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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$175,000 IN UNITED STATES CURRENCY

Defendant *in rem*.

Hon. Katharine S. Hayden

Civil Action No. 12-205 (KSH)

**DEFAULT JUDGMENT AND
FINAL ORDER OF FORFEITURE**

WHEREAS, on January 11, 2012, a Verified Complaint for Forfeiture was filed in the United States District Court for the District of New Jersey against \$175,000 in United States currency (the "Defendant Property") to enforce the provisions of 18 U.S.C. § 981(a)(1)(C), which subjects to forfeiture to the United States all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 15 U.S.C. § 78ff(a); and

WHEREAS, pursuant to the Warrant for Arrest In Rem issued by the Clerk of the Court on January 13, 2012, the Federal Bureau of Investigation seized the Defendant Property; and

WHEREAS, on or about January 25, 2012, the Verified Complaint for Forfeiture, Warrant for Arrest In Rem, and a Notice of Forfeiture were sent

certified mail, return receipt requested to Frances John Murray, Esq., Murray & McCann, 100 Merrick Road, Suite 514 West, Rockville Center, New York 11570, counsel for Kenneth Robinson (See Declaration of Lakshmi Srinivasan Herman with Exhibits, Exhibit A, hereinafter "Herman Decl." filed herein); and

WHEREAS, on or about January 28, 2012, copies of the Verified Complaint for Forfeiture, Warrant for Arrest In Rem, and Notice of Forfeiture were received by Frances John Murray, Esq., Murray & McCann, 100 Merrick Road, Suite 514 West, Rockville Center, New York 11570, counsel for Kenneth Robinson (*Id.*); and

WHEREAS, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, Notice of Civil Forfeiture was posted on an official internet government forfeiture website, namely www.forfeiture.gov for at least 30 consecutive days, beginning on January 20, 2012, notifying all third parties of their right to file a claim with the Court within 60 days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property (Herman Decl., Exhibit B); and

WHEREAS, in order to avoid forfeiture of the Defendant Property, any person claiming an interest in, or right against, the Defendant Property must file a conforming Claim under penalty of perjury identifying the specific property claimed, identifying the claimant and stating the claimant's interest in the property in the manner set forth in Rule G(5)(a) of the Supplemental Rules

for Admiralty or Maritime and Asset Forfeiture Actions, Federal Rules of Civil Procedure and 18 U.S.C. § 983(a)(4)(A), except that in no event may such Claim be filed by those known to be reasonably interested later than February 29, 2012, or, as applicable, no later than 30 days after the final publication of notice of the filing of the complaint or no later than 60 days after the first day of publication on an official government internet web site, namely www.forfeiture.gov; and

WHEREAS, no Claim has been filed within the time required by Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, and 18 U.S.C. § 983(a)(4)(A) for the Defendant Property by any potential claimant in this matter.

NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND DECREED:

1. That a Default Judgment and a Final Order of Forfeiture is granted against the Defendant Property, namely \$175,000 in United States currency, and no right, title or interest in the Defendant Property shall exist in any other party; and

2. That any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, after the payment of costs and expenses incurred in connection with the forfeiture and disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service

into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this 16th day of APRIL, 2012



HONORABLE KATHARINE S. HAYDEN
UNITED STATES DISTRICT JUDGE