

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

FILED
CHARLOTTE, NC

DOCKET NO. 3:13mc138

AUG 23 2013

IN RE ALL ASSETS RELATED TO)
FABIAN SPARROW AND MARIA)
CAMILA ALEMAN ARAOZ AS)
ATTORNEY-IN-FACT FOR FABIAN)
SPARROW.)

RESTRAINING ORDER

US District Court
Western District of NC

THIS MATTER is before the Court on the Government's Application for Restraining Order and Affidavit in Support of Application for Restraining Order.

THIS COURT FINDS AS FOLLOWS: In August 2013, a Grand Jury returned a Superseding Indictment against, amongst others, Fabian Sparrow. The Indictment charged violations of 18 U.S.C. § 371(Mortgage Fraud Conspiracy), 18 U.S.C. § 1349 (Wire Fraud Conspiracy), 18 U.S.C. § 1519 (Destroying Documents in an Investigation), and 18 U.S.C. § 2 (Aiding and Abetting). The Grand Jury also found probable cause for a forfeiture money judgment in the amount of at least \$16,000,000, such amount constituting the proceeds of the violations as charged in the Superseding Indictment. In a case charging fraud conspiracy, such proceeds are subject to forfeiture under 18 U.S.C. § 982(a)(2)(A) (criminal forfeiture of proceeds of fraud affecting financial institution) and 18 U.S.C. § 981(a)(1)(C) (civil forfeiture of proceeds), as rendered applicable to this action by 28 U.S.C. § 2461, which incorporates the criminal forfeiture procedures set forth in 21 U.S.C. § 853. The Affidavit attached to the Government's Application further establishes probable cause that the assets identified in the Government's Application constitute fraud conspiracy proceeds subject to forfeiture and/or substitute property subject to forfeiture pursuant to 21 U.S.C. § 853(p). Based on the aforementioned procedural history, probable cause findings by the Grand Jury, and submissions by the Government, the Government has satisfied the requirements of 21 U.S.C. § 853(e)(1)(A) for purposes of a restraining order.

IT IS THEREFORE ORDERED THAT, pending further order of this Court, any and all individuals and entities are hereby **RESTRAINED, ENJOINED, AND PROHIBITED** from disposing of any assets or making any withdrawals or transfers of any assets held in the name of, by, on behalf of, or for the benefit of Fabian Sparrow or Maria Camila Aleman Araoz as attorney-in-fact for Fabian Sparrow.

IT IS FURTHER ORDERED THAT the United States Postal Inspection Service, United States Marshals Service, and/or other property custodian for the investigative agency is authorized to serve a copy of this Order on any and all individuals and entities believed to be in possession or control of any assets identified herein.

IT IS FURTHER ORDERED THAT any and all individuals and entities in receipt of

service of this Order shall provide the United States Postal Inspection Service, United States Marshals Service, and/or other property custodian for the investigative agency with a list of any and all assets subject to restraint herein and an estimated value of each such asset.

ORDERED this 23 day of August, 2013.



DAVID S. CAYER
UNITED STATES MAGISTRATE JUDGE