

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-0798 (PLF)
)	
ALL ASSETS HELD AT BANK JULIUS)	
Baer & Company, Ltd., Guernsey)	
Branch, account number 121128, in the)	
Name of Pavlo Lazarenko <u>et al.</u> ,)	
)	
Defendants <u>In Rem</u> .)	
_____)	

MEMORANDUM OPINION AND ORDER

On April 30, 2020, following this Court’s opinion striking Pavel Lazarenko’s claim to the Balford Trust, the United States filed a motion [Dkt. No. 1256] to strike the claims of Ekaterina Lazarenko and Lecia Lazarenko to the Balford Trust. That same day, Ekaterina Lazarenko and Lecia Lazarenko (the “Lazarenko daughters”) filed a motion [Dkt. No. 1259] for summary judgment on the United States’ allegations related to the Balford Trust. In their motion, the Lazarenko daughters argue that the United States is time-barred from seeking forfeiture of the Balford Trust. See Dkt. No. 1259 at 1. On August 4, 2020, the United States filed its sealed opposition [Dkt. No. 1342]. It filed a redacted version of its opposition [Dkt. No. 1339] on August 10, 2020. The Lazarenko daughters filed their reply [Dkt. No. 1363] on October 2, 2020.

On September 7, 2021, this Court granted the United States’ motion to strike the Lazarenko daughters’ claims to the Balford Trust. United States v. All Assets Held at Bank

Julius, Civil Action No. 04-0798, 2021 WL 4060353, at *16 (D.D.C. Sept. 7, 2021). The Court concluded that the Lazarenko daughters lacked constitutional standing to contest forfeiture of the Balford Trust. Id. at *14. “[S]tanding . . . is jurisdictional.” Lewis v. Casey, 518 U.S. 343, 349 n.1 (1996). “It is well established, [therefore], that before a federal court can consider the merits of a legal claim, the person seeking to invoke the jurisdiction of the court must establish the requisite standing to sue.” Whitmore v. Arkansas, 495 U.S. 149, 154 (1990). Because this Court has concluded that the Lazarenko daughters lack constitutional standing to assert a claim to the Balford Trust, the Court does not have jurisdiction to consider the merits of the Lazarenko daughters’ motion for summary judgment on the United States’ allegations related to the Balford Trust.

Accordingly, it is hereby

ORDERED that the Lazarenko daughters’ motion [Dkt. No. 1259] for summary judgment on the United States’ allegations related to the Balford Trust is DENIED.

SO ORDERED.

/s/
PAUL L. FRIEDMAN
United States District Judge

DATE: September 10, 2021