

TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LGB*
DATE: May 8, 2013
SUBJECT: Community Financial v. City of Troy

Enclosed please find a copy of a lawsuit that Community Financial Members Federal Credit Union filed against the City of Troy, City of Troy Police Department, and one of its individual task force officers. Plaintiff initially filed this lawsuit in Ingham County (Lansing), where the assigned judge granted a show cause hearing for April 18, 2013. The City filed a response to the show cause, and argued that Oakland County was the appropriate venue for this lawsuit. Ingham County Judge Jamo agreed with the City, and the case was transferred to the Honorable Judge Denise Langford Morris of the Oakland County Circuit Court on May 7, 2013.

Through this lawsuit, Plaintiff is seeking to invalidate the City's drug forfeiture of a 2007 Ford pick-up truck. The owner of the pick-up truck was arrested for felony drug trafficking. Plaintiff Community Financial Members Federal Credit Union had a lien on the pick-up truck, which they had financed approximately one year before the seizure.

Through the lawsuit, Plaintiff argues that the City is not entitled to recoup any of its administrative costs or towing or storage charges. Additionally, Plaintiff claims that the City is not entitled to recoup money owed to a dealership for car repair and maintenance, since these costs are allegedly inferior to the Plaintiff's lien. The arrested person had taken the pick-up truck to the car dealership prior to his arrest, and it was from the dealership that the City seized the vehicle.

Plaintiff is seeking a writ of mandamus, declaratory relief, and damages, costs, and attorney fees through this lawsuit.

The City Attorney's Office has already handled the expedited show cause hearing, and will continue to represent the City's interests absent objection from City Council. A proposed resolution authorizing legal representation is provided for your consideration.

PROPOSED RESOLUTION:

RESOLVED, that the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of *Community Financial Members Federal Credit Union v. City of Troy, City of Troy Police Department and Detective William Taylor (Ingham County Circuit Court Case No. 13-358 AW and reassigned to Oakland County Circuit Court Case No. 13-133863 AW)*. Furthermore, the City Attorney is authorized to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

STATE OF MICHIGAN
30TH JUDICIAL CIRCUIT COURT
INGHAM COUNTY

COMMUNITY FINANCIAL MEMBERS
FEDERAL CREDIT UNION,

13-358-AW

Plaintiff,

JUDGE JAMES S. JAMO

v

CITY OF TROY, CITY OF TROY POLICE
DEPARTMENT, and DETECTIVE WILLIAM
TAYLOR,

Defendants.

Joseph M. Xuereb (P40124)
XUEREB LAW GROUP PC
Attorneys for Plaintiff
7752 N. Canton Center Road, Suite 110
Canton, MI 48187
(734) 455-2000

COMPLAINT

There is no other pending or resolved civil action arising out of the same transaction or occurrence alleged in the complaint.

Joseph M. Xuereb (P40124) Attorney for Plaintiff

Plaintiff, COMMUNITY FINANCIAL MEMBERS FEDERAL CREDIT UNION, through its attorneys, XUEREB LAW GROUP PC, by Joseph M. Xuereb, for its complaint against the defendants in this action, states:

PARTIES

1. Plaintiff, COMMUNITY FINANCIAL MEMBERS FEDERAL CREDIT UNION ("CFCU"), is a federally chartered credit union with its principal place of business located in the city of Plymouth, Wayne County, Michigan.

2. Defendant, CITY OF TROY ("Troy"), is a municipal corporation located in Oakland County, Michigan.

3. Defendant, CITY OF TROY POLICE DEPARTMENT ("Department"), is a department of the CITY OF TROY located in Oakland County, Michigan.

4. Defendant, DETECTIVE WILLIAM TAYLOR ("Taylor"), is an individual employed with the CITY OF TROY POLICE DEPARTMENT, in Oakland County, Michigan.

JURISDICTION AND VENUE

5. Jurisdiction and venue is proper in this action pursuant to MCL 600.4401(1) and MCR 3.305(A)(B).

FACTS

6. On or about September 21, 2011, Zenaida Cornejo & Miquel Angel Cornejo (the "Cornejos") purchased a 2007 Ford F150 SuperCrew Cab Harley-Davidson pickup, VIN# 1FTRW12517FB53160 (the "subject vehicle"), with financing obtained from CFCU. Exhibit 1. CFCU was granted a security interest and lien on the subject vehicle in connection with the financing, which lien was filed on or about August 12, 2011. Exhibit 1.

7. On or about July 11, 2012, the Department seized the subject vehicle pursuant to a drug forfeiture. Exhibit 2.

8. The defendants, through Taylor, first informed CFCU of the seizure of the subject vehicle on October 22, 2012, over 3 months *after the seizure*. Exhibit 3.

9. Upon receiving notice from the defendants, Ken Kollar, CFCU's Asset Protection Manager, attempted to obtain the return of the subject vehicle CFCU held a security interest in to satisfy the remaining balance of its loan.

10. Despite months of negotiations, the defendants would not return the subject vehicle to CFCU for disposition under its security agreement, instead demanding a \$1,500.00 "administrative fee" in connection with the forfeiture, demanding CFCU pay the towing charges, as well as a \$15.00 per day storage fee on the vehicle from the date of seizure of July 11, 2012 (despite CFCU only becoming aware of the seizure on October 22, 2012). The defendants also were requiring CFCU to pay a repair invoice of Taylor Chevrolet in the amount of \$2,247.90. Exhibit 4.

11. Thus, CFCU had its attorney, Joseph M. Xuereb ("Xuereb"), get involved to obtain possession of the subject vehicle back from the defendants in early March 2013. Exhibit 5.

12. After speaking to Taylor, Xuereb was directed to a Sergeant Wolf of the Department and was explained CFCU's alleged options. These options were for the Department to (1) simply forfeit the vehicle, (2) CFCU to post a bond in the amount of \$5,000.00 and file a Notice of Claim or (3) the parties work out a Consent Agreement pursuant to which CFCU pays money to the Department to obtain return of the subject vehicle that is the collateral its loan.

13. Xuereb then obtained from Taylor an email dated March 15, 2013, confirming what his client had already told him: that the Department is demanding CFCU pay over \$7,500.00 for towing, storage, administration fee and Taylor Chevrolet bill for the privilege of being returned the collateral it had a *prior security interest* in. Exhibit 6.

14. Xuereb did some legal research, and communicated to Detective Taylor on or about March 18, 2013, that CFCU may not be interested in a Consent Agreement and

requested certain information, namely where the vehicle had been stored and the status of the underlying criminal proceedings. Exhibit 7.

15. In an aggressive response, Taylor on that same day sent a letter to Xuereb requesting a letter from CFCU indicating it was abandoning all interests and releasing its lien on the subject vehicle. Further, Taylor informed Xuereb that all interests by Community Financial in the subject vehicle "will be abandoned if a Notice of Claim is not filed with the Troy Police Department within 20 days (beginning on 3/12/2013 when you made notification of representation)." Exhibit 8. The 20 days would have expired on April 1, 2013.

16. On March 20, 2013, Xuereb sent a letter to Taylor informing him of a number of facts:

- a. First, that Taylor never provided Xuereb with the information requested concerning where the vehicle had been stored and the status of the criminal proceedings;
- b. Informing Taylor that CFCU in fact does claim an interest in the vehicle;
- c. Informing Taylor that the Department takes the vehicle "subject to the interest of a secured party who neither had knowledge of nor consented to the act or omission" giving raise to forfeiture pursuant to MCL 333.7521(1)(d)(iv). As a result, even if there was a forfeiture of the subject vehicle, CFCU had a first secured position to be paid out of the proceeds prior to any costs associated with the forfeiture, which are paid out of the proceeds of the forfeiture;
- d. Informing Taylor that while a innocent owner must file a claim and bond under the forfeiture statute, a secured party does not as a secured parties interest has first priority, and that fact that any drug forfeiture under the statute is subject to that prior secured interest as codified in MCL 333.7521(d)(iv);
- e. Informing Taylor that forfeiture proceedings must be commenced "promptly" under the statute and case law (four months under *In re Forfeiture of One 1983 Cadillac*, 176 Mich App 277, 439 NW2d 346 (1989), and since nine months has

passed between the time of seizure without a complaint being rendered, any forfeiture of the subject vehicle has not been promptly commenced under the statute; and

- f. Since the balance owed CFCU and secured by its priority lien that the forfeiture was subject to was \$28,000.00, there was no equity in the vehicle to be forfeited.

Exhibit 9.

17. Taylor finally responded on March 21, 2013, to Xuereb's inquiries for information. Taylor also assert this time that CFCU now had to file a claim and bond on or before March 31, 2013 (despite the fact that the earlier letter asserted the deadline would be April 1, 2013). Exhibit 10.

18. Xuereb sent a subsequent letter to Taylor reminding him that the original deadline given to file the bond (which CFCU denied had to be filed because under the statute any forfeitures is explicitly "subject to" the interest of the secured party) was April 1, 2013, not Sunday, March 31, 2013. Further, Xuereb indicated that the statute only required the bond to be in the amount of 10% of the value of the property, with the property being, at best, worth \$21,800.00 if in clean retail condition. The letter also informed Taylor that CFCU was in the process of obtaining a bond from its credit union insurance company, and requested the form of the bond so the bond could be timely filed. Exhibit 11.

19. On Tuesday, March 26, 2013, Xuereb sent another email to Taylor requesting a response to his email from the prior date so that his client may timely file the bond the Department insisted had to be filed for CFCU to maintain its security interest in the vehicle. Exhibit 12.

20. On that same date, Tuesday, March 26, 2013, Taylor sent an email to Xuereb indicating that the private party sale value of the vehicle was \$27,866.00 (essentially admitting

the value of the subject vehicle is less than the amount of CFCU's lien), and that the bond amount would therefore be \$2,786.00 under the statute. The email further confirmed that CFCU had until 5:30 p.m. on April 1, 2013 to either reach a consent agreement or post the bond. Exhibit 13.

21. Subsequent to receiving the email, Xuereb sent an email to Taylor indicating CFCU was in the process of obtaining a surety bond in the amount of \$2,786.00 as requested. Xuereb stated in the email that the amount of his client's lien, including principal and interest, at the time was \$30,415.00. He again asserted that because the forfeiture is subject to the interest of CFCU as a lien holder, there is no equity in the vehicle to be forfeited. Xuereb stated that when a court orders forfeiture, it "may" order a person who claimed an interest in the forfeited property under MCL 333.7523(1)(c) to pay the expenses of the proceedings of forfeiture to the entity having budgetary authority over the seizing agency pursuant to MCL 333.7524(4). Exhibit 14 [the blacked out material in the exhibit was an offer to compromise made by CFCU that it's being redacted because of the letter was sent pursuant to MRE408].

22. Apparently realizing CFCU was right that the forfeiture was subject to CFCU's lien and that CFCU was not responsible for any repair costs, any administrative fee, and any towing or storage charges, the defendants abruptly reversed field. On Wednesday, March 27, 2013, Taylor sent an email to Xuereb rejecting the settlement proposal [Exhibit 15 – the terms of CFCU's proposal contained in the detective's response is again is blacked out in the email], and Taylor now advised that the vehicle was previously administratively forfeited twenty days from October 22, 2012, and that CFCU can now only obtain the vehicle back by paying the *ransom* requested of over \$7,500.00. The Department was now claiming the subject vehicle had been administratively forfeited, despite the fact that in numerous previous

correspondences the Department denied this fact implicitly by stating CFCU had till April 1st to file a claim and bond.

COUNT I - MANDANUS

23. Plaintiff realleges the allegations contained in paragraphs 1 through 22, above.

24. Defendants have a duty to acknowledge that any forfeiture of the subject vehicle is subject to CFCU's *bona fide* security interest in the subject vehicle because CFCU neither had knowledge nor consented to the illegal acts or omissions of the owner of the vehicle. MCL 333.7521(1)(d)(iv).

25. The defendants have a duty to return the vehicle to CFCU since there is no equity in the vehicle to be forfeited. Defendants have acknowledged the value of the vehicle is less than the amount of the lien CFCU pursuant to its *bona fide* security interest in the subject vehicle.

26. The defendants had a duty to promptly institute forfeiture proceedings. MCL 333.7523(1). The period of time to be measured for considering promptness is the lapse of time between the seizure of the vehicle and the filing of the complaint for forfeiture. *In re Forfeiture of \$109,901*, 210 Mich App 191; 533 NW2d 328 (1995), *app den* 451 Mich 854; 546 NW2d 255. Forfeiture proceedings commenced four months after seizure of an automobile were not promptly instituted. *In re Forfeiture of One 1983 Cadillac*, 176 Mich App 277; 439 NW2d 346 (1989).

27. Forfeiture proceedings in the present action have not been promptly instituted as a result of eight months lapsed time from the date of the seizure without forfeiture proceedings having been commenced.

28. There is a necessity for immediate action because an automobile is a wasting asset whose value diminishes when it is impounded. *In re One 1983 Cadillac, supra*, 281.

29. CFCU moves this court for the ex-parte entry of an order to show cause why the subject vehicle should not be returned to CFCU for disposition of its collateral. MCR 3.305(C).

THEREFORE, CFCU requests this court:

- A. Issue a writ of mandamus compelling the defendants to turn over the subject vehicle to CFCU as any forfeiture is subject to CFCU's prior recorded lien interest in the vehicle, which is admittedly greater than the value of the subject vehicle, and/or because forfeiture proceedings were not promptly instituted by the defendants;
- B. Alternatively, in the event the court deems it required under the statute, CFCU requests that it be given additional time to file a claim and post a bond because of the delay associated with defendants unreasonable requirement that \$7,500.00 be paid to obtain a return of the vehicle, and because defendants breached their agreement that CFCU would have until April 1, 2013, in which to file a claim and post a bond under the statute;
- C. Enter an ex-parte order ordering defendant to show cause why defendants should not be made to turn the subject vehicle over to CFCU for disposition pursuant to its security interest because the lien of the security interest is greater than the amount of the vehicle, and because forfeiture proceedings had not been promptly commenced; or alternatively, to show cause why CFCU should not be given further opportunity to file a claim and post a bond; and
- D. Award CFCU attorney fees and costs required to have to maintain these proceedings required by defendants failure to comply with their duties under the statute.

COUNT II - DECLARATORY JUDGMENT

30. CFCU realleges the allegations contained in paragraphs 1 through 29, above.

31. There is an actual controversy between the parties within the jurisdiction of this court as to;

- a. Whether defendants have to return the subject vehicle to CFCU because the amount of its security interest, which any forfeiture is subject to, is greater than the value of the vehicle, rendering there no equity in the vehicle to be forfeited;
- b. Whether the defendants failed to promptly institute forfeiture proceedings under the statute, requiring them to turn the subject vehicle over to CFCU for disposition under its security interests; and
- c. Whether CFCU should have been granted twenty days through April 1, 2013, as previously informed by the defendants, to file a claim and bond; whether CFCU has to even file a claim and bond when it has a *bona fide* security interest in the subject vehicle; and whether any delay from October 22, 2012, was the result of defendant's negotiating a Consent Agreement with CFCU, extending any time limit that may have started for CFCU to file a claim and bond.

THEREFORE, CFCU requests this court:

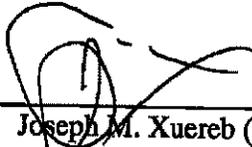
- A. Issue a writ of mandamus compelling the defendants to turn over the subject vehicle to CFCU as any forfeiture is subject to CFCU's prior recorded lien interest in the vehicle, which is admittedly greater than the value of the subject vehicle, and/or because forfeiture proceedings were not promptly instituted by the defendants;
- B. Alternatively, in the event the court deems it required under the statute, CFCU requests that it be given additional time to file a claim and post a bond because of the delay associated with defendants unreasonable requirement that \$7,500.00 be paid to obtain a return of the vehicle, and because defendants breached their agreement that CFCU would have until April 1, 2013, in which to file a claim and post a bond under the statute;
- C. Enter an ex-parte order ordering defendant to show cause why defendants should be not be made to turn the subject vehicle over to CFCU for disposition pursuant to its security interest because the lien of the security interest is greater than the amount of the vehicle, and because forfeiture proceedings

had not been promptly commenced; or alternatively, to show cause why CFCU should not be given further opportunity to file a claim and post a bond;

- D. Issue a declaratory judgment providing that (1) defendants have to return the subject vehicle to CFCU because the amount of its security interest, which any forfeiture is subject to, is greater than the value of the vehicle, rendering there no equity in the vehicle to be forfeited; (2) the defendants failed to promptly institute forfeiture proceedings under the statute, requiring them to turn the subject vehicle over to CFCU for disposition under its security interest; (3) CFCU should have been granted twenty days through April 1, 2013, as previously informed by the defendants, to file a claim and bond; (4) CFCU does not have to file a claim and bond under the statute because it has a *bona fide* security interest in the subject vehicle; and/or (5) finding that any delay from October 22, 2012, was the result of defendant's negotiating a Consent Agreement with CFCU, extending the time CFCU had to file a claim and bond under the statute;
- D. Award CFCU attorney fees and costs required to have to maintain these proceedings required by defendants failure to comply with their duties under the statute.

Respectfully Submitted,

XUEREB LAW GROUP PC

By: 

Joseph M. Xuereb (P40124)

Attorney for Plaintiff

7752 N. Canton Center Road, Ste. 110

Canton, MI 48187

(734) 455-20000

Dated: April 3, 2013

XUEREB
Law Group

ATTORNEYS AT LAW

7752 N. Canton Center Rd.

Suite 110

Canton, Michigan 48187

P: (734) 455-2000

F: (734) 455-2013

STATE OF MICHIGAN

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER 1FTRW12517FB53160 YEAR 2007 MAKE FORD MODEL LGT CONVTL 'F' PICKUP BODY STYLE
 TITLE NUMBER 60322631199 F ISSUE DATE 09/21/2011 ODOMETER 018802 BRAND/LEGEND
 WEIGHT/KW CATEGORY 29 ODOMETER BRAND *ACTUAL MILEAGE*

OWNER(S) NAME AND ADDRESS
 ZENAIDA CORNEJO &
 MIGUEL ANGEL CORNEJO
 26433 BLUE HERON DR
 FLAT ROCK MI 48134

**FULL RIGHTS TO SURVIVOR*

First Secured Party COMMUNITY FINANCIAL MEMBERS 500 SOUTH HARVEY PLYMOUTH MI	Filing Date 08-12-2008
Release of First Lien:	
X _____ Signature of Agent	_____ Date

Title Assignment by Seller

Michigan and Federal laws require the seller(s) to indicate mileage when ownership is transferred. Failure to complete or providing false information may result in civil and/or criminal penalties. ANY ALTERATION, ERASURE, FALSE STATEMENT, FORGERY OR FRAUD VOIDS THIS TITLE AND IS A CRIME.

Completed by Seller	I warrant that the ownership of the vehicle described in Certificate of Title has been transferred to the following purchaser(s) and is free of all previous liens:		
	Purchaser's Name	Date of Sale	Selling Price
	Purchaser's Street Address	City	State Zip
	I (we) certify that the odometer reading is: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> and that to the best of my knowledge the odometer mileage is (No Tolls) <input checked="" type="checkbox"/> actual mileage <input type="checkbox"/> not actual mileage - WARNING ODOMETER DISCREPANCY <input type="checkbox"/> If seller's institutional limits of odometer (odometer has rolled over)		
Completed by Buyer	Signature of Seller(s)		Printed Name of Seller(s)
	Seller's Street Address		City State Zip
	I am aware of the above odometer certification made by the seller(s)		
Signature of Purchaser(s)		Printed Name of Purchaser(s)	
NEW LIENHOLDER INFORMATION: The information below must be on an application for title and presented to the Michigan Department of State.			
Secured Party		Address	

The State of Michigan, Michigan Department of State certifies that this certificate was issued in compliance with the laws of Michigan and constituted prima facie proof of ownership. Further on the date of this issuance, the described vehicle was subject to the security interest(s) listed above.

