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COURT CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,
14 Plaintiff,

CV No. 10 0974

COMPLAINT FOR FORFEITURE

15 v.
16 APPROXIMATELY \$750,680.00 IN
17 UNITED STATES CURRENCY;
18 APPROXIMATELY \$27,387.00 IN
19 UNITED STATES CURRENCY;
\$35,424.80 IN FUNDS FROM CHASE
ACCOUNT; and
\$6,300.00 IN FUNDS FROM CHASE
ACCOUNT,

20 Defendants.

21
22 NATURE OF THE ACTION

23 1. This is a judicial forfeiture action, as authorized by 21 U.S.C. § 881(a)(6),
24 involving the seizure of defendant approximately \$750,680.00 in United States Currency
25 (defendant \$750,680.00), approximately \$27,387.00 in United States Currency (defendant
26 \$27,387.00), approximately \$35,424.80 in funds from Chase Account (defendant \$35,424.80),
27 and \$6,300.00 in funds from Chase Account (defendant \$6,300.00) that was seized as money
28 furnished or intended to be furnished by a person in exchange for a controlled substance, or

1 money traceable to such an exchange, or money used or intended to be used to facilitate a
2 violation of Chapter 13, Subchapter I of Title 21 United States Code.

3 **JURISDICTION AND VENUE**

4 2. This Court has jurisdiction under 28 U.S.C. §§ 1345 and 1355(a), and 21 U.S.C.
5 § 881(a)(6).

6 3. This action is timely filed in accordance with 18 U.S.C. § 983(a)(3)(A).

7 4. Venue in this Court is proper because defendants were seized in the
8 Northern District of California. 28 U.S.C. §§ 1355(b) and 1395.

9 **PARTIES**

10 5. Plaintiff is the United States of America.

11 6. Defendants are approximately \$750,680.00 in United States Currency,
12 approximately \$27,387.00 in United States Currency, approximately \$35,424.80 in funds from
13 Chase Account, and \$6,300.00 in funds from Chase Account (defendant \$6,300.00).

14 **FACTS**

15 **August 28, 2009 CHP traffic stop of Avery Badenhop**

16 7. On or about August 28, 2009, at approximately 9:05 a.m., California Highway
17 Patrol ("CHP") Officer Blankenship conducted a traffic stop of a Silver 2009 Nissan Altima
18 bearing California license plate 6GNB226 for exceeding the maximum speed limit. Officer
19 Blankenship observed the speeding violation as the Nissan was traveling on Interstate 580
20 Eastbound in Marin County.

21 8. After the Nissan came to stop, Officer Blankenship made contact with the driver of
22 the Nissan, later identified as Avery Badenhop. Upon contacting Mr. Badenhop, Officer
23 Blankenship smelled the odor of fresh marijuana emanating from the Nissan and observed Mr.
24 Badenhop smoking multiple cigarettes during the traffic stop in an apparent effort to mask the
25 smell of the marijuana in the car.

26 9. Officer Blankenship asked Mr. Badenhop if he had anything illegal in the car. Mr.
27 Badenhop replied that he did not. Officer Blankenship then asked Mr. Badenhop if he had any
28

1 marijuana in the car and Badenhop replied, "yes, but no more than the amount I am legally
2 allowed to possess." Badenhop then handed Officer Blankenship a container with three buds of
3 marijuana and some marijuana paraphernalia. After further inquiry by Officer Blankenship,
4 Badenhop then admitted that he had a little bit more.

5 10. Upon being asked to exit the vehicle, Avery Badenhop made movements that
6 caused the officer to be concerned for his own safety and led the officer to detain and search
7 Badenhop for weapons. The officer then placed handcuffs on Badenhop, told him he was not
8 under arrest, and placed Badenhop in his patrol vehicle.

9 11. Officer Blankenship then searched the Nissan for additional marijuana based on
10 Badenhop's statement that he had a little bit more. Officer Blankenship found and seized the
11 following items inside the passenger compartment and trunk of the Nissan: twenty pounds of
12 processed marijuana packaged for sale in one pound quantities in plastic bags and another 24
13 grams of processed marijuana contained within a paper bag; 345 grams of concentrated cannabis
14 for sale in one gram quantities in small plastic cubes; 100 grams of concentrated cannabis
15 packaged for sale in one gram quantities contained in small glass vials; 12 marijuana buds
16 packaged for sale in plastic bags; one calendar containing a drug ledger; and indicia, including an
17 expired marijuana recommendation from a physician for Badenhop, a current cannabis card for
18 Badenhop, and a receipt from Harborside Health Center documenting the sale of marijuana by
19 "AV" in the amount of \$8,600 on 08/21/2009.

