

1 THOMAS P. O'BRIEN
 United States Attorney
 2 CHRISTINE C. EWELL
 Assistant United States Attorney
 3 Chief, Criminal Division
 CHRISTOPHER BRUNWIN
 4 Assistant United States Attorney
 Deputy Chief, Violent & Organized Crime Section
 5 STEVEN R. WELK
 Assistant United States Attorney
 6 Chief, Asset Forfeiture Section
 FRANK D. KORTUM
 7 California State Bar No. 110984
 Asset Forfeiture Section
 8 1400 United States Courthouse
 312 North Spring Street
 9 Los Angeles, California 90012
 Telephone: (213) 894-5710
 10 Facsimile: (213) 894-7177
 E-Mail: frank.kortum@usdoj.gov

FILED
 CLERK, U.S. DISTRICT COURT
 OCT 21 2008
 CENTRAL DISTRICT OF CALIFORNIA
 BY *[Signature]* DEPUTY

Attorneys for Plaintiff
 United States of America

2008 OCT 17 10:21 AM
 CLERK U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 LOS ANGELES
 BY *[Signature]*

UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION

16	UNITED STATES OF AMERICA,)	CR 08-1201
17)	
18	Plaintiff,)	PROHIBIT ORDER RESTRAINING
19)	SALE OR TRANSFER, AND OR OTHER
20	v.)	OF TRADEMARK
21)	
22	RUBEN CAVAZOS,)	[18 U.S.C. § 1963(d)]
23	aka "Doc", et al.,)	
24)	[UNDER SEAL]
25	Defendants.)	

6

EXHIBIT A

1 Upon consideration of the (1) Ex Parte Application for Post-
2 Indictment Restraining Order filed by the United States; (2)
3 supporting Memorandum of Points and Authorities; and (3)
4 Declaration of Special Agent John Ciccone, the Court hereby finds
5 as follows:

6 On January 11, 2005, the United States Patent and Trademark
7 Office ("PTO") registered the "Mongols" trademark (Registration
8 No. 2916965). The trademark was issued to Mongol Nation,
9 purportedly for use in commerce in connection with promoting the
10 interests of persons interested in the recreation of riding
11 motorcycles.

12 On October 9, 2008, a federal grand jury in Los Angeles
13 returned an indictment (under seal) alleging racketeering
14 activity by members of the Mongol Nation.

15 Count eighty-five of the indictment identifies the Mongols
16 trademark as an asset which the government seeks to forfeit in
17 these criminal proceedings. The indictment alleges that the
18 defendants control the Mongols Motorcycle club, also known as
19 Mongol Nation, which in turn owns the trademark, and that in the
20 event of the defendants' convictions, the trademark would be
21 subject to forfeiture to the United States under 18 U.S.C.
22 § 1963(a)(1), (2) and (3).

23 The sale, transfer, conveyance, or other disposal of the
24 trademark by any of the defendants in this criminal action could
25 render the trademark unavailable for forfeiture. ~~In addition,~~
26 ~~there is overwhelming evidence that the defendants use and~~
27 ~~display the trademark to promote their criminal enterprise and~~
28 ~~activities.~~

1 Accordingly, IT IS HEREBY ORDERED that the defendants in
2 this criminal action, and any of their agents, servants,
3 employees, family members, and those persons in active concert or
4 participation with them, are enjoined and restrained from taking
5 any action or attempted action that would affect the
6 availability, marketability or value of the Mongols trademark,
7 including but not limited to selling, conveying, transferring,
8 licensing, distributing, bailing, assigning, mortgaging,
9 pledging, collateralizing, hypothecating, wasting, secreting,
10 damaging, diminishing the value of, conveying, encumbering, or
11 otherwise disposing of the Mongols trademark.