MAILING ADDRESS
 ZENAIDA CORNEJO &
 MIGUEL ANGEL CORNEJO
 26433 BLUE HERON DR
 FLAT ROCK MI 48134

G71852889

NOTICE TO SELLERS
 Sellers must keep a receipt or photocopy of the reassigned title for their records for 18 months or accompany the purchaser to a Secretary of State Office.



DO NOT ACCEPT TITLE SHOWING ANY ERASURES, ALTERATIONS, OR MUTILATIONS

Exh. 1

**NOTICE OF SEIZURE AND INTENTION
TO FORFEIT AND DISPOSE OF PROPERTY**

PLEASE TAKE NOTICE that the following described property has been seized pursuant to MCL 333.7521 et seq., as amended, by:

Troy Police Dept 313-226-0503
(SEIZING UNIT OF GOVERNMENT & NAME, ADDRESS AND PHONE)
500 W. Big Beaver Rd
Troy MI 48064

Since the total value of the seized property does not exceed \$50,000.00, it is the intent of the seizing agency to forfeit and dispose of the following described property according to the provisions of Article 7 of the Public Health Code, 1978 P.A. 368 as amended, MCL 333 7521, et seq.

If you or any person claiming an interest in the following described property wish to challenge the seizure and forfeiture of the property or wish to claim an interest in the property, you must file a written claim with the seizing agency at the above address within 20 days after receipt of this notice (or of the date of the first publication of this notice in the newspaper), and you must give a bond to the seizing unit of government in the amount of 5,000 (10% of the value of the property not less than \$250.00 nor more than \$5,000) with sureties approved by the seizing unit of government conditioned that in case the property is ordered forfeited by the court, the obligor (you the claimant) shall pay all the costs and expenses of the forfeiture proceedings. Upon receipt of a proper written claim and bond, a court action will be filed to decide the issue of forfeiture. MCL 333.7523.

WARNING: FAILURE TO FILE A CLAIM OF INTEREST AND BOND WITH SURETIES WITHIN THE 20 DAYS SHALL CAUSE THE LISTED PROPERTY TO BE DECLARED FORFEITED AND BE DISPOSED OF ACCORDING TO LAW.

The following described property was seized on

11 Jul 2012, by Troy Police Dept
(DATE) (LAW ENFORCEMENT AGENCY)
at 500 W. Big Beaver Rd Troy Oakland MI
(ADDRESS) (CITY) (COUNTY) (STATE)

The property seized is more fully described as follows:

2007 Ford F-150 Harley Davidson Edition MI tag CLB 0731
2006 BMW 750 L1 MI tag CHE 7400
\$2,000 US Currency

11 Jul 2012 Det [Signature]
(DATE) (AGENCY REPRESENTATIVE'S SIGNATURE)

PROOF OF SERVICE

Det W. Taylor says that on 13 July 2012
he/she served a copy of the Notice of Seizure and Intention to Forfeit and Dispose of Property upon
Zenaida Cornejo for Miguel Cornejo
by Fox 734-795-6023
Date 13 Jul 2012 Signature [Signature]

DECLARATION OF FORFEITURE

WHEREAS, the following described property was seized for forfeiture pursuant to MCL 333.7521 et. seq., as amended by:

Troy Police Dept
(SEIZING UNIT OF GOVERNMENT'S NAME, ADDRESS AND PHONE)

500 W. Big Beaver Rd
Troy MI 48064

said seizure having occurred on 11 July, 2012, at

500 W Big Beaver Rd
(ADDRESS AND STREET)

Troy Oakland Michigan
(CITY COUNTY & STATE)

WHEREAS, notice of said seizure and intention to forfeit and dispose of the property has been given to:
Zenaida + Miguel Cornejo
(OWNER/POSSESSORS/SECURED PARTIES)

on 13 July 2012 by Det W Taylor via Fax
(DATE) (MAIL/PERSONAL SERVICE/PUBLICATION)

pursuant to MCL 333.7523; and,

WHEREAS, no claim of interest and/or bond was filed with the seizing agency within 20 days after receipt of said notice as required by MCL 333.7523;

IT IS HEREBY DECLARED that the following described property is forfeited to the Troy (POLICE DEPARTMENT) pursuant to the provisions of Article 7 of the Public Health Code, MCL 333.7521 et seq. and all right, title and interest in said property is vested in the Troy (POLICE DEPARTMENT) and that said property shall be disposed of pursuant to the provisions of MCL 333.7524 as amended.

The property declared forfeited is more fully described as follows:

2007 Ford F-150 mi tag CLB 0731

2006 BMW 750 LI mi tag CHE 7400

\$2,000 US Currency

23 Aug 2012
(DATE)

1500
(TIME)

Det W Taylor
(AGENCY REPRESENTATIVE'S SIGNATURE)

Troy Police Dept
(AGENCY NAME)

PROOF OF SERVICE

Det W Taylor, says that on 9-4-2012 he/she served a copy of the Declaration of Forfeiture upon

Zenaida + Miguel Cornejo by Cert - Reg Mail

Date 9-21-2012 Signature Det W Taylor

1851825-01

Homeland Security Investigations
Office of the Special Agent in Charge

177 Michigan Avenue, Suite 1850
Detroit Michigan 48226



Homeland Security

FACSIMILE TRANSMISSION

Date: 22 Oct 2012 Number of Pages including cover: 4

TO: Jenny Tabor Community Finance!
Name Organization

Fax #: 734-582-8747 Phone#: 734-582-8746

FROM: Det. Bill Taylor

Fax #: 313-226-0405 Phone#: 313-226-0503

Urgent Action Required Please Respond Per Your Request FYI

Additional information or comments:

Please call Det.
ASAP

Jenny

STATE OF MICHIGAN

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER 1FTRW12517FB53160 YEAR 2007 MAKE FORD MODEL LGT CONVTL 'F' BODY STYLE PICKUP
 TITLE NUMBER 603Z2631199 F ISSUE DATE 09/21/2011 ODOMETER 018802 BRAND/LEGEND
 WEIGHT/FEE CATEGORY 29 ODOMETER BRAND ACTUAL MILEAGE

OWNER(S) NAME AND ADDRESS
 ZENAIDA CORNEJO &
 MIGUEL ANGEL CORNEJO
 26433 BLUE HERON DR
 FLAT ROCK MI 48134

**FULL RIGHTS TO SURVIVOR*



First Secured Party	Filing Date
COMMUNITY FINANCIAL MEMBERS FCU	08-12-2011
500 SOUTH HARVEY	PLYMOUTH MI 48170
Release of First Lien:	
X _____ Signature of Agent	_____ Date

Title Assignment by Seller

Note: and Federal laws require the seller(s) to indicate mileage when ownership is transferred. Failure to complete or providing false information may result in civil liability, fines and imprisonment. ANY ALTERATION, ERASURE, FALSE STATEMENT, FORGERY OR FRAUD VOIDS THIS TITLE AND IS A CRIME.

Completed by Seller	I warrant that the ownership of the vehicle described in Certificate of Title has been transferred to the following purchaser(s) and to free of all previous liens:		
	Printed Name of Purchaser(s)	Date of Sale	Selling Price
	Purchaser's Street Address	City	State Zip
	I (we) certify that the odometer reading is: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> and that to the best of my knowledge the odometer mileage is (No Truema) <input checked="" type="checkbox"/> actual mileage <input type="checkbox"/> not actual mileage - WARNING ODOMETER DISCREPANCY <input type="checkbox"/> (mechanical basis of odometer (odometer has rolled over))		
Completed by Buyer	Signature of Seller(s)		
	Printed Name of Seller(s)		
	Seller's Street Address		
City			
State			
Zip			
A \$15.00 Late Fee is Due for Failure to Apply for Title Within 15 Calendar Days of Date of Assignment			
I am aware of the above odometer certification made by the seller(s)			
Signature of Purchaser(s)		Printed Name of Purchaser(s)	
NEW LIENHOLDER INFORMATION: The information below must be on an application for title and presented to the Michigan Department of State.			
Secured Party		Address	

The State of Michigan, Michigan Department of State certifies that this certificate of title was issued in compliance with the laws of Michigan and constitutes prima facie proof of ownership. Further on the date of title issuance, the described vehicle was subject to the security interest(s) listed above.

MAILING ADDRESS

ZENAIDA CORNEJO &
 MIGUEL ANGEL CORNEJO
 26433 BLUE HERON DR
 FLAT ROCK MI 48134

G71852889

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 Sellers must keep a receipt or photocopy of the reassigned title for their records for 18 months or accompany the purchaser to a Secretary of State Office.



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Troy Police Dept 313-226-0503
(SEIZING UNIT OF GOVERNMENT) (NAME, ADDRESS AND PHONE)
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Troy MI 48064

Since the total value of the seized property does not exceed \$50,000.00, it is the intent of the seizing agency to forfeit and dispose of the following described property according to the provisions of Article 7 of the Public Health Code, 1978 P.A. 368 as amended, MCL 333.7521, et seq.

If you or any person claiming an interest in the following described property wish to challenge the seizure and forfeiture of the property or wish to claim an interest in the property, you must file a written claim with the seizing agency at the above address within 20 days after receipt of this notice (or of the date of the first publication of this notice in the newspaper), and you must give a bond to the seizing unit of government in the amount of 5,000 (10% of the value of the property not less than \$250.00 nor more than \$5,000) with sureties approved by the seizing unit of government conditioned that in case the property is ordered forfeited by the court, the obligor (you the claimant) shall pay all the costs and expenses of the forfeiture proceedings. Upon receipt of a proper written claim and bond, a court action will be filed to decide the issue of forfeiture. MCL 333.7523.

