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5 **IN THE DISTRICT COURT OF GUAM**

6 UNITED STATES OF AMERICA,

CIVIL CASE NO. 12-00021

7 Plaintiff,

8 vs.

ORDER

9 ONE 2011 YAMAHA NANO XCEL SHO
10 JET SKI, HULL NO. YAMA2675B111; and
11 ONE 2009 TRITON LTWCI SINGLE
TRAILER, VIN 4TCSM11179HL32092,

12 Defendants.

13 Before the court is a Joint Motion to Lift Stay and Enter Judgment. *See* ECF No. 39. Said
14 motion is hereby **GRANTED**. The stay issued on May 10, 2013 (ECF No. 24) is hereby lifted. In
15 addition, the Stipulation and Settlement Agreement (ECF No. 39, at 5-7) between the United States
16 and Claimant Jovin Santos is hereby approved as submitted.

17 Whereas, the United States and Claimant Jovin Santos have entered into a Stipulation and
18 Settlement Agreement concerning the above-entitled defendant properties; and

19 Whereas, no other party has made a claim to or declared any interest in the above-described
20 defendant *res*;

21 Now therefore, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that

- 22 1. Claimants Jovin Santos and Daelene Waki in Civil Case No. 12-00019, agree to
23 withdraw their claims and release all right, title, and interest in certain defendant
24 property, approximately \$43,871.00 in United States Currency, which shall be forfeited
to and shall vest in the United States of America for disposition according to law.

- 1 2. In consideration, upon this court's order approving the compromise settlement in Civil
2 Case No. 12-00019, vesting approximately \$43,871.00 in the United States for
3 disposition according to law, the United States shall return to Claimant Jovin Santos, by
4 and through his attorney, David J. Lujan, the defendant properties, specifically: ONE
5 2011 YAMAHA NANO XCEL SHO JET SKI, HULL NO. YAMA2675B111; and ONE
6 2009 TRITON LTWCI SINGLE TRAILER, VIN 4TCSM11179HL32092.
- 7 3. All claims and interests in the defendant properties, except as provided herein and in the
8 Stipulation and Settlement Agreement, are forever foreclosed and barred;
- 9 4. Each party shall bear their respective costs and attorney's fees;
- 10 5. The Clerk of the Court shall enter a judgment consistent with this order;
- 11 6. The United States may request, upon entry of judgment or at any time thereafter, a
12 certificate of reasonable cause under 28 U.S.C. Section 2465(a)(2); and
- 13 7. The court shall retain jurisdiction in this case for the purpose of enforcing the terms of the
14 Stipulation and Settlement Agreement.

15 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Apr 15, 2016