

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA, AKA
Seal A,

Plaintiff-Appellant,

v.

CHRISTOPHER KIM, AKA Chris Kim,
AKA KJ Kim, AKA Kyung Joon
Kim; BORA LEE; OPTIONAL
CAPITAL, INC., AKA Optional
Ventures; FIRST STEPHORA AVENUE,
INC.; ERICA M. KIM; ALEXANDRIA
INVESTMENT, LLC; SE YOUNG KIM;
YOUNG AI KIM,

Claimants-Appellees,

LAW OFFICE OF ERIC HONIG,

Intervenor-Appellee,

and

475 MARTIN LANE, BEVERLY HILLS,
CALIFORNIA, Real Property Located
at, AKA Seal A,

Defendant.

No. 12-56922

D.C. No.
2:04-cv-02788-
ABC-PLA

UNITED STATES OF AMERICA,
Plaintiff-Appellant,

v.

CHRISTOPHER KIM, AKA Chris Kim,
AKA KJ Kim, AKA Kyung Joon
Kim; BORA LEE; OPTIONAL
CAPITAL, INC., AKA Optional
Ventures; FIRST STEPHORA AVENUE,
INC.; ERICA M. KIM; ALEXANDRIA
INVESTMENT, LLC; SE YOUNG KIM;
YOUNG AI KIM,
Claimants-Appellees,

LAW OFFICE OF ERIC HONIG; ERIC
HONIG,
Intervenors-Appellees,

and

475 MARTIN LANE, BEVERLY HILLS,
CALIFORNIA, Real Property Located
at, AKA Seal A,
Defendant.

No. 13-55555

D.C. No.
2:04-cv-02788-
ABC-PLA

UNITED STATES V. KIM

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UNITED STATES OF AMERICA,
Plaintiff-Appellant,

v.

CHRISTOPHER KIM, AKA Chris Kim,
AKA KJ Kim, AKA Kyung Joon
Kim; BORA LEE; OPTIONAL
CAPITAL, INC., AKA Optional
Ventures; FIRST STEPHORA AVENUE,
INC.; ERICA M. KIM; ALEXANDRIA
INVESTMENT, LLC; SE YOUNG KIM;
YOUNG AI KIM,
Claimants-Appellees,

LAW OFFICE OF ERIC HONIG; ERIC
HONIG,
Intervenors-Appellees,

and

475 MARTIN LANE, BEVERLY HILLS,
CALIFORNIA, Real Property Located
at,
Defendant.

No. 13-55556

D.C. No.
2:04-cv-02788-
ABC-PLA

ORDER

Filed November 30, 2015

Before: Stephen Reinhardt, N. Randy Smith,
and Andrew D. Hurwitz, Circuit Judges.

ORDER

The Opinion filed August 13, 2015, is amended as follows:

Slip opinion page 19: after <we see no reason to place statutory attorney's fees awards beyond the reach of the Act.> add the following as a footnote: <Jurisdiction over claims against the United States is generally given to the Court of Federal Claims. *See* 28 U.S.C. §§ 1346, 1491(a). Nevertheless, although we concluded that CAFRA fee awards are claims against the United States, jurisdiction over them is expressly given to the district courts. *See* 18 U.S.C. § 983; § 28 U.S.C. 2465.>

With this amendment, the panel has voted unanimously to deny the motion of Americans for Forfeiture Reform for sua sponte rehearing en banc and for court appointment as amicus curiae. The motion is **DENIED** as moot.

On October 2, 2015, the parties to this case filed a Notice of Settlement. In the Notice, the parties requested that this court's mandate be issued. We **GRANT** the parties' request; therefore, no further petitions for rehearing or rehearing en banc may be filed in response to the amended petition.

A certified copy of this order shall constitute the mandate of this court.