WARNING: FAILURE TO FILE A CLAIM OF INTEREST AND BOND WITH SURETIES WITHIN THE 20 DAYS SHALL CAUSE THE LISTED PROPERTY TO BE DECLARED FORFEITED AND BE DISPOSED OF ACCORDING TO LAW.

The following described property was seized on

11 Jul 2012, by Troy Police Dept
(DATE) (AGENCY REPRESENTATIVE'S SIGNATURE)
 at 500 W. Big Beaver Rd Troy Oakland MI
(ADDRESS) (CITY) (COUNTY) (STATE)

The property seized is more fully described as follows:

2007 Ford F-150 Harley Davidson Edition MI tag CLB 0731
2006 BMW 750 L1 MI tag CHE 7400
\$2,000 US Currency

11 Jul 2012 Det W. Taylor
(DATE) (AGENCY REPRESENTATIVE'S SIGNATURE)

PROOF OF SERVICE

Det W. Taylor, says that on 13 July 2012
 he/she served a copy of the Notice of Seizure and Intention to Forfeit and Dispose of Property upon
Zenaida Cornejo for Miguel Cornejo
 by Fox 734-795-6023
 Date 13 Jul 2012 Signature [Signature]

DECLARATION OF FORFEITURE

WHEREAS, the following described property was seized for forfeiture pursuant to MCL 333.7521 et. sez., as amended by:

Troy Police Dept (SEIZING UNIT OF GOVERNMENT'S NAME, ADDRESS AND PHONE)

500 W. Big Beaver Rd Troy MI 48064

said seizure having occurred on 11 July 2012, at

500 W Big Beaver Rd (ADDRESS AND STREET)

Troy Oakland Michigan (CITY COUNTY & STATE)

WHEREAS, notice of said seizure and intention to forfeit and dispose of the property has been given to:

Zencida + Miguel Cornejo (OWNERS/POSSESSORS/SECURED PARTIES)

on 13 July 2012 by Det W Taylor via Fax (DATE) (MAIL/PERSONAL SERVICE/PUBLICATION)

pursuant to MCL 333.7523; and, WHEREAS, no claim of interest and/or bond was filed with the seizing agency within 20 days after receipt of said notice as required by MCL 333.7523;

IT IS HEREBY DECLARED that the following described property is forfeited to the Troy (POLICE DEPARTMENT) pursuant to the provisions of Article 7 of the Public Health Code, MCL 333.7521 et seq. and all right, title and interest in said property is vested in the Troy (POLICE DEPARTMENT) and that said property shall be disposed of pursuant to the provisions of MCL 333.7524 as amended.

The property declared forfeited is more fully described as follows:

2007 Ford F-150 mi tag CLB 0231

2006 BMW 730 LI mi tag CHE 7400

\$2,000 US Currency

23 Aug 2012 1500 Det [Signature] Troy Police Dept (DATE) (TIME) (AGENCY REPRESENTATIVE'S SIGNATURE) (AGENCY NAME)

PROOF OF SERVICE

Det W Taylor, says that on 9-4-2012 he/she served a copy of the Declaration of Forfeiture upon

Zencida + Miguel Cornejo, by Cert - Reg Mail

Date 9-21-2012 Signature Det. [Signature]

SERVICE

INVOICE

CHEVROLET

CHEVROLET

18001 TELEGRAPH RD. • TAYLOR, MICHIGAN 48180 • FAX: (734) 287-2125

PHONE: (734) 287-2600

VISIT OUR WEB AT: www.taylorchevy.com

STATE FACILITY NO. F-180089

SHOW ROOM HOURS: Monday & Thursday 8:30 A.M. to 9:00 P.M. - Tuesday, Wednesday & Friday 8:30 A.M. to 8:00 P.M.

PARTS & SERVICE HOURS: Monday & Thursday 7:00 A.M. to 8:00 P.M. - Tuesday, Wednesday & Friday 7:00 A.M. to 8:00 P.M.

CUSTOMER NO. 88206	APPROVED BY CHRIS HAMILTON	INS NO. 521	INVOICE DATE 06/22/12	INVOICE NO. CTCS253893
26433 BLUE HERON DR. FLAT ROCK, MI 48134	VEHICLE TYPE 07/POKJ TRUCK/F-150/SUPERCREW 4X2 ST	DATE 08/12/11	STOCK NO. 18,802	
VEHICLE ID NO. 1 F T R W 1 2 5 1 7 F B 5 3 1 6 0	SELLER DEALER NO.	PRODUCTION DATE	ALL PARTS ARE NEW UNLESS OTHERWISE NOTED	
RESIDENCE PHONE 734-795-6023	BUSINESS PHONE 313-477-0232	R.O. NO.	R.O. DATE 06/15/12	REPRESENTATIVE 1
COMMENTS		REPAIRS PROPERLY COMPLETED & CHECKED BY X		
LABOR & PARTS		MILEAGE MD: 29962		

CUST STATES THAT PULLEY CAME OFF IN ENGINE COMPARTMENT. CHECK AND ADVISE
 POWER STEERING IDLER PULLEY BEARING FAILED AND BROKE OFF
 NEC. TO REMOVE BOTH VALVE COVERS TO REPLACE TIMING COVER AND GASKETS, REPLACED IDLER PULLEY AND VALVE COVER GASKETS

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
JOB # 1	1	71126584A	71126584 VALVE COV	24.75	24.75
JOB # 1	1	71126584B	71126584 VALVE COV	24.75	24.75
JOB # 1	1	71326019A	71326019 FRONT COV	263.00	263.00
JOB # 1	1	31326020EA	31326020 TIMING CO	16.50	16.50
JOB # 1	1	31326020DA	31326020 TIMING CO	16.50	16.50
JOB # 1	1	31326020FA	31326020 TIMING CO	16.50	16.50
JOB # 1	1	6L326C348A	6L326C34 PULLEY	46.20	46.20
JOB # 1	1	W707288S437	W707288S PULLEY BO	6.00	6.00
JOB # 1	1	XW426700AA	XW426700 FRONT SEA	14.85	14.85
JOB # 1	1	BELT	SERPITINE	85.00	85.00
JOB # 1	1	IDLER	PULLEY	32.23	32.23
				JOB # 1 TOTAL PARTS	546.28
				JOB # 1 TOTAL LABOR & PARTS	2149.16

YOU MAY RECEIVE A CUSTOMER SATISFACTION SURVEY FROM CHEVROLET IN THE NEXT FEW WEEKS, IF FOR ANY REASON YOU CANNOT GRADE US "COMPLETELY SATISFIED" PLEASE CONTACT OUR SERVICE MANAGER IMMEDIATELY. YOUR SATISFACTION IS OUR #1 GOAL.
 SERVICE DEPARTMENT
 (734) 287-2600

Added Operation (KRIS @ 06/21/2012 19:47)
 CHANGE OIL AND FILTER, LUBE CHASSIS AND PERFORM VEHICLE INSPECTION
 FREEDOM PLUS
 COMPLETED OIL AND FILTER CHANGE, PERFORMED VEHICLE INSPECTION

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
JOB # 2	1	25014520	FILTER 1.836	6.00	6.00
				JOB # 2 TOTAL PARTS	6.00
				JOB # 2 TOTAL LABOR & PARTS	14.80

G.O.G. & SUPPLIES	QTY	UNIT PRICE	TOTAL	
JOB # 2	6.0 AC DELCO DEXOS 1 5W30	@ 3.820 /UNIT	22.92	
			TOTAL - GOG	22.92

MISC	CODE	DESCRIPTION	CONTROL NO		
JOB # A	HMS5	HAZARD WASTE SHOP SUPPLIES		25.00	
				TOTAL - MISC	25.00

ESTIMATE
 CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$2247.90 (+TAX)

COMMENTS
 INSERT CORRECT MILEAGE. CALL CEL #, 640
 FREEDOM PLUS \$39.46
 CUSTOMER TOTAL \$2,208.44
 CALLED SEVERAL TIMES TO LET MIGUEL KNOW THAT VEHICLE IS COMPLETE.

"Thank You for Your Business"

TERMS are cash on delivery. ESTIMATES ARE FOR LABOR ONLY. MATERIAL IS EXTRA. Storage will be charged 48 hours after repairs are completed. Not responsible for loss or damage to parts or articles left in care in case of fire, theft, flooding, accident or any other cause beyond our control. An express package-shipper's fee is hereby acknowledged on above car or truck to ensure the prompt arrival of repairs items.

POWER OF ATTORNEY - KNOW ALL MEN THESE PRESENTS, That we, undersigned, do hereby authorize and appoint CARLOS CHEVROLET, INC. my (our) true and lawful attorney-in-fact, power, privilege and agent of the undersigned on any and all matters and things hereinbefore mentioned, and to do and execute all such acts and things as may be required in the premises.

The above work hereby authorized and conditions agreed to as outlined above.

All repairs and parts listed were furnished in compliance with the Michigan Motor Vehicle Service and Repair Act.

X

THE ONLY WARRANTIES APPLYING TO THIS PART(S) ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER. THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS PART(S) AND/OR SERVICE. BUYER SHALL NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT, OR INCUR, OR ANY OTHER INCIDENTAL DAMAGES.

We guarantee our service work for 12 months or 10,000 miles, except aftermarket parts, whichever comes first. If our repair or replacement fails in normal service within that period, we'll fix it free of charge - parts and labor.

