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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. GURJEET BATH, Defendant.	1:24-CR-00198-JLT-SKO [PROPOSED] ORDER FOR INTERLOCUTORY SALE OF 18670 S. ELM AVENUE, LATON, CALIFORNIA

On March 26, 2025, Plaintiff United States of America moved this Court, pursuant to Rule 32.2(b)(7) and Rule G(7)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, for an order directing the United States Marshals Service ("USMS") to execute an interlocutory judicial sale of the following property:

a. Real property located at 18670 South Elm Avenue, Laton, Fresno County, California, APNs: 055-310-15 and 055-021-18 (hereafter "Subject Property").

The United States served this motion on the holder of the Promissory Note, Terra Dos Sonhos LLC, the County of Fresno Treasurer-Tax Collector, California Department of Tax and Fee Administration, Internal Revenue Service, C.L. Services, Inc., Adriana Martinez, and Felipe Gallegos Barrios, as the only other persons or entities who have an interest in the Subject Property.

Based upon the government's motion and for good cause showing, the Court finds:

1. Payments on the Promissory Note to Terra Dos Sonhos LLC, secured against the Subject

Property, have not been paid since October 2023, thereby increasing the amount due on the note from $1,500,000 to $1,676,236.61 as of August 27, 2024, when the default notice was filed. As a result of defendant Gurjeet Bath's default on the promissory note, the equity in the Subject Property is being reduced to the detriment of all the interested parties.

2. By failing to make payments on the Promissory Note for the Subject Property, defendant Gurjeet Bath has waived any right he might otherwise have had to claim a right to continue possession of the Subject Property or for damages based on loss of use of the Subject Property.

3. The property taxes owing under the Subject Property are in arrears of at least $36,384.91.

As a result of these findings, it is hereby ORDERED:

1. The Subject Property shall be sold in a method decided by the U.S. Attorney's Office, Eastern District of California, and United States Marshals Service ("USMS") (collectively, "the government").

2. The Subject Property shall be sold in the most commercially feasible manner and consistent with the terms of this order:

a. The government and its agents are authorized to retain a vendor who shall be paid the usual and customary commission and/or fees from the proceeds of the sale, or use any other commercially feasible method to sell the property.

b. The government and its agents shall pay to Terra Dos Sonhos LLC the principal and interest amount due on the Promissory Note. If the net proceeds of the sale are insufficient to pay the amounts due on the note, this order shall not affect any rights Terra Dos Sonhos LLC may have to seek a deficiency judgment against its obligor. No deficiency resulting from a sale pursuant to this order shall be a basis for action or recovery against the United States.

c. The government and its agents shall pay any property taxes due on the Subject Property.

d. Following payment to Terra Dos Sonhos LLC for the balance due and owing under the Promissory Note, the government and its agents shall deduct from the sale proceeds the following as applicable: any commission, closing costs, and other selling expenses; all costs incurred by the United States relating to the custody, maintenance, and sale of the Subject Property through the close of escrow;

and the costs to obtain an appraisal of the Subject Property.

3. The net proceeds of the sale, if any, shall be deposited in the Department of Justice Seized Asset Deposit Fund and shall be substituted for the Subject Property in this action, the *sub res*.

4. The Court retains jurisdiction over the *sub res*, including any disputes over claimant standing, priority, and preference.

Dated: _____

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JENNIFER L. THURSTON
United States District Judge