20 12. Officer Blankenship asked Badenhop if all the marijuana in the car was his;
21 Badenhop said it was. Officer Blankenship placed Badenhop under arrest for possession of
22 concentrated cannabis and advised him of rights. Officer Blankenship interviewed Badenhop at
23 the Marin County CHP office. Badenhop stated he was enroute to drop off marijuana to cannabis
24 clubs when stopped by the CHP, and he has been selling marijuana to Berkeley Patients Group in
25 Berkeley, Harborside Health Center in Oakland, and Divinity Tree in San Francisco since 2006.
26 Badenhop sells each pound of processed marijuana for approximately \$3,200.00 per pound, and
27 Badenhop sells the small plastic containers of concentrated cannabis for \$15.00 each. Badenhop
28

1 then told Officer Blankenship that he was growing all of his marijuana outside and that he did
2 not have any indoor marijuana grows. Badenhop also later told other officers that he had
3 approximately four pounds of marijuana in his garage and that there was not a large amount of
4 cash at his residence.

5 **August 28, 2009 Search Warrant at 5 Kingswood Court, Petaluma, CA**

6 13. On August 28, 2009, Officers from the Marin County Major Crimes Task Force
7 ("MCMCTF") executed a state search warrant at 5 Kingswood Court Petaluma, CA. Avery
8 Badenhop's wife, Jerri Badenhop, was the only person present at the time the search warrant was
9 executed. The following items were found and seized from the garage of the residence: 10
10 pounds of suspected marijuana packaged for sale in two pound quantities; 23 pounds of
11 suspected marijuana packaged for sale in one pound quantities; 184 grams of suspected
12 marijuana packaged and labeled in various quantities; two ziploc style baggies containing
13 marijuana shake; one vacuum sealer; two electronic scales; one deli-style digital scale; and
14 \$2,000.00 in United States Currency (one hundred \$20 bills).

15 14. In the upstairs bedroom, near a walk-in closet, Officers located one of the two
16 safes found in the residence. Jerri Badenhop provided Officers with the combination to the safe.
17 In the safe, Officers found \$98,680.00 in United States Currency (3,244 - \$20 bills and 342 -
18 \$100 bills), a Smith and Wesson .38 Special revolver, three boxes of .38 Special ammunition and
19 indicia and financial records belonging to Avery and Jerri Badenhop.

20 15. Officers located another safe in the attic connected to the walk-in closet. The safe
21 was opened by a locksmith and contained \$650,000.00 in United States Currency (10,000 - \$20
22 bills and 4,500 - \$100 bills), a Browning 9mm Semi-Automatic Pistol, and 12 boxes of 9mm
23 ammunition. The currency seized from both safes and the currency seized from the garage
24 constitute defendant \$750,680.00.

25 16. Officers mirandized and interviewed Jerri Badenhop. She stated that her husband,
26 Avery Badenhop, made approximately \$15,000.00 to \$17,000.00 per month selling marijuana.
27 Mrs. Badenhop also stated that Avery Badenhop obtained some of his marijuana from two
28 marijuana grows in Petaluma, CA: one located at 58 Baker Court, a home she said was owned by

1 her and her husband; and one located at 46 La Cresta Drive, a home she said was rented by her
2 and her husband. Mrs. Badenhop also told officers that the first safe (which contained
3 \$98,680.00) contained approximately \$35,000.00 in cash, which she had saved over the last six
4 years; and she told officers that she thought the second safe (which contained \$650,000.00) was
5 "full of money," and that the money came from "weed."