Exh A

SERVICE



TAYLOR CHEVROLET

13601 TELEGRAPH RD. • TAYLOR, MICHIGAN 48180 • FAX: (734) 287-2123

PHONE: (734) 287-2600

VISIT OUR WEB AT: www.taylorchevy.com

INVOICE



STATE FACILITY NO. F-150009

SHOW ROOM HOURS: Monday & Thursday 8:30 A.M. to 8:00 P.M. - Tuesday, Wednesday & Friday 8:30 A.M. to 6:00 P.M.
PARTS & SERVICE HOURS: Monday & Thursday 7:00 A.M. to 8:00 P.M. - Tuesday, Wednesday & Friday 7:00 A.M. to 8:00 P.M.

CUSTOMER NO. 88206	OWNER CHRIS HAMILTON	TAG NO. 521	INVOICE DATE 06/22/12	INVOICE NO. CTC5253893
ZENAIDA CORNEJO 26433 BLUE HERON DR. FLAT ROCK, MI 48134	LABOR RATE 99.73	LICENSE NO.	MILEAGE 29,957	COLOR BLACK/
	YEAR / MAKE / MODEL 07 / FORD TRUCK / F-150 / SUPERCREW 4X2 ST		DELIVERY DATE 08/12/11	STOCK NO. P8502
	VEHICLE I.D. NO. 1 F T R W 1 2 5 1 7 F B 5 3 1 6 0		SELLING DEALER NO.	DELIVERY MILES 18,802
RESIDENTIAL PHONE 734-795-6023	BUSINESS PHONE 313-477-0232	COMMENTS	R.O. DATE 06/15/12	ALL PARTS ARE NEW UNLESS REPRINTED
		REPAIRS PROPERLY COMPLETED & CHECKED BY X		MILEAGE CDT MO: 29962

COMMENTS
CALLED LAST 07/06/2012 8:10 AM
HE CALLED BACK 07/06 8:14. HE WAS OUT OF TOWN
DELETED OPERATION(S)
26CVZ03 GOLD DETAIL

TECHNICIAN CERTIFICATION
540 MITCHELL FEDORICK #221382

TOTALS

DON'T MISS THE CHANCE TO DRIVE OUR 2013 CHEVROLETS.
IF YOU ARE NOT COMPLETELY SATISFIED WITH YOUR SERVICE OR PARTS EXPERIENCE, PLEASE CONTACT MARK LEN (SERVICE MANAGER) 734-759-0197

THANK YOU FOR YOUR BUSINESS.

TOTAL LABOR	1611.68
TOTAL PARTS	662.28
TOTAL SUBLET	0.00
TOTAL G.O.G.	22.92
TOTAL MISC CHG.	25.00
TOTAL MISC DISC	0.00
TOTAL TAX	36.02
TOTAL INVOICE \$	2247.90

YOU MAY RECEIVE A CUSTOMER SATISFACTION SURVEY FROM CHEVROLET IN THE NEXT FEW WEEKS. IF FOR ANY REASON YOU CANNOT GRADE US "COMPLETELY SATISFIED" PLEASE CONTACT OUR SERVICE MANAGER IMMEDIATELY YOUR SATISFACTION IS OUR #1 GOAL.

SERVICE DEPARTMENT
(734) 287-2800

TERMS are cash on delivery, ESTIMATES ARE FOR LABOR ONLY, MATERIALS EXTRA. Storage will be charged 48 hours after repairs are completed. Not responsible for loss or damage to cars or articles left in cars in case of fire, theft, flooding, accident or any other cause beyond our control. An express garage-keeper's lien is hereby acknowledged on above car or upon to secure the amount of repairs thereto.

POWER OF ATTORNEY - I/JUDY ANN NEWTHAM PRESENTS: That the undersigned does hereby nominate and appoint TAYLOR CHEVROLET INC. my (my) true and lawful attorney in and through, sole and agent of the undersigned on any business, Civil or Debt based by business Company amounting my rights to my (my) automobile authorized by myself (authorized) in whatever manner is necessary to place stress or debt in a suitable position.

I (we) hereby verify and confirm whatever action said attorney shall or may take by virtue hereof in his/her office.

THE ABOVEWORK HEREBY AUTHORIZED AND CONFIRMED AGREED TO AS CAPTURED ABOVE.

All repairs and parts listed were furnished in accordance with the Michigan Motor Vehicle Service and Repair Act.

THE ONLY WARRANTIES APPLYING TO THIS PART(S) ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER. THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS PART(S) AND/OR SERVICE. BUYER SHALL NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT, OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.

We guarantee our service work for 12 months or 12,000 miles, except aftermarket parts, whichever comes first. If our dealer or replacement fails in normal service within this period, we'll fix it free of charge - parts not labor.

CUSTOMER SIGNATURE

DUPLICATE INVOICE *****

#1800

Ok per Jim

"Thank You for Your Business"

JOSEPH M. XUEREB
jxuereb@xuerchlawgroup.com

JOHN R. BADEEN, OF COUNSEL
jbadeen@xuerchlawgroup.com

XUERE B
Law Group
a professional corporation
ATTORNEYS AT LAW

Xuerb Law Group
Attorneys and Counselors
7752 N. Canton Center Rd., Suite 110
Canton, Michigan 48187
P: (734) 455-2000
F: (734) 455-2013

March 13, 2013

Det. Bill Taylor
Homeland Security Investigations
477 Michigan Avenue, Suite 1850
Detroit, MI 48226

Re: **MIQUEL and ZENAIDA CORNEJO**
2007 Ford F150
VIN 1FTRW12517FB53160

Dear Det. Taylor:

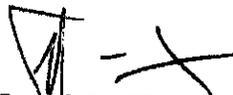
This firm represents Community Financial with respect to the above referenced vehicle. Please direct all future correspondence concerning this matter to my office. My client informs me the vehicle is being seized pursuant to drug forfeiture statutes. The documents that my client provided me indicate they are being forfeited under Michigan's forfeiture laws. The fact that you are from Homeland Security suggests that might not be the case. I would like clarification on this issue so I can properly advise my client.

I placed a telephone call to you on Tuesday, March 12, 2013 regarding this matter. This letter is to confirm that in fact my client has a *bona fide* and security interest in the above referenced vehicle.

I would appreciate if you would contact me either on my office phone or my cell phone at (313) 492-5007 to procure return of the vehicle to my client for enforcement of their security interest. I look forward to your phone call.

Very truly yours,

XUERE B LAW GROUP PC


Joseph M. Xuerb

JMX/slb
cc: Ken Kolar, CFCU

Exh 5

Joseph Xuereb

From: William R. Taylor [William.Taylor@troymi.gov]
Sent: Friday, March 15, 2013 4:59 PM
To: jxuereb@xuereblawgroup.com
Subject: Comejo/Community Financial Ford F-150

Joe,

Sgt. Wolfe has informed me that he spoke to you and that you are interested in doing a Consent Agreement with the Troy Police Department for the return of the vehicle. Below is a quick rundown so you can advise your client.

The vehicle was seized/forfeited on 13 July 2012

\$1,500 for an Administrative fee
\$ 157 for towing
\$ 15 for storage per day, starting on 13 July 2012 which is now today a total of \$3,690 and of course increasing every day

\$5,347 Total for today 15 Mar 2013

And then there is the fee that needs to be paid to Taylor Chevrolet of \$2,247.90 on Account #220-88206.

Det. William Taylor
Troy Police Department/U.S. Homeland Security Investigations
william.taylor@troymi.gov
313-226-0503

3/18/2013

Exh. 6

Joseph Xuereb

From: Joseph Xuereb [jxuereb@xuereblawgroup.com]
Sent: Monday, March 18, 2013 11:42 AM
To: 'William R. Taylor'
Subject: RE: Cornejo/Community Financial Ford F-150

I am not sure my client is interested in a consent agreement at this point. What is the status of the criminal proceedings giving rise to the forfeiture?

Joseph Xuereb
Xuereb Law Group PC
7752 Canton Center Rd
Suite 110
Canton, Michigan 48187
734-455-2000
734-455-2013 fax
313-492-5007 cell

CONFIDENTIALITY NOTICE: The documents accompanying this email transmission contain confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the contents of this email is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

CIRCULAR 230 DISCLOSURE: Any U.S. tax advice contained in this e-mail or any included attachments was not intended or written to be used, and cannot be used, for the purpose of: (i) avoiding penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another person any tax-related matter.

From: William R. Taylor [mailto:William.Taylor@troymt.gov]
Sent: Friday, March 15, 2013 4:59 PM
To: jxuereb@xuereblawgroup.com
Subject: Cornejo/Community Financial Ford F-150

Joe,

Sgt. Wolfe has informed me that he spoke to you and that you are interested in doing a Consent Agreement with the Troy Police Department for the return of the vehicle. Below is a quick rundown so you can advise your client.

The vehicle was seized/forfeited on 13 July 2012

\$1,500 for an Administrative fee
\$ 157 for towing
\$ 15 for storage per day, starting on 13 July 2012 which is now today a total of \$3,690 and of course increasing every day

\$5,347 Total for today 15 Mar 2013

And then there is the fee that needs to be paid to Taylor Chevrolet of \$2,247.90 on Account #220-88206.

Det. William Taylor
Troy Police Department/U.S. Homeland Security Investigations
william.taylor@troymt.gov
313-226-0503

3/18/2013

Exh: 7

Joseph Xuereb

From: Joseph Xuereb [jxuereb@xuereblawgroup.com]

Sent: Monday, March 18, 2013 11:51 AM

To: 'William R. Taylor'

Subject: RE: Cornejo/Community Financial Ford F-150

Where has the vehicle been stored? I need this information to evaluate and advise my client.

Joseph Xuereb
Xuereb Law Group PC
7752 Canton Center Rd
Suite 110
Canton, Michigan 48187
734-455-2000
734-455-2013 fax
313-492-5007 cell

CONFIDENTIALITY NOTICE: The documents accompanying this email transmission contain confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the contents of this email is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

CIRCULAR 230 DISCLOSURE: Any U.S. tax advice contained in this e-mail or any included attachments was not intended or written to be used, and cannot be used, for the purpose of: (i) avoiding penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another person any tax-related matter.

