

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- against -

**MEMORANDUM & ORDER**

14 CV 2693 (RJD) (RR)

THE REAL PROPERTY AND PREMISES  
LOCATED AT 2840 SOUTH OCEAN  
BOULEVARD, APARTMENT NO. 209  
AND PARKING SPACE NO. 166,  
PALM BEACH, FLORIDA 33480,

Defendant in rem.

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UNITED STATES OF AMERICA,

Plaintiff,

- against -

15 CV 4371 (RJD) (VP)

APPROXIMATELY 50,000 SHARES OF  
SERIES B PREFERRED STOCK OF  
PROBALANCE, INC. REFLECTED BY  
STOCK CERTIFICATE NO. 5 ISSUED BY  
PROBALANCE INC ON OR ABOUT  
JANUARY 15, 2014, AND ALL PROCEEDS  
TRACEABLE THERETO,

Defendant in rem.

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DEARIE, District Judge

By email dated April 3, 2016, claimant Doris Yembe advised the Court that she was hiring counsel in the above captioned cases, but no appearance of counsel has been filed. With respect to United States v. The Real Property and Premises Located at 2840 South Ocean


Boulevard, 14-CV-2693, the government's motion to strike is denied and Ms. Yembe's motion to dismiss is denied. Ms. Yembe is directed to file an answer within 30 days of this order. With respect to United States v. Approximately 50,000 Shares of Series B Preferred Stock of Probalance, 15-CV-4371, Ms. Yembe is directed to file an answer or a Rule 12 motion within 21 days of this order.

Ms. Yembe is reminded that if she intends to pursue her claim in either or both of these actions, she must participate without delay and is encouraged to promptly retain counsel to represent her interests.

SO ORDERED.

Dated: Brooklyn, New York  
May 9, 2016

s/ RJD

  
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RAYMOND J. DEARIE  
United States District Judge