

1 TRACY L. WILKISON
United States Attorney
2 DAVID M. HARRIS
Assistant United States Attorney
3 Chief, Civil Division
JOANNE OSINOFF
4 Assistant United States Attorney
Chief, General Civil Section
5 TALYA M. SEIDMAN (Cal. Bar No. 336534)
Assistant United States Attorney
6 JONATHAN GALATZAN
Assistant United States Attorney
7 Chief, Asset Forfeiture Section
Federal Building, Suite 7516
8 300 North Los Angeles Street
Los Angeles, California 90012
9 Telephone: (213) 894-7137
Facsimile: (213) 894-7819
10 E-mail: Talya.Seidman@usdoj.gov
Jonathan.Galatzan@usdoj.gov

11 Attorneys for Federal Defendants
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13 UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA
15 EASTERN DIVISION
16

17 EMPYREAL ENTERPRISES, LLC,
18 d/b/a EMPYREAL LOGISTICS,

19 Plaintiff,

20 v.

21 UNITED STATES OF AMERICA, et
22 al.,

23 Defendants.
24

Case No. 5:22-cv-00094-JWH-SHK
SETTLEMENT AGREEMENT

25 Plaintiff Empyreal Enterprises, LLC, d/b/a Empyreal Logistics ("Plaintiff") and
26 Defendants United States of America, the U.S. Department of Justice, Attorney General
27 Merrick Garland, the Federal Bureau of Investigation ("FBI"), Christopher A. Wray,
28 Kristi Koons Johnson, the Drug Enforcement Administration, and Anne Milgram

1 (hereinafter the “Federal Defendants”), have reached a Settlement Agreement, resolving
2 this action in its entirety.

3 This Settlement Agreement is not, is in no way intended to be, and should not be
4 construed as an admission of liability or fault on the part of the Federal Defendants or its
5 agents, servants, or employees. This Settlement Agreement is entered into by the parties
6 for the purpose of compromising disputed claims and avoiding the expenses and risks of
7 litigation. This Settlement Agreement holds no bearing on any of the Federal
8 Defendants’ pending or future investigations or criminal proceedings or on the forfeiture
9 proceeding currently pending in the District of Kansas (Case No. 6:21-cv-01215). Nor
10 does this Settlement Agreement hold any bearing on Plaintiff’s ability to defend itself or
11 produce evidence, including any facts that were pled in this action, in the forfeiture
12 proceeding currently pending in the District of Kansas. Plaintiff may not plead facts that
13 were pled in this action as the basis for any future claims, however Plaintiff is not
14 precluded from future litigation based on claims of further action by the Federal
15 Defendants and which alleges, as historical evidence supporting any such new claims
16 based on further action, facts that were pled in this action.

17 This civil action was filed on January 14, 2022. Dkt. 1. The parties have agreed to
18 the following settlement terms:

19 1. The Federal Defendants decline to initiate judicial forfeiture proceedings
20 against \$712,176.36 in U.S Currency (Asset ID 22-FBI-000784) and \$351,353.88 in U.S
21 Currency (Asset ID 22-FBI-001350) (collectively the “Seized Assets”). The Seized
22 Assets will be returned to Plaintiff. The Federal Defendants will use best efforts to return
23 the assets without delay.

24 2. Agents from the Los Angeles Field Office of the FBI will meet with
25 Plaintiff, at a time to be determined upon execution of this Stipulation. There are no pre-
26 conditions to this meeting, nor are there any pre-determined outcomes or expectations of
27 any specific result(s) from this meeting.

28 Plaintiff has released the Federal Defendants, their agencies, employees, agents,

1 and officers, from any and all claims, actions or liabilities arising out of or related to this
2 action, including, without limitation, any claim for attorney's fees, costs or interest
3 which may be asserted, whether pursuant to 28 U.S.C. § 2412, § 2465, or otherwise.
4 The parties shall bear their own attorney's fees and costs arising out of or relating to this
5 action.

6
7 Dated: April 13, 2022

Respectfully submitted,

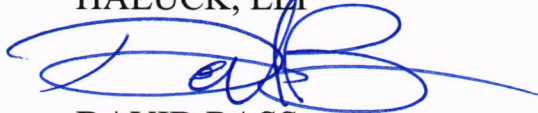
8 TRACY L. WILKISON
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11 Assistant United States Attorney
Chief, General Civil Section
12

/s/ Talya M. Seidman
13 TALYA M. SEIDMAN
Assistant United States Attorney
14 JONATHAN GALATZAN
Assistant United States Attorney
15 Chief, Asset Forfeiture Section

16 Attorneys for Federal Defendants
17
18

19 Dated: April 13, 2022

KOELLER NEBEKER CARLSON &
20 HALUCK, LLP

21 

22 DAVID BASS
Attorneys for Plaintiff
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