From: William R. Taylor [mailto:William.Taylor@troymi.gov]

Sent: Friday, March 15, 2013 4:59 PM

To: jxuereb@xuereblawgroup.com

Subject: Cornejo/Community Financial Ford F-150

Joe,

Sgt. Wolfe has informed me that he spoke to you and that you are interested in doing a Consent Agreement with the Troy Police Department for the return of the vehicle. Below is a quick rundown so you can advise your client.

The vehicle was seized/forfeited on 13 July 2012

\$1,500 for an Administrative fee

\$ 157 for towing

\$ 15 for storage per day, starting on 13 July 2012 which is now today a total of \$3,690 and of course increasing every day

\$5,347 Total for today 15 Mar 2013

And then there is the fee that needs to be paid to Taylor Chevrolet of \$2,247.90 on Account #220-88206.

Det. William Taylor
Troy Police Department/U.S. Homeland Security Investigations
william.taylor@troymi.gov
313-226-0503

3/18/2013



Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

Detective William Taylor
Troy Police Department
500 W. Big Beaver
Troy, Michigan 48084

March 18, 2013

Mr. Joe Xuereb (Attorney for)
Community Financial Members FCU
500 South Harvey
Plymouth, Michigan 48170

Dear Mr. Joe Xuereb:

On 7/11/2013 the Troy Police Department seized a 2007 Ford F-150 (VIN:1FTRW12517FB53160) from Miguel and Zenaida CORNEJO. The aforementioned vehicle was seized under Michigan drug forfeiture law. Miguel and Zenaida CORNEJO declined to contest the forfeiture. The Troy Police Department subsequently received ownership of aforementioned vehicle via administrative forfeiture. The attached Declaration of Forfeiture form was subsequently mailed to Miguel and Zenaida CORNEJO.

On 10/22/2012 Det. Taylor was in contact with Jenny Tabor of Community Financial faxing her copies of Notice of Seizure and Intention to Forfeit and Dispose of Property which at that time placed Community Financial on twenty (20) day notice to file claim, along with a copy of the Declaration of Forfeiture that was mailed to the CORNEJO's. On 3/12/2013 you contacted me to advise that you received the Notice of Seizure and Intention to Forfeit and Dispose of Property from Community Financial and are now handling this incident for Community Financial and that any and all correspondence should be referred to you.

I am, therefore, writing to formally request a letter abandoning all interest and release of lien for aforementioned 2007 Ford F-150. As of 3/15/2013, the amount of outstanding fees due are \$5,347.00 (\$1500 administrative fee + \$157 towing + \$3,690 storage fees). Storage fees continue at \$15/per day. The Troy Police Department requests written confirmation/abandonment and release of all interests on said vehicle. The vehicle will then be disposed of/auctioned so that the Troy Police Department can settle all outstanding fees due.

I therefore have included a Notice of Seizure and Intention to Forfeit and Dispose of Property form listing aforementioned vehicle as property subject to forfeiture with this letter. I wish to inform you that all interest by Community Financial in aforementioned vehicle will be abandoned if a notice of claim is not filed with the Troy Police Department within 20 days (beginning on 3/12/2013 when you made notification of representation).

Ech. 8

Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

I can be contacted via phone at 313-226-0503 should you have any questions or wish to file said claim. If I do not receive a response within 20 days (3/31/2013); it will be deemed that Community Financial no longer has an interest in aforementioned vehicle and same will be Administratively Forfeited and disposed of per Troy Police Department Policy.

Sincerely yours


William Taylor
Detective

NOTICE OF SEIZURE AND INTENTION
TO FORFEIT AND DISPOSE OF PROPERTY

PLEASE TAKE NOTICE that the following described property has been seized pursuant to MCL 333.7521 et seq., as amended, by:

Troy Police Dept 313-226-0503
(SEIZING UNIT OF GOVERNMENT'S NAME, ADDRESS AND PHONE)
500 W. Big Beaver Rd
Troy MI 48084

Since the total value of the seized property does not exceed \$50,000.00, it is the intent of the seizing agency to forfeit and dispose of the following described property according to the provisions of Article 7 of the Public Health Code, 1978 P.A. 368 as amended, MCL 333.7521, et seq.

If you or any person claiming an interest in the following described property wish to challenge the seizure and forfeiture of the property or wish to claim an interest in the property, you must file a written claim with the seizing agency at the above address within 20 days after receipt of this notice (or of the date of the first publication of this notice in the newspaper), and you must give a bond to the seizing unit of government in the amount of 5,000 (10% of the value of the property not less than \$250.00 nor more than \$5,000) with sureties approved by the seizing unit of government conditioned that in case the property is ordered forfeited by the court, the obligor (you the claimant) shall pay all the costs and expenses of the forfeiture proceedings. Upon receipt of a proper written claim and bond, a court action will be filed to decide the issue of forfeiture. MCL 333.7523.

WARNING: FAILURE TO FILE A CLAIM OF INTEREST AND BOND WITH SURETIES WITHIN THE 20 DAYS SHALL CAUSE THE LISTED PROPERTY TO BE DECLARED FORFEITED AND BE DISPOSED OF ACCORDING TO LAW.

The following described property was seized on

11 Jul 2012, by Troy Police Dept
(DATE) (LAW ENFORCEMENT AGENCY)
at 500 W. Big Beaver Rd Troy Oakland MI
(ADDRESS) (CITY) (COUNTY) (STATE)

The property seized is more fully described as follows:

2007 Ford F-150 Harley Davidson Edition MI tag CLB 0731
2006 BMW 750 L1 MI tag CHE 7400
\$2,000 US Currency

11 Jul 2012 Det [Signature]
(DATE) (AGENCY REPRESENTATIVE'S SIGNATURE)

PROOF OF SERVICE

Det W. Taylor says that on 13 July 2012
he/she served a copy of the Notice of Seizure and Intention to Forfeit and Dispose of Property upon
Zenarda Cornejo for Miguel Cornejo
by Fax 734-795-6023
Date 13 Jul 2012 Signature [Signature]

DECLARATION OF FORFEITURE

WHEREAS, the following described property was seized for forfeiture pursuant to MCL 333.7521 et. sez., as amended by:

Troy Police Dept
(SEIZING UNIT OF GOVERNMENT'S NAME, ADDRESS AND PHONE)

500 W. Big Beaver Rd
Troy MI 48064

said seizure having occurred on 11 July, 20 12, at

500 W Big Beaver Rd
(ADDRESS AND STREET)

Troy Oakland Michigan
(CITY, COUNTY & STATE), and

WHEREAS, notice of said seizure and intention to forfeit and dispose of the property has been given to:

Zenaida + Miguel Cornejo
(OWNER/POSSESSORS/SECURED PARTIES)

on 13 July 2012, by Det W Taylor via Fax
(DATE) (MAIL/PERSONAL SERVICE/PUBLICATION)

pursuant to MCL 333.7523; and,

WHEREAS, no claim of interest and/or bond was filed with the seizing agency within 20 days after receipt of said notice as required by MCL 333.7523;

IT IS HEREBY DECLARED that the following described property is forfeited to the Troy (POLICE DEPARTMENT) pursuant to the provisions of Article 7 of the Public Health Code, MCL 333.7521 et. seq. and all right, title and interest in said property is vested in the Troy (POLICE DEPARTMENT) and that said property shall be disposed of pursuant to the provisions of MCL 333.7524 as amended.

The property declared forfeited is more fully described as follows:

2007 Ford F-150 mi tag CLB 0731

2006 BMW 750 LI mi tag CHE 7400

\$2,000 US Currency

23 Aug 2012
(DATE)
1500
(TIME)

Det W Taylor
(AGENCY REPRESENTATIVE'S SIGNATURE)
Troy Police Dept
(AGENCY NAME)

PROOF OF SERVICE

Det W Taylor, says that on 9-4-2012, he/she served a copy of the Declaration of Forfeiture upon

Zenaida + Miguel Cornejo, by Cert - Reg Mail

Date 9-21-2012 Signature Det W Taylor

Homeland Security Investigations
Office of the Special Agent in Charge

477 Michigan Avenue, Suite 1850
Detroit, Michigan 48226



Homeland
Security

FACSIMILE TRANSMISSION

Date: 22 Oct 2012 Number of Pages including cover: 4

TO: Jenny Tabor Community Financial
Name Organization

Fax #: 734-582-8747 Phone#: 734-582-8746

FROM: Det. Bill Taylor

Fax #: 313-226-0405 Phone#: 313-226-0503

Urgent Action Required Please Respond Per Your Request FYI

Additional information or comments:

Ken Kollar

734-582-8841

Message Confirmation Report

OCT-22-2012 12:11 PM MON

WorkCentre M20i Series

Machine ID : 15TH FLOOR 01
Serial Number : not installed.
Fax Number : 313 226 0405

Name/Number : 917345828747
Page : 4
Start Time : OCT-22-2012 12:08PM MON
Elapsed Time : 02' 32"
Mode : STD G3
Results : O.K

Homeland Security Investigations
Office of the Special Agent in Charge
477 Michigan Avenue, Suite 1650
Detroit, Michigan 48226



Homeland
Security

FACSIMILE TRANSMISSION

Date: 22 Oct 2012 Number of Pages including cover: 4
TO: Jenny Taber Community Financial
Name Organization
Fax #: 734-582-8747 Phone#: 734-582-8746

FROM: Det. Bill Taylor
Fax #: 313-226-0405 Phone#: 313-226-0603

Urgent Action Required Please Respond For Your Request FYI

Additional information or comments:

TAYLOR CHEVROLET

STATEMENT

TAYLOR CHEVROLET, INC
 13801 TELEGRAPH RD
 TAYLOR, MI 48180
 734-287-2600

STATEMENT REMITTANCE

PLEASE DETACH AND MAIL
 WITH REMITTANCE TO:

