

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

Civ. No. 18-279-SWS-MLC

APPROXIMATELY \$10,128,847.42 SEIZED FROM  
US BANK ACCOUNT NO. -5234 HELD IN THE  
NAME OF PUEBLO OF POJOAQUE GAMING FUNDS,

*Defendant-in-rem.*

and

PUEBLO OF POJOAQUE, AND  
THOMAS F. GEDE TRUSTEE FOR PUEBLO OF POJOAQUE  
GAMING FUNDS TRUST,

*Claimants.*

**UNOPPOSED MOTION FOR ENTRY OF  
FINAL JUDGMENT AND ORDER OF DISMISSAL**

THE UNITED STATES OF AMERICA hereby moves for entry of Final Judgment and Order of Dismissal in the above-captioned case pursuant to the Settlement Agreement and Release reached by the United States, Claimant Pueblo of Pojoaque, Claimant Thomas F. Gede, Trustee for Pueblo of Pojoaque Gaming Funds Trust, and the State of New Mexico. The Settlement Agreement and Release is attached as Exhibit One to this Motion. Under the terms of the Settlement Agreement and Release, the United States respectfully requests that the Court enter its Judgment and Order as follows:

1. Directing the United States, through the United States Marshals Service, to release sixty percent of the Defendant Funds, that is, \$6,077,308.62, and sixty percent of the interest accrued upon the Defendant Funds, that is, \$155,856.08, to the State of New Mexico. The total amount of funds to be released to the State of New Mexico will be \$6,233,164.70;

2. Directing the United States, through the United States Marshals Service, to release forty percent of the Defendant Funds, that is, \$4,051,538.80, and forty percent of the interest accrued upon the Defendant Funds, that is, \$103,904.06, to Claimant Pueblo of Pojoaque. The total amount of funds to be released to Claimant Pueblo of Pojoaque will be \$4,155,442.86;

3. Dismissing this case with prejudice; and

4. Directing each party to bear its own costs and attorney's fees.

All parties, their counsel, and the State of New Mexico have approved the relief sought herein by their signatures on the Settlement Agreement and Release, and on the requested Final Judgment and Order which will be submitted to Chambers.

Respectfully submitted,

JOHN C. ANDERSON  
United States Attorney

Electronically filed on 05/31/2019

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I HEREBY CERTIFY that upon this 31<sup>st</sup> day of May, 2019, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected in the Notice of Electronic Filing. I hereby further certify that I have separately served Matthew L. Garcia, General Counsel to the Honorable Michelle Lujan Grisham, Governor of the State of New Mexico, on behalf of the State of New Mexico.

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/s/  
Jonathon M. Gerson  
Assistant U.S. Attorney