

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

v.

**Case No. 6:08-cr-176-Orl-28GJK
(Forfeiture)**

FRANK L. AMODEO

PRELIMINARY ORDER OF FORFEITURE

THIS CAUSE comes before the Court upon the filing of the Motion of the United States of America for Issuance of a Preliminary Order of Forfeiture, which, upon entry, shall be a final order of forfeiture as to the defendant, Frank L. Amodeo. The Court, being fully advised in the premises, hereby finds as follows:

1. That defendant, Frank L. Amodeo, has agreed that as a result of the conspiracy to commit wire fraud in, in violations of 18 U.S.C. § 371, and as alleged in Count One of the Indictment to which he pled guilty, the assets described more fully below are subject to forfeiture to the United States.

2. That, pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(2), the United States is entitled to the forfeiture of the following as a result of his actions:

- a. The real property, including all improvements thereon and appurtenances thereto, located at:
- (1) 1159 Delaney Avenue, Orlando, Florida;
 - (2) 3801 Carolina Avenue, Richmond, Virginia;
 - (3) 4905 Research Drive, Huntsville, Alabama;
 - (4) 102 West Whiting Street, Tampa, Florida; and

- (5) The proceeds of the sale of 509 Riverfront Parkway, Chattanooga, Tennessee, currently held in the bankruptcy estate of Winpar Hospitality Chattanooga, LLC, Case No. 07-11908, U.S. Bank Court, E.D. Tenn.
- b. The following vehicles:
 - (1) 2006 Black Harley Davidson Motorcycle, VIN # 1HD1BWB156Y077592;
 - (2) 2006 Mercedes Benz CLS 500C Coupe, VIN # WDDDJ75X46A032858; and
 - (3) 2006 BMW 750Li, VIN # WBAHN83536DT30059
 - c. Gates Learjet Model 25D, Aircraft Number 4488W;
 - d. The following promissory notes:
 - (1) A promissory note in the amount of \$3,500,000.00 dated on or about May 7, 2007 between Wellington Capital and Worker's Temporary Staffing, Inc., including payments of \$63,000.00 per month; and
 - (2) A promissory note in the amount of \$5,500,000.00 dated on or about May 27, 2007 between Mirabilis Ventures, Inc. and Conrad D. Eigenmann, Jr., including semi-annual payments of at least \$100,000.00.
 - e. The following seized funds:
 - (1) \$253,487.45 in proceeds seized from the trust account of the law firm of Balch Bingham LLP;
 - (2) \$101,393.86 in proceeds seized from the trust account of the law firm of Shutts & Bowen;
 - (3) \$42,419.72 in proceeds seized from the trust account of the law firm of Mateer and Harbert;
 - (4) \$100,000.00 in proceeds seized from the trust account of the law firm of Maher, Guily, Maher PA;

- (5) \$105,922.96 in proceeds seized from the trust account of the law firm of Martin, Pringle, Oliver, Wallace, & Baur LLP;
 - (6) \$50,000.00 in proceeds seized from the trust account of the law firm of Bieser, Greer & Landis LLP;
 - (7) \$8,518.30 in proceeds seized from the trust account of the law firm of Allen, Dyer, Doppelt, Milbrath & Gilchrist PA;
 - (8) \$25,000.00 in proceeds seized from the trust account of the law firm of Valenti, Hanley & Robinson PLLC;
 - (9) \$10,000.00 in proceeds seized from the trust account of the law firm of Brown, Stone, & Nimeroff LLC;
 - (10) \$21,900.00 in proceeds seized from the trust account of the law firm of Hunt Rudd PA;
 - (11) \$41,029.54 in proceeds seized from the trust account of the law firm of Ford & Harrison PA;
 - (12) \$12,528.51 in proceeds seized from the trust account of the law firm of Broad & Cassel;
 - (13) \$20,754.19 in proceeds seized from the trust account of the law firm of Latham, Shuker, Barker, Eden, & Beaudine LLC; and
 - (14) \$13,100.99 in proceeds seized from Fifth Third Bank Account No. 7440599020 in the name of Soone Business Development.
- f. The assets of the following corporations, including but not limited to the below listed lawsuits and/or settlements:

Corporations:

AEM, Inc., d/b/a Mirabilis HR,
AQMI Strategy Corporation,
Hoth Holdings, LLC,
Mirabilis Ventures, Inc.,
Nexia Strategy Corporation,
Presidion Solutions, Inc.,
Professional Benefit Solutions, Inc.,
d/b/a Presidion Solutions VII, Inc.
Quantum Delta Enterprises, Inc.,
d/b/a Siren Resources, Inc.,

Titanium Technologies, Inc.,
 f/k/a Titanium Consulting Services, Inc.,
 Tenshi Leasing, Inc.
 Wellington Capital Group, Inc.