TAYLOR CHEVROLET, INC
 13801 TELEGRAPH RD
 TAYLOR, MI 48180
 734-287-2600

DATE 31 AUG 2012

220-88206

ZENAIDA CORNEJO
 26433 BLUE HERON DR.
 FLAT ROCK, MI 48134

**** WE APPRECIATE YOUR PAYMENT, THANK YOU. ****

SOURCES: 3 SERVICE SALE - 4 PARTS SALE - 5 PAYMENT - 11 ADJUSTMENT

PLEASE CIRCLE INVOICES BEING PAID

DATE	SOURCE	INVOICE	REFERENCE	DESCRIPTION	AMOUNT	AGE IN DAYS
07-12	3	CTCS253893	CTCB253893		2247.90	50

DATE	INVOICE	BALANCE
07-12	6253893	2247.90

Please Send

Rayfield and Reynolds, INC. 800-345-1111 FAX 1-800-331-3255

CURRENT	OVER 30 DAYS	OVER 60 DAYS	ACCOUNT NUMBER
0.00	2247.90	0.00	220-88206
OVER 90 DAYS	OVER 120 DAYS	NEW BALANCE	STATEMENT DATE
0.00	0.00	2247.90	31 AUG 2012

DATE	PAY THIS AMOUNT
08-31	2247.90
	NEW BALANCE

JOSEPH M. XUEREB
jxuercb@xuererlawgroup.com

JOHN R. BADEEN, OF COUNSEL
jbadeen@xuererlawgroup.com

XUEREB
Law Group
a professional corporation
ATTORNEYS AT LAW

Xuerer Law Group
Attorneys and Counselors
7752 N. Canton Center Rd., Suite 110
Canton, Michigan 48187
P: (734) 455-2000
F: (734) 455-2013

March 20, 2013

Det. William Taylor
Troy Police Department
500 West Big Beaver Road
Taylor, MI 48084

Re: **MIQUEL and ZENaida CORNEJO**
2007 Ford F150
VIN 1FTRW12517FB53160

Dear Det. Taylor:

I am in receipt of your letter dated March 18, 2013.

One of the options I was told there was available was a consent agreement. In order to evaluate and determine whether my client wants to enter into a consent agreement, I need certain information. In order to advise my client, I requested two pieces of information. The first is what the status is of the criminal proceedings that gave rise to forfeiture. You did not address this in your letter. This request was made on Monday, March 18, 2013. I also asked you on that date where the vehicle had been stored. You again did not address this issue in your letter to me. This letter is to request this information in order to advise my client.

However, since you provided formal notice to us as of March 12, 2013, this letter is to in fact to inform you that my client does in fact claim an interest in the vehicle. This vehicle, as you know, is decidedly not abandoned.

I know your department is aware that any forfeiture of the subject vehicle is taken "subject to the interest of the secured party who neither had knowledge nor consented to the act or omission." MCL 333.7521(d)(iv). My client has a *bona fide* security interest in the subject vehicle who neither had knowledge nor consented to any act or omission relating to the drugs. Accordingly, even if there were a forfeiture sale, my client has a first secured position to be paid out the proceeds. I see nowhere in the act where storage fees are the first priority for application of the sale proceeds over and above the interest of a secured lender.

Exh. 9

There is a distinction between a "innocent owner" and a party who holds a "*bona fide* security interest" in the vehicle. An innocent owner is required to file a notice and file a bond pursuant to MCL 333.7523(1)(c) in order to continue to have an interest in the vehicle. However, MCL 333.7523(c) *does not require* a party with a *bona fide* security interest to file a claim and post a bond. The secured party's interest is codified in MCL 333.7521(b)(iv).

The second point I feel compelled to make at this juncture is that forfeiture proceedings "shall be instituted promptly." MCL 333.7523(1). Forfeiture proceedings commenced *four months after* seizure of an automobile were not promptly instituted, and therefore the proceeds from the sale of the automobile could not be forfeited. *In re Forfeiture of One 1983 Cadillac, 176 Mich App 277, 439 NW 2d 346 (1989)*. The period of time to be measured for considering promptness is the lapse of time between seizure and the filing of the complaint. *In re Forfeiture of \$109,901, Mich App 191, 533 NW 2d 328 (1995)*.

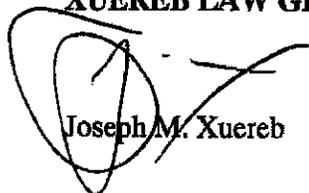
In the present action, nine months have passed without a complaint being filed. This unreasonable delay precludes any forfeiture of the subject vehicle.

My client's security interest in the vehicle secures a debt to the credit union in the amount of approximately \$28,000.00. I'm led to believe the vehicle has a *substantially lower* market value, somewhere around \$14,000 to \$16,000. This being true, this vehicle should have been immediately forwarded to my client.

I never said my client refused to work out a consent agreement. I simply said in the emails that I needed information in order to evaluate my client's claim. Please provide me with the requested information in the next day so that we can have some meaningful discussions on this matter. Thank you for your attention to this matter.

Very truly yours,

XUEREB LAW GROUP PC



Joseph M. Xuereb

JMX/slb

cc: Ken Kolar, CFCU

Joseph Xuereb

From: William R. Taylor [William.Taylor@troymi.gov]
Sent: Thursday, March 21, 2013 4:59 PM
To: Joseph Xuereb
Cc: Robert R Wolfe
Subject: RE: Cornejo forfeiture/Community Financial

In response to your letter,

Your Client was officially put on notice that they had twenty (20) days to file claim back on 22 Oct 2012 when I spoke with Ms. Jenny Tabor and advised her that upon receiving the notice, action was required by Community Financial within twenty (20) days of receipt. The information was faxed to Community Financial on that day and was received as I spoke with Ms. Tabor who confirmed receiving it. So the time period to file claim has long since expired. Sgt. Wolfe recommended starting the twenty day period over from 12 Mar 2013 the date you announced your involvement as a friendly gesture to resolve the matter.

Formal Charges have been filed against Miguel CORNEJO.

The vehicle has been seized by and is in possession of the Troy Police Department.

If your client does not wish to come to a Consent Agreement with the Troy Police Department in this matter you must file "Claim" by making an appointment with me to file bond as directed on the Notice of Seizure and Intention to Forfeit and Dispose of Property form. This must be done at the Troy Police Department before 5:30 pm on 31 Mar 2013.

Bill Taylor

From: Joseph Xuereb [mailto:jxuereb@xuereblawgroup.com]
Sent: Wednesday, March 20, 2013 3:27 PM
To: William R. Taylor
Subject: RE: Cornejo forfeiture/Community Financial

Please see attached letter. I look forward to the information requested. Thank you.

Joseph Xuereb
Xuereb Law Group PC
7752 Canton Center Rd
Suite 110
Canton, Michigan 48187
734-455-2000
734-455-2013 fax
313-492-5007 cell

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3/29/2013

Exh-10

person any tax-related matter.

From: William R. Taylor [<mailto:William.Taylor@troymt.gov>]
Sent: Wednesday, March 20, 2013 9:17 AM
To: Joseph Xuereb
Cc: Robert R Wolfe
Subject: RE: Cornejo forfeiture/Community Financial

I received your e mails, Please see attached.

Bill Taylor

From: Joseph Xuereb [<mailto:jxuereb@xuereblawgroup.com>]
Sent: Tuesday, March 19, 2013 2:14 PM
To: William R. Taylor
Subject: Cornejo forfeiture/Community Financial

I sent you two emails requesting information I need to properly advise my client in this matter. Please get me that information as soon as possible so that we may move this matter forward to resolution. Thank you.

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3/29/2013

Joseph Xuereb

From: Joseph Xuereb [jxuereb@xuereblawgroup.com]
Sent: Monday, March 25, 2013 4:58 PM
To: 'William R. Taylor'
Subject: RE: Cornejo forfeiture/Community Financial
Attachments: NADA Valuation.pdf

Your letter to me dated March 18, 2013, stated at the bottom of page 1 that my client would have 20 days from March 12, 2013. That is April 1, 2013. I request our deadline be April 1, 2013, not the Sunday, March 31, 2013.

The statute requires the amount of the bond be 10% of the value of the property. My client has obtained a NADA Vehicle Summary Value indicating the value of the vehicle is \$21,800 for clean retail. We highly doubt that is the condition of the vehicle, especially given it was forfeited out of a repair facility. The bond required would be \$2,180.00 given this value. I attach the valuation for your review. Please confirm this bond amount is satisfactory. If not, please provide me with evidence of the value you assign to the asset.

The statute also references sureties approved by the local unit of government or the state containing the condition that if the property is ordered forfeited by the court the obligor shall pay all costs and expenses of the forfeiture proceedings. My client will be obtaining such a bond from its credit union insurance company. I trust that is acceptable. If there is a form for the bond, please provide me with same via email immediately so we may timely obtain the bond.

Thank you for your attention to this matter.

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3/25/2013

Exh. 11

over from 12 Mar 2013 the date you announced your involvement as a friendly gesture to resolve the matter.

Formal Charges have been filed against Miguel CORNEJO.

The vehicle has been seized by and is in possession of the Troy Police Department.

If your client does not wish to come to a Consent Agreement with the Troy Police Department in this matter you must file "Claim" by making an appointment with me to file bond as directed on the Notice of Seizure and Intention to Forfeit and Dispose of Property form. This must be done at the Troy Police Department before 5:30 pm on 31 Mar 2013.

