

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

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MICHAEL S. MARINO, ESQ.)
Plaintiff,)
)
v.)
)
THE UNITED STATES OF AMERICA,)
COMMONWEALTH OF MASSACHUSETTS,)
BY MARK E. NUNNELLY, COMMISSIONER)
OF THE DEPARTMENT OF REVENUE,)
STANZLER LEVINE, LLC,)
STEVEN J. CARREIRO,)
VIA RESTAURANTS, LLC,)
GRETORY DEN HERDER,)
Defendants.)
)
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Case No. 16-11031

ORDER TO WITHDRAW FUNDS AND DISBURSE
(Interest Bearing Account)

Interpleader funds were previously deposited with the Court pursuant to the Court’s Order (#40) of September 23, 2016. These funds were deposited into the interest-bearing Court Registry Investment System (“CRIS”) administered by the Administrative Office of the United States Courts pursuant to 28 U.S.C. § 2045.

In accordance with the Agreement for Judgment (#44), entered October 14, 2016 which was Approved and Ordered (# 45) on November 10, 2016, the funds previously deposited with the Clerk of Court shall be withdrawn and disbursed as follows:

1. Investment Services Fee and Registry Fee Assessment:

Pursuant to General Order 16-03, an investment services fee for the management of investments in the CRIS and the registry fee for the maintenance of accounts deposited with the Court have been previously deducted from the interest earned on the funds deposited with the Court.

2. Payments: The remaining funds shall be disbursed as follows:

- a) To Stanzler Levine, LLC, 45 School Street, 2nd Floor, Boston, MA 02108 in the amount of \$112,323.40 (Tax Id. No. 04-2517235);
- b) To the United States of America, c/o Edward J. Murphy, Esq., U.S. Department of Justice, Tax Division, P.O. Box 55, Washington, DC 20044 in the amount of \$165,985.10 (Tax Id. No. 53-0205705);
- c) To Gelerman and Cabral LLC as attorneys for Steven J. Carreiro, c/o Michael B. Cabral, Esq., Gelerman and Cabral, LLC, 6 Beacon Street, Suite 1115, Boston, MA 02108 in the amount of \$28,000.00 (Tax Id. No. 45-4038971);
- d) If the interpleader fund has grown since the time of deposit due to interest accruals or otherwise, then any additional funds shall be distributed among the three recipient parties in the same ratio as the distributions set forth in the preceding paragraphs.

The Clerk of Court, through the Financial Administrator, has pre-approved the form of this order pursuant to LR 67.3.

The Clerk of Court is absolved of any liability by compliance with this Order.

It shall be counsel's responsibility to confirm that any action required of the Clerk of Court or her designee by this Order has been performed.

IT IS SO ORDERED.

DATED this 22nd day of November, 2016.



Nathaniel M. Gorton
United States District Judge

For Court Use Only

APPROVED AS TO FORM:

Robert M. Farrell, Clerk of Court

By: Financial Administrator