12 ~~IT IS FURTHER HEREBY ORDERED that the defendants in this~~
13 ~~criminal action, and any of their agents, servants, employees,~~
14 ~~family members, and those persons in active concert or~~
15 ~~participation with them, are enjoined and restrained from~~
16 ~~wearing, using or displaying the Mongols trademark (however~~
17 ~~spelled, used or displayed, whether capitalized, abbreviated,~~
18 ~~singular or plural, printed, stylized or incorporated in a symbol~~
19 ~~or article of clothing, whether used alone or in combination with~~
20 ~~any wording or symbol, and whether displayed personally, or for~~
21 ~~the purpose of advertising or publicizing the activities of the~~
22 ~~Mongol Nation, the Mongols, or any members thereof).~~

23 IT IS FURTHER HEREBY ORDERED that the defendants in this
24 criminal action, and any of their agents, servants, employees,
25 family members, and those persons in active concert or
26 participation with them, shall surrender for seizure all
27 products, clothing, vehicles, motorcycles, books, posters,
28 merchandise, stationery, or other materials bearing the Mongols

1 trademark, ~~or trade dress~~.

2 For the purposes of this Order, "defendants" means and
3 includes: RUBEN CAVAZOS, also known as ("aka") "Doc" ("CAVAZOS"),
4 RUBEN CAVAZOS, JR., aka "Little Rubes" ("R. CAVAZOS, JR.") HECTOR
5 GONZALEZ, JR., aka "Largo" ("GONZALEZ"), ARTHUR ROSELI, JR., aka
6 "Chiques" ("ROSELI"), JUAN MANUEL NIEVES, aka "Listo" ("NIEVES"),
7 ANTHONY MARK TINOCO, aka "Bengal" ("TINOCO"), WILLIAM MICHAEL
8 MUNZ ("MUNZ"), LAWRENCE WILSON, aka "Lars" ("WILSON"), WALTER
9 RAMIREZ, aka "Bumper" ("RAMIREZ"), ANDRES RODRIGUEZ, aka "Rascal"
10 ("RODRIGUEZ"), ENRIQUE LOUIS MUNOZ, aka "Hank" ("MUNOZ"), JOSE
11 GARCIA, aka "Big Joe" ("GARCIA"), SHAWN BUSS, aka "Monster"
12 ("BUSS"), PETER SOTO, aka "Bouncer" ("SOTO"), VICENT RIOS, aka
13 "Chente" ("RIOS"), AL CAVAZOS, JR., aka "Al the Suit" ("A.
14 CAVAZOS, JR."), MANUEL ARMENDAREZ, aka "Mandog" ("ARMENDAREZ"),
15 ROGER MARTINEZ, aka "Stamper," ("R. MARTINEZ"), RAFAEL LOZANO,
16 aka "Peligroso" ("R. LOZANO"), ALEX LOZANO, aka "Reaper" ("A.
17 LOZANO"), MARK GARCIA, aka "Wolf" ("M. GARCIA"), HORACIO PONCE,
18 aka "Scorpio" ("PONCE"), FELIX FIGUEROA, aka "Risky"
19 ("FIGUEROA"), DAVID EDWARD GIL, aka "L.A. Bull" ("GIL"), RICARDO
20 GUTIERREZ, aka "Ricko" ("GUTIERREZ"), JORGE VIRAMONTES, aka
21 "Solo" ("VIRAMONTES"), JOHN CARNELAS, aka "JC" ("CARNELAS"),
22 ALESSANDRO LOPEZ, aka "Grumpy" ("LOPEZ"), JUAN ALFRED GONZALEZ,
23 aka "Negro" ("J. GONZALEZ"), ANTHONY ZUNIGA, aka "Wicked"
24 ("ZUNIGA"), BENJAMIN LEYVA, aka "Secret" ("LEYVA"), WILLIAM
25 OWENS, aka "Target" ("OWENS"), JON JAY MOREIN, "White Boy Jon"
26 ("MOREIN"), LUIS PADILLA, aka "Kiko" ("L. PADILLA"), RAYMOND
27 ANTHONY TRUJILLO, aka "Nasty" ("TRUJILLO"), DANIEL MEDEL, aka
28 "Big Dog" ("MEDEL"), FNU LNU, aka "Bullet" ("BULLET"), DENIS