Lawsuits:

Style of case	Location	Case No.
Mirabilis Ventures, Inc. v. Jeffrey Reichel	Broward County, Florida	CACE 07011827
Mirabilis Ventures, Inc, and Nexia Strategy Corp. v. Palaxar Group, LLC, et al.	Orange County, Florida	07-co-13191 (37)
Mirabilis Ventures, Inc. v. Forge Capital Partners, LLC, et al.	Orange County, Florida	07-CA-13828 (33)
Mirabilis Ventures, Inc. v. J.C. Services, Inc., et al.	U.S.D.C., M.D. Fl.	6:06-cv-1957-Orl-22KRS
AEM, Inc. d/b/a Mirabilis HR v. Sheryl Okken, Progressive Employer Services, LLC, et al.	Brevard County, Florida	05-2007-CA-006526
RKT Constructors, Inc. v. Del Kelley and Robi Roberts	Orange County, Florida	2007-CA-012599-0
Mirabilis Ventures, Inc. v. Stratis Authority, Inc., et al.	Orange County, Florida	07-ca-13826 (37)
Mirabilis Ventures, Inc. v. Premier Servicing, LLC and Robert Konicki	Orange County, Florida	07-ca-33197 (34)
Mirabilis Ventures, Inc. v. Robert Lowder, et al.	Orange County, Florida	2006-CA-005742-0
Kenneth Hendricks, et al. v. Mirabilis Ventures, Inc., et al. (Counterclaim)	U.S.D.C., M.D.FI.	8:07-cv-661-T17EAJ

Style of case	Location	Case No.
Kenneth Hendricks, et al. v. Mirabilis Ventures, Inc., et al. (Counterclaim)	Hillsborough County, Florida	DC-07-014201J
Berman, Kean & Riguera, P.A. v. Mirabilis Ventures, Inc., et al. (Counterclaim)	Broward County, Florida	07-024968 (21)
Anthony T. Sullivan v. AQMI Strategy (Counterclaim)	Orange County, Florida	07-CA-0015981-0
Paysource, Inc. And Robert Sacco v. Mirabilis Ventures, Amodeo, et al. (Counterclaim)	U.S.D.C., S.D. Ohio	3:07cv0129
Prime Acquisition Group, LLC v. Ionic Services, Inc., et al. (Counterclaim)	Palm Beach County, Florida	502007CA02242
Michael Mapes, et al. v. Wellington Capital Group, Inc.	U.S.D.C., D. Neb.	8:07cv77
Briarcliff Village, LLC v. Mirabilis Ventures, Inc.	Clay County, Missouri	07CY-CV09414
William Gregory v. Floyd Road v. Mirabilis Ventures, Inc. (Counterclaim)	Hillsborough County, Florida	07-CA-010780
Coastal Equity Partners, LLC v. Pacific Atlantic Capital Corp., et al. (Counterclaim)	Henrico County, Virginia	CL07-1960
Liberty Property Limited Partnership v. Mirabilis Ventures, Inc., et al. (Counterclaim, settled)	Duval County, Florida	162007CA003642
Tranmere Rovers Football Club v. Mirabilis Ventures, Inc. (Counterclaim, settled)	Liverpool, England	7LV30022

