

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

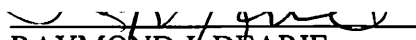
By email dated September 13, 2016, claimant in the captioned cases requests “a hearing on November 11, 2016 between 3pm and 4pm in order to address the retained counsel matter and further proceed with the case.” A review of the Court’s docket in both cases fails to reveal an

appearance by counsel in either matter, and claimant is reminded that these cases must and will proceed regardless of whether promised counsel eventually appears. The cases and Ms. Yembe's purported claims have lingered too long, and it is the Court's intention to set both matters down for hearing and final disposition before the end of the calendar year. Unfortunately, Ms. Yembe requests a conference date for November 11, 2016. Presumably, Ms. Yembe is unaware that Veterans Day, a federal holiday, falls on November 11. The conference is scheduled for November 10, 2016 at 2:00 P.M. In an effort to accommodate the claimant, the Court offers an alternate date, November 14, 2016 at 2:00 P.M. Absent a response from Ms. Yembe, and a further order of this Court, proceedings will be held on November 10, 2016 at 2:00 P.M.

SO ORDERED.

Dated: Brooklyn, New York
September 30, 2016

(s/ RJD


RAYMOND J. DEARIE
United States District Judge