1 MALDONADO, aka "Steaky" ("MALDONADO"), NORBERTO JOSE MONTES, aka
2 "Villain" ("MONTES"), ABRAM WEDIG, aka "Cane" ("WEDIG"), JOSEPH
3 BRADEN, aka "Socks" ("BRADEN"), RAMON CHAVEZ ("CHAVEZ"), MANUEL
4 MELGOZA ("MELGOZA"), DAVID TELLEZ ("TELLEZ"), MARIO ANGULO, aka
5 "Kermit" ("ANGULO"), RAMON CONTRERAS, aka "Speedy" ("CONTRERAS"),
6 RICHARD ESPINOZA, aka "Radone" ("ESPINOZA"), ISMAEL RIVERA, aka
7 "Yo-Yo" ("RIVERA"), HAROLD REYNOLDS, aka "Face" ("REYNOLDS"),
8 ISMAEL PADILLA, aka "Mouth" ("I. PADILLA"), JASON HILL, aka "Big
9 J" ("HILL"), SAM TREVINO, aka "Wapo" ("TREVINO"), BRANDON
10 CHEVILLE, aka "Suicide" ("CHEVILLE"), RUDOLPH VALLE, aka "Swiftly"
11 ("VALLE"), PAUL LEMAY, aka "Spider" ("LEMAY"), WILLIAM SHAWLEY,
12 aka "Dago Bull" ("SHAWLEY"), AARON PRICE, aka "Sick Boy"
13 ("PRICE"), PAUL CORDOVA, aka "Chopper" ("CORDOVA"), DAVID NAVA
14 ("NAVA"), RENATO GOMEZ ("R. GOMEZ"), BRIAN MCCAULEY ("MCCAULEY"),
15 WILLIAM LOUIE, aka "Chief" ("LOUIE"), JORGE COTTINI, aka "House"
16 ("COTTINI"), SAMUEL GONZALEZ, aka "Serial Sam" ("S. GONZALEZ"),
17 JAIME FLORES ("FLORES"), ALFONSO SOLIS ("SOLIS"), WILLIAM
18 RAMIREZ, aka "Moreno" (WILLIAM RAMIREZ), AUSTIN MELCER, aka
19 "Danger" ("MELCER"), CHRISTOPHER LOZA, aka "Punk Rock" ("LOZA"),
20 JOHN NEWMAN, aka "Weto" ("NEWMAN"), EDWARD MORENO, aka "Violent
21 Ed" ("MORENO"), THOMAS SAVALA, aka "Danger" ("SAVALA"), and DAVID
22 PADILLA, aka "Lazy Dave" ("D. PADILLA").


23 The application of the United States for this post-
24 indictment restraining order, the supporting points and
25 authorities and Ciccone Declaration, the proposed Order, and any
26 Orders issued by the Court in connection with any of these
27 pleadings, are to be filed and kept under seal until 10:00 a.m.
28 on October 21, 2008, except as needed by law enforcement agents

1 to implement the restraints ordered. Said documents shall be
2 unsealed as of 10:00 a.m. on October 21, 2008, ~~unless and until~~
3 ~~otherwise ordered by this Court.~~ To facilitate the purpose and
4 effect of this interim sealing request, the the Court hereby
5 directs the United States Attorney's Office to retain custody of
6 the sealed documents during this brief interim period, and to
7 file said documents at or shortly after 10:00 a.m. on October 21,
8 2008.

9 DATED: *Oct. 21, 2008*

10
11 
12 UNITED STATES DISTRICT JUDGE

12 Presented by:

13
14 
15 FRANK D. KORTUM
16 Assistant United States Attorney