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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,)
 14 Plaintiff,)
 15 v.)
 16 1. 2005 MAYBACH 57 SEDAN, VIN)
 WDBVF78J45A001128;)
 17 2. 2006 HUMMER H2, VIN)
 5GRGN23U96H101282; AND)
 18 3. 2003 HARLEY DAVIDSON)
 MOTORCYCLE, VIN 1HD1FC2563Y636319)
 19 Defendants.)
 20)
 21)

No. C06-6636 JF

**UNITED STATES' STATUS
 CONFERENCE STATEMENT AND
 REQUEST TO CONTINUE CASE
 MANAGEMENT CONFERENCE**

22 The United States submits this statement to advise the Court as to the current status of this
 23 matter and to request a continuance of the case management conference.

24 This is a forfeiture action which stems from an investment fraud scheme. The government
 25 contends that defendant conveyances constitute proceeds, or are traceable to proceeds, from a mail and
 26 wire fraud scheme, and thus subject to forfeiture under 18 U.S.C. § 981(a)(1)(C). The government also
 27 alleges that the defendant conveyances constitute property involved in money laundering transactions and

28
 UNITED STATES' STATUS
 CONFERENCE STATEMENT
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1 are thus forfeiture under 18 U.S.C. § 981(a)(1)(A). The defendant conveyances were seized by duly
2 authorized seizure warrants on April 25 and May 11, 2006, which remain under seal. Terry and Rebecca
3 Solomon are the registered owners of the defendant conveyances.

4 The complaint for forfeiture was originally filed under seal by order the Court on October 24,
5 2006, in part because Rebecca and Terry Solomon had fled the jurisdiction of the Court following the
6 execution of search warrants at their home and the filing of criminal charges. On or about August 29,
7 2007, the government moved to unseal the complaint. During the period while the complaint was sealed,
8 the government (with Court permission) neither published nor served notice of the complaint on the
9 Solomons.
10

11 In December 2006, a federal grand jury for the Northern District of California returned an
12 indictment charging Rebecca and Terry Solomon with violations of mail fraud, wire fraud and money
13 laundering. The criminal case is currently pending before the Honorable Jeremy Fogel in San Jose. The
14 factual allegations in criminal case form the basis, in large part, for the allegations in the civil forfeiture
15 complaint. In November 2007, the Solomons were arrested abroad and extradited to Guam. They
16 arrived in the bay area in December 2007, where they made their initial appearances before the district
17 court in San Jose. The Solomons have been detained.
18

19 Undersigned government counsel recently served the attorneys representing the Solomons in
20 their criminal case with the complaint and other materials related to the civil forfeiture action. Should
21 the Solomons wish to contest the civil forfeiture proceedings, they must file a claim within 30 days of its
22 mailing to their attorneys.
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28 **UNITED STATES' STATUS
CONFERENCE STATEMENT
C 06-6636 JF**

1 In light of the above, the government requests that the case management conference currently
2 scheduled for Friday, January 25, 2008, be vacated, and that the matter be rescheduled for case
3 management conference on March 21, 2008, at 10:30 a.m., in order to provide the Solomons with
4 sufficient time to file claims if they so intend.

5 DATED:

Respectfully submitted,

6
7 JOSEPH P. RUSSONIELLO
United States Attorney

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9
10 _____/s/_____
STEPHANIE M. HINDS
Assistant United States Attorney

11
12 2/6/08 IT IS SO ORDERED.

13
14 
15 Judge Jeremy Fogel, US District Court