

DECLARATION OF SA LYNNE ZELLHART

I, SA Lynne Zellhart, declare as follows:

1. I am a Special Agent with the FBI and have been so employed since 2004. I have participated in the investigation of U.S Private Vaults ("USPV") and am familiar with all aspects of the investigation.

2. This constitutes the notice regarding the FBI's ongoing seizure of U.S. Private Vault ("USPV") Box # 7622. That box contained a large amount of cash (\$57,000) and no other property. Immediately after the cash was removed from the box, a state-certified narcotics-detecting canine alerted to the presence of narcotics relative to the currency. On USPV Executor/Conservator paperwork, which Joseph RUIZ ("RUIZ") left in the box, he listed his email address as holysmokescrafts@yahoo.com. Holysmokescrafts@yahoo is an on-line marijuana paraphernalia business, specializing in turning liquor bottles into marijuana smoking devices. On-line businesses do not typically generate cash, but this business suggests RUIZ may be involved in the cannabis industry in other ways. According to the California Department of Cannabis Control, RUIZ is not licensed in California to participate in the cannabis industry in any way.

3. On March 22, 2021, RUIZ spoke to two FBI agents at U.S. Private vaults. RUIZ told the agents that he had approximately \$58,000 in a USPV box which he obtained through "legal settlement and surgery." RUIZ later claimed in the claim form he submitted to the FBI on or about June 23, 2021 to contest the administrative forfeiture of the funds that the cash was earned through employment

1 and "settlements in litigation" but he provided no documents to
2 support this assertion. FBI agents searched both public and legal
3 databases to identify litigation involving RUIZ and found none.
4 Agents searched multiple courts in multiple jurisdictions, but found
5 no evidence of RUIZ as a party to a state or federal lawsuit (except
6 in the present case, SNITKO et al. - demonstrating to agents that
7 they were in fact conducting the search properly). Moreover, RUIZ
8 did not provide any documents with his June 23, 2021 claim and has
9 never provided the FBI with any documents which support his claim
10 that the cash in his USPS box was obtained through litigation.
11 Documents such as a settlement agreement; copy of a check; bank
12 statement showing the transfer of funds from an attorney trust
13 account; bank statement showing withdrawal of those same funds - all
14 should be readily available.¹

15 4. Agents also searched an insurance claims database and
16 found nothing that would support the amount of cash in Box #7622.
17 For example, there was a worker's compensation claim from 1996 in
18 which RUIZ tripped on a box and injured his hand; another from 2014
19 in which he reported a "strain." Agents located an insurance claim
20 related to a vehicle accident in 2017, but the claim was for
21 property damage to the left front corner of a 1994 Jeep Cherokee -
22 the search did not turn up a related personal injury claim.

23 5. RUIZ has also claimed that he earned the money in Box
24 #7622 through employment. However, in a Currency Transaction Report
25

26 ¹ A different USPS box holder with a similar amount of cash also
27 claimed that the cash was from a legal settlement. That box holder
28 provided copies of documents related to the legal action as well as
redacted bank records. The FBI has already returned property to
that box holder.

1 ("CTR") filed by J.P. Morgan Chase in February 2021, RUIZ identified
2 his employment as "unemployed gourmet chef." In fact, according to
3 California Employment Development Department ("EDD") records, Ruiz
4 has not earned wages since the first quarter of 2019, at which point
5 he earned \$18,510, less than a third of the cash in the box,
6 assuming he saved the money and did not use it for living expenses.
7 Additionally, according to the California Franchise Tax Board, RUIZ
8 has not filed a tax return in California since 2018 (including a
9 return for the \$18,510 he earned in 2019).

10 6. Finally, the February 26, 2021 CTR by J.P. Morgan Chase,
11 referenced above, demonstrates that RUIZ had an active bank account
12 at J.P. Morgan Chase within weeks of the execution of the USPV
13 seizure warrant, suggesting that he had a readily available avenue
14 to pay for rent, groceries and other expenses.

15 7. Accordingly, the FBI continues to retain the property
16 because there is probable cause to believe that the funds constitute
17 traceable proceeds of drug trafficking, or were used to facilitate
18 drug trafficking, in violation of Title 21, United States Code,
19 Section 841, which renders the funds subject to forfeiture pursuant
20 to Title 21, United States Code, Section 881(a)(6) and Title 18,
21 United States Code, Section 981(a)(1)(C).

22 I declare under penalty of perjury under the laws of the United
23 States of America that the foregoing is true and correct and that
24 this declaration is executed at Los Angeles, California, on July 30,
25 2021.

26 /s/ Lynne Zellhart
SA LYNNE ZELLHART