Style of case	Location	Case No.
Mark Lang v. Mirabilis Ventures, Inc. (Counterclaim, settled)	Orange County, Florida	48-2007-CA-002929-0
David Chaviers, Norman Chaviers, Kellie Ledbetter and Tom Hancock v. Mirabilis Ventures, Inc. And Frank Amodeo, et al. (Counterclaim, settled)	U.S.D.C., N.D. Ala.	CV-07-0442-clc
Carlton Fields v. Mirabilis Ventures, Inc. (Counterclaim, settled)	Hillsborough County, Florida	07-CC-038145
Brevard County v. RKT Constructors, Inc. (Counterclaim, settled)	Brevard County, Florida	05-2007-CA-12251
Bellsouth v. RKT Constructors, Inc., et al. (Counterclaim, settled)	Orange County, Florida	05-2007-CA-9660-0
Dutko Global Advisors LLC v. AQMI Strategy Corporation (Counterclaim, settled)	Orange County, Florida	48-2007-CA-018164-0
Capital Office Products of Volusia County, Inc., v. Mirabilis Ventures, Inc. (Counterclaim, settled)	Volusia County, Florida	2007-34950 COCI
CDW Corporation, Inc. v. Information Systems, Inc. (Counterclaim, settled)	Cook County, Illinois	2007-L-002446
RKT Constructors, Inc. v. Florida Department of Transportation (Settled)	Broward County, Florida	05-2003-CA-047397
RKT Constructors, Inc. v. Florida Department of Transportation (Settled)	Broward County, Florida	05-2006-CA-060518

Style of case	Location	Case No.
Providence Property & Casualty Insurance Co, et al. v. Paradyme, Inc., d/b/a Presidion Solutions VI (settled)	U.S.D.C., E.D. Tx.	4:07-CV-202
Presidion Corporation v. Arrow Creek, Inc., et al.	Palm Beach County, Florida	502006CA001417xxxxMB

- g. Any and all property of the following bankruptcy estates, including funds which now constitute or have constituted funds of the estate:

Style of case	Location	Case No.
In Re: Winpar Hospitality Chattanooga, LLC.	U. S. Bankruptcy Court, E.D. Tenn.	07-11908
Sam Hopkins, Trustee v. Todd Pattison and Mirabilis Ventures, Inc.	U. S. Bankruptcy Court, D. Idaho	08-08005-JDP
In Re: Mirabilis Ventures, Inc.	U. S. Bankruptcy Court, M.D. Fl.	6:08-bk-04327-KSJ
In Re: Hoth Holdings, LLC	U. S. Bankruptcy Court, M.D. Fl.	6:08-bk-04328-KSJ
In Re: AEM, Inc.	U. S. Bankruptcy Court, M.D. Fl.	6:08-bk-04681
In Re: North American Communications	U. S. Bankruptcy Court, D. Utah	2:07-bk-24900

Being fully advised in the premises, the Court finds:

WHEREAS, by virtue of the plea agreement, the United States is now entitled to possession of the above-listed assets pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure;

It is hereby ORDERED, ADJUDGED and DECREED:

1. That all right, title and interest of defendant, Frank L. Amodeo, in the above-listed assets is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. That, following the entry of an order of forfeiture, the United States is authorized to seize the specific property subject to forfeiture. The United States also shall publish notice of the order and of its intent to dispose of the forfeited asset in such a manner as the Secretary of the Treasury may direct. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the above-described assets, that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

3. That any person, other than Frank L. Amodeo, who has or claims any right, title or interest in the above-described assets must file a petition with this Court for a hearing to adjudicate the validity of his alleged interest in the forfeited asset. The petition should be mailed to the Clerk of the United States District Court, Orlando Division, 401 W. Central Blvd., Suite 1200, Orlando, Florida 32801-0120, within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

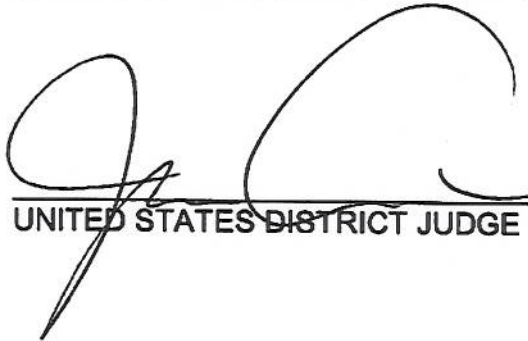
4. The petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited asset, the time and circumstances of the petitioner's acquisition of the right,

title or interest in the forfeited asset, and any additional facts surrounding the petitioner's claim and the relief sought.

5. After receipt of the petition by the Court, the Court will set a hearing to determine the validity of the petitioner's alleged interest in the forfeited asset.

6. That upon adjudication of all third-party interests in the above-described assets, this Court will enter a Final Judgment of Forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), in which all interests will be addressed.

DONE and ORDERED this 2nd day of October, 2008, in Orlando, Florida.



UNITED STATES DISTRICT JUDGE