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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

No. C 10-00022 WHA

Plaintiff,

v.

INC21.COM CORPORATION, *et al.*,**ORDER GRANTING BANK OF
AMERICA'S MOTION FOR
RELIEF REGARDING FROZEN
CHECKING ACCOUNT FUNDS
AND VACATING HEARING**Defendants.

The undersigned has reviewed the motion filed by Bank of America regarding the frozen funds of defendants John Lin and Roy Lin (Dkt. No. 126). Under the preliminary injunction (as modified on May 26, 2010), defendants John and Roy Lin were each authorized to withdraw \$8,000 per month from their frozen Bank of America checking accounts for living expenses (Dkt. Nos. 97, 119). In its motion for relief and accompanying declaration, the bank asserts that it is unable to “straightforwardly comply” with the order and seeks to deposit with the Court the remaining balances of defendants’ checking accounts (Account Nos. XXXXX-X4889, XXXXX-X8166, and XXXXX-X3560) so that the Court may administer the monthly release of funds. The Federal Trade Commission filed a statement of non-opposition and defendants merely suggested that the funds should be deposited with defense counsel instead.

Bank of America’s motion is **GRANTED**. The Court will accommodate the bank’s request to deposit the remaining funds from these three frozen checking accounts into the Court’s registry

1 to relieve the bank of its obligation with respect to the monthly disbursements. The parties shall
2 meet and confer to work out the particulars of this arrangement and submit a proposed order that
3 properly authorizes the transfer of these funds into the Court's registry. In this connection, the
4 parties and counsel for Bank of America shall review General Order No. 31 and contact the
5 Clerk's office (if necessary) to determine the proper form and content of the proposed order.

6 The parties shall also explain how monthly disbursements from these funds shall be
7 handled once the funds are deposited into the Court's registry. Since funds held in the registry
8 can only be disbursed by court order, it may be most efficient to submit a proposed order every
9 month authorizing the release of the monthly allowance. Again, the form and content of these
10 orders would be for the parties to decide and agree upon.

11 The parties shall respond to this order no later than **NOON ON AUGUST 5, 2010**. The
12 hearing on the motion is **VACATED**.

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14 **IT IS SO ORDERED.**

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16 Dated: July 21, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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