6 **August 28, 2009 search warrant at 46 La Cresta Drive, Petaluma, CA**

7 17. On August 28, 2009, Officers from MCMCTF executed a state search warrant at
8 46 La Cresta Drive in Petaluma, CA. While waiting for the search warrant to be
9 signed, Officers went to the residence to freeze the scene, if necessary. Officers observed three
10 men at the residence, later identified as Harry Parker, Jeremy Kaltenbach, and Radek Stastny.
11 All three men were later arrested. Officers conducted a safety sweep of the residence and the
12 garage. While conducting the safety sweep, Officers observed materials and heard a noise
13 consistent with a marijuana grow located inside the garage. Officers observed an active
14 marijuana grow in the garage during the safety sweep.

15 18. Once Officers obtained the state search warrant, Officers found and seized 100
16 mature marijuana plants, individually potted and ready for harvest, a calendar with a grow
17 schedule, and "grow certificates" in the names of Avery Badenhop, Jerri Badenhop, and Radek
18 Stastny for the years 2006 to 2008. In Radek Stastny's bedroom, Officers located and seized the
19 following: 326 grams of suspected marijuana in plastic baggies; 183 grams of suspected hash
20 packaged in six ziploc style baggies; 400 plastic cubes that were similar to those found in the
21 Nissan during the CHP traffic stop of Avery Badenhop; \$1000.00 in United States Currency
22 inside a brown bag; \$15,000.00 United States Currency inside a brown paper bag; \$1,240.00 in
23 United States Currency inside an envelope; and \$10,147.00 in United States Currency inside an
24 envelope. Officers also found indicia in the name of Radek Stastny and Rachael E. Matthews.
25 The currency seized from Stastny's room constitutes defendant \$27,387.00.

26 19. Officers mirandized and interviewed Mr. Stastny at the residence. Mr. Stastny
27 stated that he has lived at the residence for approximately two and a half months. Mr. Stastny
28 stated that the marijuana plants in the residence belonged to him. He also said the money

1 belonged to him; he had been saving it for the last two years but has only worked two months
2 during the past two years and was not employed at the time Officers executed the search warrant.

3 20. Officers also mirandized and interviewed Mr. Kaltenbach. Officers had previously
4 seized \$5,000.00 in United States Currency from the pants pocket of Mr. Kaltenbach.

5 Kaltenbach said the money was not his, but he was going to use it to bail out Avery Badenhop.
6 Kaltenbach said that he did not grow marijuana himself, but obtained it from Avery Badenhop
7 and the men at 46 La Cresta Drive. He further stated that he lived at 117 Round Court in
8 Petaluma with his fiancée and that he had a marijuana grow at his mother's residence at 1594
9 Eastman Lane in Petaluma that consisted of 50 to 100 marijuana plants.

10 **August 28, 2009, search warrant at 58 Baker Court, Petaluma, CA**

11 21. On August 28, 2009, Officers from MCMCTF executed a state search warrant at 58
12 Baker Court, Petaluma, CA. Marc Herrnberger was the only person at the residence at the time
13 the search warrant was executed. Officers located an indoor marijuana grow on the ground floor
14 of the residence that contained 96 mature marijuana plants, approximately three feet tall. In the
15 closet next to the ground floor grow room Officers located three garbage bags and eight
16 individually packaged plastic bags containing a large amount of loose marijuana leaves and
17 shake, six individually packaged bags of loose marijuana shake, and one triple beam scale. In the
18 kitchen, Officers found 106 grams of dried marijuana inside a plastic bag, 12 grams of marijuana
19 contained inside a jar, and indicia in the name of Marc Herrnberger, Avery Badenhop, and Radek
20 Stastny.

21 22. In an upstairs room, Officers located an additional grow room that contained 120
22 immature marijuana plants, that were each approximately one foot tall. The room also contained
23 grow lights, water tanks, timers and growing solution.

24 23. Officers mirandized and interviewed Herrnberger. Herrnberger said the Avery
25 Badenhop allows him to live at the residence in exchange for taking care of the marijuana grow.
26 Herrnberger admitted to tending the marijuana grow for the last four months and that Avery
27 Badenhop comes to the house twice a month.

28 //

1 **August 29, 2009, search warrant at 117 Round Court, Petaluma, CA**

2 24. On August 29, 2009, Officers from MCMCTF executed a state search warrant at
3 117 Round Court in Petaluma, CA. This the residence Kaltenbach and his fiancée, Catalina Sala,
4 and her two small children also live at the residence and were present during the execution of the
5 search warrant.

