

2013V01748/ja

**PAUL J. FISHMAN**  
United States Attorney  
By: **PETER W. GAETA**  
Assistant United States Attorney  
970 Broad Street, Suite 700  
Newark, New Jersey 07102  
Tel: 973.645.2927  
Fax: 973.297.2042  
[Peter.Gaeta@usdoj.gov](mailto:Peter.Gaeta@usdoj.gov)

RECEIVED

NOV 21 2013

AT 8:30 \_\_\_\_\_ M  
WILLIAM T WALSH CLERK

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

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**- against -**

**ONE 2007 AUDI RS 4,  
VIN: WUARU98E07N904186**

**Defendant *in rem*.**

**Hon. Freda L. Wolfson, U.S.D.J.**

**Civil Action No. 13-5200**

**DEFAULT JUDGMENT AND FINAL  
ORDER OF FORFEITURE**

**WHEREAS**, on August 30, 2013, a Verified Complaint for Forfeiture *In Rem* was filed in the United States District Court for the District of New Jersey against the defendant property, namely one 2007 Audi RS 4, VIN: WUARU98E07N904186, to enforce the provisions of Title 21, United States Code, Section 881(a)(4), which subjects to forfeiture to the United States all conveyances, including aircraft, vehicles, or vessels, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of a controlled dangerous substance in violation of Title 21, United States Code,

Section 801, *et seq.*, and/or Title 21, United States Code, Section 881(a)(6), which subjects to forfeiture all moneys, negotiable instruments, securities, and other things of value furnished or intended to be furnished in exchange for a controlled substance in violation of Title 21, United States Code, Section 801, *et seq.*, and all proceeds traceable to such an exchange; and

**WHEREAS**, pursuant to the Warrant for Arrest *In Rem* issued by the Clerk of the Court on August 30, 2013, the United States Marshal Service seized the defendant property; and

**WHEREAS**, on September 17, 2013, the United States sent the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and a Notice of Forfeiture by certified mail, return receipt requested to potential claimant Jeremy Zahn, c/o his attorney Mr. Stephen L. Willis, Esq., Willis & Gresek, 247 Main Street, Toms River, New Jersey 08753 (see Declaration of Peter W. Gaeta in Support of a Default Judgment and Final Order of Forfeiture, hereinafter "Gaeta Dec.," Exhibit A); and

**WHEREAS**, on September 19, 2013, the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and Notice of Forfeiture were received by potential claimant Jeremy Zahn, c/o his attorney Mr. Stephen L. Willis, Esq., Willis & Gresek, 247 Main Street, Toms River, New Jersey 08753 (*id*); and

**WHEREAS**, Notice of Civil Forfeiture was posted on an official government internet website ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on

September 4, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (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 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) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Federal Rules of Civil Procedure and 18 U.S.C. § 983(a)(4)(A), except that in no event may such Claim be filed later than 60 days after the first day of publication on the above-referenced official government internet website, and having filed such a Claim, must also file an answer to the complaint not later than 20 days after the filing of the Claim.

**WHEREAS**, no Claim has been filed by any person within the time permitted by Rule G(5) of the Supplemental Rules for Certain Admiralty or Maritime and Asset Forfeiture Claims, Federal Rules of Civil Procedure for the defendant property in this matter.

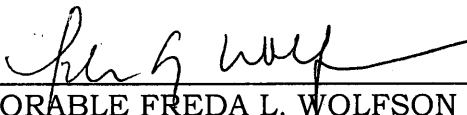
**NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND  
DECREED:**

**THAT** a Default Judgment and a Final Order of Forfeiture is granted against the defendant property, namely one 2007 Audi RS 4, VIN:

WUARU98E07N904186, and no right, title or interest in the defendant property shall exist in any other party; and

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

**ORDERED** this 20<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
HONORABLE FREDA L. WOLFSON  
UNITED STATES DISTRICT JUDGE