

The Hon. Ricardo S. Martinez

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
\$18,000 IN U.S. CURRENCY, AND  
ANY ACCRUED INTEREST, *et al.*,  
Defendants.  
and  
MICHAEL WALKER,  
Claimant.

NO. CV21-1291-RSM

**SETTLEMENT AGREEMENT  
AND FINAL ORDER OF  
FORFEITURE**

WHEREAS Plaintiff United States of America, by and through Tessa M. Gorman,  
Acting United States Attorney for the Western District of Washington, and Krista K.  
Bush, Assistant United States Attorney, and Michael Walker, by and through his counsel,  
Richard J. Troberman, wish to resolve this matter without additional utilization of judicial  
resources and without incurring further litigation expenses,

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1 IT IS HEREBY STIPULATED as follows:

2 This civil *in rem* forfeiture proceeding was brought by the United States against  
3 the following property (collectively, the “Defendant Currency”):

- 4 1. \$18,000 in U.S. currency, and any accrued interest; and
- 5 2. \$882 in U.S. currency, and any accrued interest.

6 Dkt. No. 1. In its Verified Complaint for Forfeiture *in Rem*, and Amended Verified  
7 Complaint for Forfeiture *in Rem*, the United States alleged that the Defendant Currency is  
8 proceeds from the sale of controlled substances and/or attempt or conspiracy to distribute  
9 controlled substances and, therefore, is forfeitable to the United States pursuant to 21  
10 U.S.C. § 881(a)(6) for violations of 21 U.S.C. §§ 841 and 846. *See* Dkt. Nos. 1, 4.

11 The United States provided proper notice of this action to all known potential  
12 claimants. Dkt. Nos. 2, 5. Published notice is also complete, as reflected in the  
13 Declaration of Publication. Dkt. No. 11.

14 On October 21, 2021, Claimant Michael Walker timely filed a claim of ownership  
15 to the Defendant Currency through his undersigned counsel. Dkt. No. 10. No other  
16 parties have asserted a claim to the Subject Property and the time to do so has expired.

17 On November 3, 2021, the Court granted the Parties’ Joint Motion to Stay Civil  
18 Case until the conclusion of a related criminal investigation involving Claimant Walker,  
19 pursuant to 18 U.S.C. §§ 981(g)(1) and (g)(2). Dkt. No. 13. The Order directed the  
20 Parties to file a Joint Status Report by May 3, 2022, if the civil forfeiture case were still  
21 stayed on that date. *Id.*

22 The Parties filed Joint Status Reports on April 27, 2022, October 17, 2022, and  
23 April 14, 2023. *See* Dkt. Nos. 16, 17, 18.

24 At the request of the parties, the Court lifted the stay on October 19, 2023.  
25 Dkt. No. 20.

26 All persons and entities believed to have an interest in the Defendant Currency  
27 were given proper notice of the intended forfeiture when this civil forfeiture action was

1 filed and no other claimants came forward to assert an interest in the defendant Currency  
2 during the relevant period, which expired prior to the stay. *See* Dkt. No. 12.

3 NOW THEREFORE, this SETTLEMENT AGREEMENT is entered into among  
4 the Parties pursuant to the following terms:

5 1. The Parties acknowledge that this Settlement Agreement is made as a  
6 compromise of a disputed claim without adjudication of any issue of fact or law. The  
7 parties further acknowledge and agree that this settlement shall not be deemed to  
8 constitute an admission by Claimant Walker of fault, liability, or wrongdoing as to any  
9 facts or claims alleged or asserted in the Verified Complaint for Forfeiture and shall not  
10 be construed to create rights in, or grant any cause of action to, any third party not  
11 covered by this Settlement Agreement.

12 2. The United States agrees to dismiss from this action and return to  
13 Claimant Walker \$12,882 of the \$18,882 in United States currency seized on or about  
14 April 7, 2021, with any accrued interest on that currency, as identified in paragraph 1 of  
15 the Verified Complaint for Forfeiture *in Rem* and the Amended Verified Complaint for  
16 Forfeiture *in Rem* (Dkt. Nos. 1, 4).

17 3. Claimant Walker agrees to withdraw his claim to, and consents to forfeiture  
18 of the remaining \$6,000 in United States currency seized on or about April 7, 2021, with  
19 any accrued interest on that currency, as identified in paragraph 1 of the Verified  
20 Complaint for Forfeiture *in Rem* and the Amended Verified Complaint for Forfeiture  
21 *in Rem* (Dkt. Nos. 1, 4).

