

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>1/15/2014</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

ROSS WILLIAM ULBRICHT,
a/k/a "Dread Pirate Roberts,"
a/k/a "DPR,"
a/k/a "Silk Road,"

Defendant,

ANY AND ALL ASSETS OF SILK ROAD, INCLUDING
BUT NOT LIMITED TO THE SILK ROAD HIDDEN
WEBSITE AND ANY AND ALL BITCOINS CONTAINED
IN WALLET FILES RESIDING ON SILK ROAD
SERVERS, INCLUDING THE SERVERS ASSIGNED
THE FOLLOWING INTERNET PROTOCOL
ADDRESSES: 46.183.219.244;
109.163.234.40; 193.107.86.34;
193.107.86.49; 207.106.6.25; AND
207.106.6.32;

And all property traceable thereto,

Defendants-in-rem.

PARTIAL JUDGMENT BY
DEFAULT AND ORDER
OF FORFEITURE

No. 13 Civ. 6919 (JPO)

ECF Case

WHEREAS, on September 30, 2013, the United States commenced a civil action for the forfeiture of the above-referenced Any and All Assets of Silk Road, Including but not Limited to the Silk Road Hidden Website (the "Silk Road Hidden Website") and Any and All Bitcoins Contained in Wallet Files Residing on Silk Road Servers, Including the Servers Assigned the Following Internet

Protocol Addresses: 46.183.219.244; 109.163.234.40; 193.107.86.34; 193.107.86.49; 207.106.6.25; And 207.106.6.32, (the "Silk Road Server Bitcoins"); and all property traceable thereto (the "Traceable Property") (collectively, the "Defendants in Rem") by the filing of a Verified Complaint;

WHEREAS, the Traceable Property includes but is not limited to any and all bitcoins contained in wallet files residing on certain computer hardware belonging to Ross William Ulbricht ("Ulbricht"), that were seized on or about October 24, 2013 by the United States pursuant to a Court-ordered protective order (the "Computer Hardware Bitcoins");

WHEREAS, on or about November 8, 2013 a notice letter and copy of the Verified Complaint were sent by Federal Express to the following as counsel for Ross William Ulbricht:

Joshua Dratel, Esq.
Law Offices of Joshua L. Dratel P.C.
29 Broadway, Suite 1412
New York, NY 10006

WHEREAS, Ulbricht is the only individual known by the Government to have a potential interest in the Defendants in Rem;

WHEREAS, on or about December 12, 2013, Ulbricht filed a timely verified claim in this proceeding, asserting an ownership interest in the Computer Hardware Bitcoins;

WHEREAS, notice of the Verified Complaint against the Silk Road Hidden Website and the Silk Road Server Bitcoins was posted on the official government internet site, www.forfeiture.gov, for at least 30 consecutive days, beginning on October 18, 2013, and proof of such publication was filed with the Clerk of this Court on January 2, 2014;

WHEREAS, no claims or answers have been filed or made in this judicial forfeiture action as to Silk Road Hidden Website and the Silk Road Server Bitcoins, and the requisite time periods in which to do so, as set forth in 18 U.S.C. § 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Preet Bharara, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Christine I. Magdo, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Silk Road Hidden Website and the Silk Road Server Bitcoins.

2. The Silk Road Hidden Website and the Silk Road Server Bitcoins shall be, and the same hereby are, forfeited to the plaintiff United States of America.

3. The United States Marshals Service shall dispose of the Silk Road Hidden Website and the Silk Road Server Bitcoins according to law.

4. This action shall remain pending with respect to Any and All Assets of Silk Road and All Property Traceable Thereto, including but not limited to the Computer Hardware Bitcoins.

SO ORDERED:

A handwritten signature in black ink, appearing to read "J. Paul Oetken", is written over a horizontal line.

J. PAUL OETKEN
United States District Judge

January 15, 2014