6 25. Officers found and seized 26 containers of marijuana seeds, 3.6 grams of
7 suspected hash in plastic containers, a Taurus .357 Magnum revolver, a Browning 9mm pistol, a
8 .22 Caliber revolver, \$27,316.00 in United States Currency located in the bottom of a laundry
9 basket, and indicia in the name of Kaltenbach. Sala told officers that she had moved the money
10 from the safe and placed it in the bottom of the laundry basket before opening the door for the
11 police. Sala also told Officers that Kaltenbach sold between five to 8 pounds of marijuana a
12 month and that some of the money was from the sale of marijuana.

13 **August 29, 2009, consent search at 1594 Eastman Lane, Petaluma, CA**

14 26. On August 29, 2009, the MCMCTF officers obtained written consent from
15 Jeremy Kaltenbach's mother, Kathleen Hanna, to search the premises located at 1594 Eastman
16 Lane in Petaluma. Officers located indoor marijuana grows in a barn on the property and in a
17 water tower behind the main residence. The grow operation inside the barn consisted of 64
18 immature plants, each approximately one foot in height, grow lights, cultivation equipment and a
19 garbage bag containing loose marijuana leaves and shake. The grow operation in the water tower
20 consisted of 34 mature marijuana plants, approximately 4 feet in height, grow lights, cultivation
21 equipment and a grow schedule that reflected marijuana cultivation for approximately two years.

22 **September 15, 2009 seizure of funds from two Chase Bank Accounts belonging to**
23 **Avery Badenhop and Jerri Badenhop**

24 27. On September 1, 2009, Detective Brovelli of MCMCTF served a state seizure
25 order for funds in two Chase Bank accounts belonging to Avery and Jerri Badenhop. On
26 September 15, 2009, Detective Brovelli obtained two checks in the amount of \$35,424.80 and
27 \$6,300.00 from Chase Bank relating to the seizure order served on September 1, 2009.
28

VERIFICATION

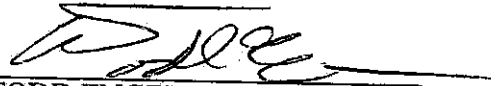
I, Todd Enger, state as follows:

1. I am a Special Agent with the Drug Enforcement Administration, and I am the case agent. As such, I am familiar with the facts, and the investigation leading to the filing of this Complaint for Forfeiture.

2. I have read the Complaint and believe the allegations contained in it to be true.

* * * * *

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of March 2010, at San Francisco, in California.


TODD ENGER
Special Agent
Drug Enforcement Administration

CIVIL COVER SHEET

JS 44 (Rev. 12/07) (and rev 1-16-08)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

<p>I. (a) PLAINTIFFS</p> <p>United States of America</p>	<p>DEFENDANTS</p> <p>See attachment A</p>
<p>(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p>County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p>
<p>(c) Attorney's (Firm Name, Address, and Telephone Number)</p> <p>Arvon J. Perteet SAUSA 450 Golden Gate Avenue, 11th Floor San Francisco, CA 94102 (415) 436-6598</p>	<p>Attorneys (If Known)</p>

<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Incorporated or Principal Place of Business In This State.</td> <td colspan="2"></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Incorporated and Principal Place of Business In Another State</td> <td colspan="2"></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">Foreign Nation</td> <td colspan="2"></td> </tr> </table>	PTF	DEF		PTF	DEF	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4			Incorporated or Principal Place of Business In This State.			<input type="checkbox"/> 2	<input type="checkbox"/> 2	Citizen of Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5			Incorporated and Principal Place of Business In Another State			<input type="checkbox"/> 3	<input type="checkbox"/> 3	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 6	<input type="checkbox"/> 6			Foreign Nation		
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IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 Title 21, United States Code, Sections 881(a)(6)

Brief description of cause:
 Drug Related Forfeiture

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY: PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY) SAN FRANCISCO/OAKLAND SAN JOSE

DATE: 3/8/2010 SIGNATURE OF ATTORNEY OF RECORD: [Signature]

ATTACHMENT A

APPROXIMATELY \$750,680.00 IN UNITED STATES CURRENCY;

APPROXIMATELY \$27,387.00 IN UNITED STATES CURRENCY;

\$35,424.80 IN FUNDS FROM CHASE ACCOUNT; and

\$6,300.00 IN FUNDS FROM CHASE ACCOUNT.