22 4. Claimant Walker recognizes that the Debt Collection Improvement Act of  
23 1996, 31 U.S.C. § 3716, which is administered by the Treasury Offset Program (“TOP”),  
24 requires the United States Treasury to offset federal payments to collect certain  
25 delinquent debts owed to the United States by a payee. Claimant Walker recognizes,  
26 therefore, that the \$12,822 in U.S. currency identified in paragraph 2 for return to him  
27 may be reduced by the amount of any delinquent debt TOP is required to collect.

1           5.     Claimant Walker’s withdrawal of his claims to, and his consent to forfeiture  
2 of, the property set forth in paragraph 3 shall be in full and complete settlement and  
3 satisfaction of all civil forfeiture issues relating to the Defendant Currency.

4           6.     Claimant Walker agrees to release and hold harmless the United States, its  
5 agents, servants, and employees (and any involved state or local law enforcement  
6 agencies and their agents, servants, or employees), in their individual or official  
7 capacities, from any and all claims he, or his representatives or agents, may possess, or  
8 that may arise, as a result of the seizure of the above-identified property and the  
9 subsequent forfeiture proceedings, including any claims for attorney’s fees.

10          7.     The Parties agree this Settlement Agreement is subject to review and  
11 approval by the Court, as provided in the proposed Order submitted below.

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1 8. Upon entry of this Settlement Agreement and Final Order of Forfeiture, this  
2 action shall be DISMISSED WITH PREJUDICE, closed, and the property identified in  
3 paragraph 2 shall be returned to Claimant Walker within 60 days of entry of the Order.  
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5 Respectfully submitted,  
6 TESSA M. GORMAN  
7 Acting United States Attorney

8 DATED: October 20, 2023

9 s/Krista K. Bush  
10 KRISTA K. BUSH  
11 Assistant United States Attorney  
12 700 Stewart Street, Suite 5220  
13 Seattle, WA 98101  
14 Telephone: (206) 553-2242  
15 Fax: (206) 553-6934  
16 Email: [Krista.Bush@usdoj.gov](mailto:Krista.Bush@usdoj.gov)

17 DATED: October 20, 2023

18 s/Richard J. Troberman  
19 RICHARD J. TROBERMAN  
20 Richard J. Troberman, P.S.  
21 Attorney for Claimant  
22 Michael Walker  
23 520 Pike Street, Suite 2500  
24 Seattle, WA 98101-1385  
25 Telephone: (206) 343-111  
26 [Tmanlaw@aol.com](mailto:Tmanlaw@aol.com)

27 DATED: October 15, 2023

s/Michael Walker  
MICHAEL WALKER  
Claimant

1 **ORDER**

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3 The foregoing Settlement Agreement is hereby approved under the terms and  
4 conditions set forth above.

5 1. The following property shall be returned to Claimant Walker within 60  
6 days of entry of this Order: \$12,882 of the \$18,882 in United States currency seized on  
7 or about April 7, 2021, and any accrued interest on that currency, as identified in  
8 paragraph 1 of the Verified Complaint for Forfeiture *in Rem* and the Amended Verified  
9 Complaint for Forfeiture *in Rem* (Dkt. Nos. 1, 4).

10 2. The following property is FORFEITED to the United States: \$6,000 of the  
11 \$18,882 in United States currency, and any accrued interest on that currency, seized on or  
12 about April 7, 2021, as identified in paragraph 1 of the Verified Complaint for Forfeiture  
13 *in Rem* and the Amended Verified Complaint for Forfeiture *in Rem* (Dkt. Nos. 1, 4).

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15 Pursuant to this agreement, the Court hereby DISMISSES this action.

16 IT IS ORDERED.

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18 DATED this 23<sup>rd</sup> day of October, 2023.

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21 RICARDO S. MARTINEZ  
22 UNITED STATES DISTRICT JUDGE  
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1 **CERTIFICATE OF SERVICE**

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3 I hereby certify that on October 20, 2023, I electronically filed the foregoing with

4 the Clerk of the Court using the CM/ECF system, which sends notice of the filing to all

5 ECF participants of record.

6

7 s/Hannah G. Williams

8 HANNAH G. WILLIAMS

9 FSA Paralegal III, Contractor

10 United States Attorney's Office

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