved a Stipulated Settlement Agreement between
21 the United States and Claimant Maziar Rezakhani, wherein Claimant agreed the defendant
22 property constitutes proceeds of bank fraud and further withdrew his claim to the defendant
23 property.

24 More than thirty-five (35) days have elapsed Esfandiar Rezakhani, Zhara Rezakhani,
25 and Capital One, N.A. were served with the Complaint and related documents, and more
26 than sixty (60) days have passed since notice of the forfeiture action was published.

27 All persons and entities believed to have an interest in the remaining defendant
28 property were given proper notice of the intended forfeiture. No other claim of interest has

1 been filed as to the remaining defendant property, the time allowed for filing of such a claim
2 has expired, and claimant Maziar Rezakhani has withdrawn his claim to the defendant
3 property.

4 Therefore, on motion by the Plaintiff, United States of America, for a Judgment for
5 Forfeiture as to the remaining Defendant property, it is,

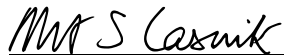
6 ORDERED as follows:

7 1. This Court has jurisdiction over this action under Title 28, United States Code,
8 Sections 1345 and 1355, and venue pursuant to Title 28, United States Code, Section 1395.

9 2. Pursuant to 18 U.S.C. § 981(a)(1)(C), the defendant property is hereby forfeited
10 to the United States of America, and no right, title, or interest in the defendant property shall
11 exist in any other party.

12 3. The United States Department of Justice, and/or its agents and representatives,
13 shall dispose of the defendant currency in accordance with the law.

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15 Dated this 18th day of April, 2018.

16 

17 ROBERT S. LASNIK

18 United States District Court Judge

19 Presented by:

20 s/Matthew H. Thomas

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