

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
c/o United States Attorney's Office)
555 Fourth Street, N.W.)
Washington, DC 20530,)

Case: 1:08-cv-01345

Hon. Rosemary M. Collyer

Plaintiff,)

vs.)

8 Gilcrest Lane, Quincy Florida 32351,)

AND)

**MOTION TO INTERVENE AND
PETITION TO RETURN
WRONGFULLY CONFISCATED
FUNDS**

ONE CONDO LOCATED ON NORTH)
OCEAN BOULEVARD IN MYRTLE)
BEACH, SOUTH CAROLINA,)

AND)

ALL FUNDS, INCLUDING)
APPROXIMATELY \$53 MILLION,)
HELD ON DEPOSIT AT BANK OF)
AMERICA ACCOUNTS IN THE)
NAMES OF (1) THOMAS A.)
BOWDOIN, JR., SOLE PROPRIETOR,)
DBA ADSURFDAILY, (2))
CLARENCE BUBSBY, JR. AND)
DAWN STOWERS, DBA GOLDEN)
PANDA AD BUILDER, AND (3))
GOLDEN PANDA AD BUILDER,)

Defendants, and)

COMES NOW the Petitioner, Richard Frary, and states as follows:
(Name)

I was a customer, contractor and advocate of Ad Surf Daily. # 12211

The funds I am owed by Defendants and now, the U.S. Government amounts to the sum of
\$3,500.00.

At the time the funds were confiscated I had done nothing wrong.

RECEIVED

SEP - 8 2009

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

These funds were not only, in part, mine but the proceeds of ASD's approximately one hundred thousand customers, contractors, employees and advertisers doing business with and for Ad Surf Daily.

This reckless action by the Government and its agents, served to terminate my living, my advertising campaign for my businesses, and my future wellbeing for both myself my family and my customers.

This reckless action has prevented me from paying my financial obligations in a timely matter and in some cases not at all.

This reckless action has done irreparable damage to my reputation with my friends, family and customers and has caused me endless embarrassment and loss of my precious credibility.

AFTER ONE YEAR:

1. The U.S. Government has failed to produce any EVIDENCE of alleged wrongdoing.
2. The U.S. Government has failed to produce any WITNESSES of alleged wrongdoing.
3. The U.S. Government has failed to produce any VICTIMS of alleged wrongdoing.
4. The action was based solely on the OPINIONS of the U. S. Government agents.
5. The U.S. Government failed to notify me or any other affected parties as to the whereabouts or disposition of (my) our assets. (See Rule 983, U.S. Rules of Evidence)

By this reckless action and reckless disregard of the law by my Government to "protect" its citizens, the U.S. Government has made us victims by confiscating our assets and terminally affected our businesses' and all but wiped away all or part of their incomes both present and future.

This reckless action by the Government has served to punish both Ad Surf Daily and its customers, contractors, employees and vendors without the benefit of a trial in a Court of Law.

This reckless action by the Government has infringed on my civil rights and my Constitutional Rights to do business in the United States.

I HEREBY, file this Motion and Petition to Refund my money which includes cash profits, my ad packages and any computer software databases returned forthwith.

THEREFORE, Petitioner requests the Court to enter an Order Allowing Petitioner to Intervene and Order Authorizing the Return of the above referenced funds to Petitioner.

VERIFICATION

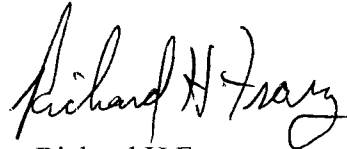
I hereby declare under the penalty of perjury that the foregoing is true and correct.

Dated this First day of September, 2009.

By: Richard H Frary
3649 Aster Drive
Sarasota, Florida 34233
941-822- 0893

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Standard U.S. Mail, postage prepaid to William R. Crowden, Assistant United States Attorney, Chief Asset Forfeiture Unit, 555 4th Street, N.W., Washington, D.C. 20530 on this _First ___ day of September, 2009.

A handwritten signature in black ink that reads "Richard H Frary". The signature is written in a cursive style with a large, prominent "R" and "F".

_Richard H Frary