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Subject: RE: Cornejo forfeiture/Community Financial

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3/25/2013

**NADA Official Used Car Guide
Wednesday, March 20, 2013**

Vehicle Summary NADA Values

Region: Eastern - March 2013 **Reference #:**

Vehicle Description: 2007 FORD TRUCK **VIN:** 1FTRW12517FB53160
 F150 SuperCrew-V8
 SuperCrew Harley-Davidson 2WD

MSRP: \$36,135 **Weight:** 0

Mileage: 82,500

	<u>Rough</u> <u>Trade-In</u>	<u>Average</u> <u>Trade-In</u>	<u>Clean</u> <u>Trade-In</u>	<u>Clean</u> <u>Loan</u>	<u>Clean</u> <u>Retail</u>
Base Value	\$15,525	\$17,100	\$18,400	\$16,575	\$21,800
Optional Equipment					
Option Total	\$0	\$0	\$0	\$0	\$0
Mileage Adjustment	\$0	\$0	\$0	\$0	\$0
<hr/>					
Total NADA Official Used Car Guide Values	\$15,525	\$17,100	\$18,400	\$16,575	\$21,800

NADA assumes no responsibility or liability for any errors or omissions or any revisions or additions made by anyone on this report. All NADA values are reprinted with permission of NADA Used Car Guide, NADASC.

Joseph Xuereb

From: Joseph Xuereb [jxuereb@xuereblawgroup.com]
Sent: Tuesday, March 26, 2013 12:16 PM
To: 'William R. Taylor'

Subject: FW: Cornejo forfeiture/Community Financial

This email is to request a response to the below email from yesterday so I may timely file a bond for my client. Please respond to all aspects of the email. Thank you.

Joseph Xuereb
Xuereb Law Group PC
7752 Canton Center Rd
Suite 110
Canton, Michigan 48187
734-455-2000
734-455-2013 fax
313-492-5007 cell

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3/29/2013

EAH 12

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Joseph Xuereb

From: William R. Taylor [William.Taylor@troymi.gov]
Sent: Tuesday, March 26, 2013 1:59 PM
To: jxuereb@xuereblawgroup.com
Cc: Robert Wolfe
Subject: CORNEJO Forfeiture

Attachments: AR-M455U_20130326_125749.pdf



AR-M455U_20130
326_125749.pdf (...)

Retail value is \$31,066, private party value is \$27,866. The bond amount to make claim will be \$2786.

Sgt. Wolfe advised that you may have til close of business (5:30 pm) on 1 April 2013 to Consent or post Bond.

Bill Taylor

>

NOTICE OF CLAIM
1978 P.A. 368; 1985 P.A.135

_____, of
(Name of Claimant)

(Address)

(City)

(County)

(State)

(Zip)

hereby claim(s) an interest in the following property seized on _____
by _____

The property in which I claim an interest in is:

My interest in the property is:

_____ I am the owner.

_____ Other (describe nature of interest)

Pursuant to 1985 P.A. 135, MCL 333.7523 as amended, I hereby post a bond in the amount of Two Hundred and Fifty dollars (\$250), together with sureties conditioned that in case the property is ordered forfeited by the court, I shall pay all the costs and expenses of the forfeiture proceedings.

Date: _____ Name: _____

Time: _____ Address: _____

Telephone: _____

Received by: _____

Agency: _____

Date: _____ Time: _____

Page _____ of _____

Form Drafted by: THE OAKLAND COUNTY PROSECUTOR'S OFFICE

COURT

ZIP CODE: 48085 | Sign In (or Sign up)

home | car values | cars for sale | car reviews | kbb top picks | research tools

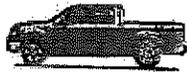
Popular at KBB.com
The 40 mpg Cars of 2013

advertisement

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Home > Car Values > Ford > F150 SuperCrew Cab > 2007 > Style > Options > Condition > Harley-Davidson Pickup 4D 5 1/2 ft

Ford F150 SuperCrew Cab 2007 go



2007 Ford F150 SuperCrew Cab

2006 2007 2008 New 2013 Style: Harley-Davidson Pickup 4D

Mileage: 29,000 change this car

edit options | change style

pricing | photos | specs | kbb expert review | consumer reviews | ratings | compare

Used Car Prices

See Trade-In/Sell Values

Certified Pre-Owned Private Party	Suggested Retail
Excellent \$31,066	Find Deals Near You <small>see local deals</small>
	Free VIN Check <small>Enter VIN (optional) go</small> No VIN? No Problem!
	Know Your Credit Score? <small>get yours now</small> <small>Personalized Report</small>

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Calculate your monthly payment

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View actual photos, compare prices, and buy your next car.

Ford F150

Up to 100 Miles away from ZIP 48085

search

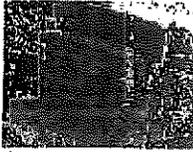
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2013 Ford F150 SuperCrew Cab

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Shop for Highest MPG Sedans

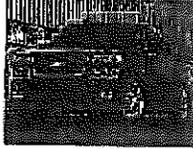
2011 Ford Ranger



MPG: City 22 / Hwy 27
 Engine: 4-Cyl, 2.3 L
 Consumer Rating: **8.4**

[View this car](#)

2011 Chevrolet Colorado



MPG: City 18 / Hwy 25
 Engine: 4-Cyl, 2.9 L
 Consumer Rating: **7.8**

[View this car](#)

[Read Expert Review](#)

2011 Toyota Tacoma



MPG: City 19 / Hwy 25
 Engine: 4-Cyl, 2.7 L
 Consumer Rating: **9.2**

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Have comments about pricing information? Give us your feedback.

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when trading in at a dealership

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when selling the car yourself

Print Report

Excellent
\$27,866

Very Good
\$27,166

Good
\$26,566

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\$24,516

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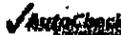
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MPG: City 21 / Hwy 25
 Engine: 4-Cyl, 2.7 L
 Consumer Rating: **9.2**

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2013 Toyota Tacoma



MPG: City 21 / Hwy 25
 Engine: 4-Cyl, 2.7 L
 Consumer Rating: **9.2**

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2013 Ram 1500 Trucks



MPG: City 17 / Hwy 25
 Engine: V6, Flex Fuel, 3.6 L
 Consumer Rating: **8.7**

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Joseph Xuereb

From: Joseph Xuereb [jxuereb@xuereblawgroup.com]
Sent: Tuesday, March 26, 2013 3:01 PM
To: 'William R. Taylor'
Subject: RE: CORNEJO Forfeiture

My client is in the process of obtaining a surety bond in the amount of \$2,786 based on the requirements you set that the value is \$27,860.

The amount of our lien is \$30,415 for unpaid principal and interest. MCL 333.7521(d)(iv) states that: "A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party who neither had knowledge of nor consented to the act or omission." There will be no forfeiture because there is no interest in the vehicle exceeding the value of our lien that the forfeiture is subject to. A court will therefore not order forfeiture. It is only when a court orders a forfeiture that the court may order a person who claimed an interest in the forfeited property under section 7523(1)(c) to pay the expenses of the proceedings of forfeiture to the entity having budgetary authority over the seizing agency. MCL 333.7524(4).

My client does not deal in a Kelly Blue Book world. The numbers from Kelly are grossly inflated. All professions use NADA as it shows the actual amount my client will receive upon auction, which will be less than the \$15,000 rough trade in value the NADA report shows.

Please let me know if the above offer is acceptable to you.

Joseph Xuereb

Xuereb Law Group PC

7752 Canton Center Rd

Suite 110

Canton, Michigan 48187

734-455-2000

734-455-2013 fax

313-492-5007 cell

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to another person any tax-related matter.

-----Original Message-----

From: William R. Taylor [mailto:William.Taylor@troymt.gov]
Sent: Tuesday, March 26, 2013 1:59 PM
To: jxuereb@xuereblawgroup.com
Cc: Robert Wolfe
Subject: CORNEJO Forfeiture

Retail value is \$31,066, private party value is \$27,866. The bond amount to make claim will be \$2786.

Sgt. Wolfe advised that you may have til close of business (5:30 pm) on 1 April 2013 to Consent or post Bond.

Bill Taylor

>

Joseph Xuereb

From: William R. Taylor [William.Taylor@troymi.gov]
Sent: Wednesday, March 27, 2013 6:18 PM
To: Joseph Xuereb
Cc: Robert R Wolfe
Subject: RE: CORNEJO Forfeiture

Your Client was served a notice on 22 Oct 2012 and advised that action must be taken within 20 days. They failed to file any claim or take action of any kind by the 20 day deadline. The vehicle has been and is administratively forfeited to The Troy Police Department.

The Police Department is willing to attempt to come to a Consent Agreement with Community Financial until 1 April 2013.

Below are listed fees which grow by \$15 daily and must be addressed.

\$2,247	Taylor Chevrolet
\$3,900	Storage \$15 per day
\$1,500	Troy PD Admin fee
\$ 157	Towing Charge

Feel free to discuss this with your client and submit a fair offer.

Bill Taylor

-----Original Message-----

From: Joseph Xuereb [mailto:jxuereb@xuereblawgroup.com]
Sent: Tuesday, March 26, 2013 3:01 PM
To: William R. Taylor
Subject: RE: CORNEJO Forfeiture

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The amount of our lien is \$30,415 for unpaid principal and interest.

MCL

333.7521(d)(iv) states that: "A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party who neither had knowledge of nor consented to the act or omission." There will be no forfeiture because there is no interest in the vehicle exceeding the value of our lien that the forfeiture is subject to. A court will therefore not order forfeiture. It is only when a court orders a forfeiture that the court may order a person who claimed an interest in the forfeited property under section 7523(1)(c) to pay the expenses of the proceedings of forfeiture to the entity having budgetary authority over the seizing agency.
MCL 333.7524(4).

This is an offer to compromise pursuant to MRE 408. My client has authorized me to satisfy the garage keeper, who has agreed to take \$1,800 in satisfaction of his claim. This will satisfy your commitment to the garage keeper. In addition, my client will pay \$1,000 to the department.

My client does not deal in a Kelly Blue Book world. The numbers from Kelly are grossly inflated. All professions use NADA as it shows the actual amount my client will receive

Exh. 15

upon auction, which will be less than the \$15,000 rough trade in value the NADA report shows.

Please let me know if the above offer is acceptable to you.

Joseph Xuereb

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7752 Canton Center Rd

Suite 110

Canton, Michigan 48187

734-455-2000

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