

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00440-PAB-KLM

UNITED STATES OF AMERICA,

Plaintiff,

v.

5105 EAST 39<sup>TH</sup> AVENUE, DENVER, COLORADO;  
FIRST AMERICAN BANK ACCOUNT # 29009285801;  
WELLS FARGO BANK ACCOUNT # 90182676;  
WELLS FARGO BANK ACCOUNT # 7962024811;  
WELLS FARGO BANK ACCOUNT # 3342985821;  
WELLS FARGO BANK SAFE DEPOSIT BOX # CONOR0102812731;  
FIFTH THIRD BANK ACCOUNT # 7541501073;  
FIFTH THIRD BANK ACCOUNT # 7540485781;  
FIFTH THIRD BANK ACCOUNT # 7540300303; and  
FIFTH THIRD BANK ACCOUNT # 7541360421,  
Defendants.

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**FINAL ORDER OF FORFEITURE AS TO CERTAIN DEFENDANT ASSETS**

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This matter comes before the Court on the United States' Motion for Final Order of Forfeiture as to Certain Defendant Assets [Docket No. 71].

The Court having read the motion and being fully advised in the premises finds that:

1. The United States commenced this action in rem pursuant to 21 U.S.C. § 881 and 18 U.S.C. § 981.
2. All known parties have been provided with an opportunity to respond and publication has been effected as required by Supplemental Rule G(4).
3. The United States and claimants Nathan Churchill, Nuggett LLC; John Churchill; Ann Churchill, Trustee of the Ann Churchill Living Trust; John Churchill

Managing Member of Minerals LLC; and Rafael Craveiro (“Claimants”) have reached a settlement agreement resolving their interest as to the following defendant assets:

- a. Wells Fargo Bank Account #90182676;
- b. Wells Fargo Bank Account #7962024811;
- c. Wells Fargo Bank Account #3342985821;
- d. Wells Fargo Bank Safe Deposit Box #CONOR0102812731;
- e. Fifth Third Bank Account #7540485871;
- f. Fifth Third Bank Account #7540300303; and
- g. Fifth Third Bank Account #7541360421

and have filed a Settlement Agreement [Docket No. 70] with the Court resolving all issues in dispute.

4. Nothing was seized from defendant Wells Fargo Bank Safe Deposit Box #CONOR012812731.

5. No other claims to the above described assets have been filed.

6. Forfeiture as to the following defendant assets shall enter in favor of the United States:

- a. \$4,740.31 seized from Wells Fargo Account #90182676;
- b. \$43,787.37 seized from Wells Fargo Account #7962024811;
- c. \$6,044.51 seized from Wells Fargo Account #3342985821;
- d. \$23,854.14 seized from Fifth Third Bank Account #7541501073; and
- e. \$171,573.67 of the \$558,638.22 seized from Fifth Third Bank Account #7540485781.

7. The United States shall return to Claimants, through their attorney, Brian Lennon, the following:

- a. \$387,064.55 of the \$558,638.22 seized from Fifth Third Bank Account #7540485781;
- b. \$3,815.12 seized from Fifth Third Bank Account #7540300303; and
- c. \$30,915.00 seized from Fifth Third Bank Account #7541360421.

It further appears there is cause to issue a forfeiture order under 21 U.S.C. § 881 and 18 U.S.C. § 981.

Wherefore, it is ORDERED that:

1. The United States shall return certain assets in accordance with the parties' Settlement Agreement, as noted in paragraph 7 above.

2. Forfeiture of the following shall enter in favor of the United States:

- a. \$4,740.31 seized from Wells Fargo Account #90182676;
- b. \$43,787.37 seized from Wells Fargo Account #7962024811;
- c. \$6,044.51 seized from Wells Fargo Account #3342985821;
- d. \$23,854.14 seized from Fifth Third Bank Account #7541501073; and
- e. \$171,573.67 of the \$558,638.22 seized from Fifth Third Bank Account #7540485781.

The United States shall have full and legal title to the defendant assets and may dispose of them in accordance with law and in accordance with the terms and provisions of the parties' Settlement Agreement,

3. The Clerk of Court is directed to enter Judgment.

4. A Certificate of Reasonable Cause, which this Order constitutes, is granted as to these defendant assets pursuant to 28 U.S.C. § 2465.

DATED October 6, 2014.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge