

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|-----------------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | Civil Action No. C-2-14-005 |
| | : | JUDGE FROST |
| v. | : | Magistrate Judge Kemp |
| | : | |
| ONE HUNDRED EIGHTY-SIX THOUSAND | : | |
| AND 00/100 DOLLARS (\$186,000.00) | : | |
| IN UNITED STATES CURRENCY, Et al. | : | |
| | : | |
| Defendants. | : | |

CONSENT JUDGMENT OF FORFEITURE

On January 3, 2014, the United States filed its Verified Complaint for Forfeiture (Doc. 1) seeking the forfeiture of the following defendant currency: One Hundred Eighty-Six Thousand and 00/100 Dollars (\$186,000.00) in United States Currency and Five Hundred Thousand and 00/100 Dollars (\$500,000.00) in United States Currency pursuant to 31 U.S.C. §5317(c) as property involved in or traceable to violations of 31 U.S.C. §5324(a)(3).

On February 14, 2014, James P. Terracina filed a Verified Claim (Doc. 6) asserting an interest in the defendant currency. On February 21, 2014 Deborah A. Terracina filed a Verified Statement of Interest / Claim (Doc. 10) asserting an interest in the defendant currency. On March 7, 2014, James P. Terrancina filed an Answer

(Doc. 15).

On August 28, 2014, James P. Terracina entered a plea of guilty to count one of an Information filed in United States District Court for the Southern District of Ohio, Eastern Division (Case No. 2:14-cr-00172), charging him with structuring cash transactions to evade domestic financial reporting requirements, in violation of Title 31, United States Code, Section 5324(a)(3), pursuant to an agreement (The "Plea Agreement") with the Office of the United States Attorney for the Southern District of Ohio.

The Plea Agreement provides that if the Court refuses to accept any binding provision of the Plea Agreement, neither party is bound by any of its provisions; thereafter, James P. Terracina may withdraw his guilty plea, and the United States Attorney for the Southern District of Ohio may seek to dismiss the Information with out prejudice and may seek identical and/or additional charges.

The parties stipulate and agree to a Consent Judgment of Forfeiture in the above-entitled action upon the terms indicated below.

That Claimants James P. Terracina and Deborah A. Terracina agree that One Hundred Eighty-Six Thousand and 00/100 Dollars (\$186,000.00) in United States Currency shall be forfeited to the United States and all right, title, and interest shall vest in the United States of America upon the signing of this Consent Judgment

of Forfeiture.

That the Parties agree that the remaining Five Hundred Thousand and 00/100 Dollars (\$500,000.00) in United States Currency shall be placed in an irrevocable trust for the sole benefit of Andrew Terracina. The trust is to be administered by a mutually agreed upon independent third party with terms mutually agreed upon by the Parties. The trust is to be created no later than thirty (30) days from the date of this Order.

That the remaining \$500,000.00 shall remain in the custody and control of the United States until creation of the trust at which time the \$500,000.00 shall be released to the administrator for said trust.

NOW, therefore, the United States and Claimants hereby agree and consent to entry of a judgment, without further notice to the Claimants, without contest and without testimony, as follows:

1. Judgment shall be entered forfeiting \$186,000.00 in United States Currency to the United States of America, pursuant to the provisions of 31 U.S.C. §5317(c)(2).

2. The remaining \$500,000.00 shall be placed in a trust to be established for the benefit of Andrew Terracina as described above.

3. The claims of James P. Terracina and Deborah A. Terracina to the defendant currency (\$186,000.00 and \$500,000.00) are

extinguished in their entirety.

4. The costs of this action shall be borne by the respective parties.


5. The terms in this Consent Judgment of Forfeiture are contingent upon the Court's approval and the acceptance of the binding provisions of the Plea Agreement in Case No. 2:14-cr-00172. Violation of any terms or conditions herein by the Claimants makes this Agreement voidable at the request of the United States and may also be construed as a violation of an Order of this Court.

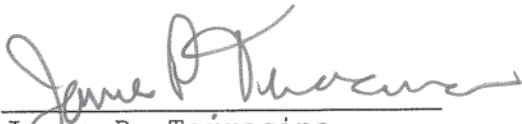
6. This Court retains jurisdiction to resolve any disputes with regard to the terms and/or conditions of the trust created for the benefit of Andrew Terracina.

DATED this 25th day of September, 2014, by counsel for the Plaintiff, United States of America.

Respectfully submitted,

CARTER M. STEWART
United States Attorney


DEBORAH F. SANDERS (0043575)
Assistant United States Attorney
Attorney for Plaintiff
303 Marconi Boulevard, 2nd Floor
Columbus, Ohio 43215
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Deborah.Sanders@usdoj.gov



James P. Terracina
Claimant

Dated: 9-18-2014

Deborah A. Terracina
Claimant

Dated: _____

*** SIGNATURES CONTINUED ON PAGE 5 ***


James P. Terracina
Claimant

Dated: _____

Deborah A. Terracina
Deborah A. Terracina
Claimant

Dated: 9/15/14

*** SIGNATURES CONTINUED ON PAGE 5 ***


Robert J. Onda (0024548)
266 N. Fourth Street
Suite 100
Columbus, Ohio 43215
614-716-0500
Counsel for Claimant
James P. Terracina

Dated: 9/16/14

Philip W. Gerth (0069475)
5340 East Main Street
Suite 208
Columbus, Ohio 43213
614-856-9399
Counsel for Claimant
Deborah A. Terracina

Dated: _____


COURT APPROVAL

This Consent Judgment of Forfeiture is approved by this Court
this ____ day of _____, 2014.

HONORABLE GREGORY L. FROST
UNITED STATES DISTRICT COURT JUDGE

Robert J. Onda (0024548)
266 N. Fourth Street
Suite 100
Columbus, Ohio 43215
614-716-0500
Counsel for Claimant
James P. Terracina

Dated: _____


Philip W. Gerth (0069475)
5340 East Main Street
Suite 208
Columbus, Ohio 43213
614-856-9399
Counsel for Claimant
Deborah A. Terracina

Dated: 9.23-14

COURT APPROVAL

This Consent Judgment of Forfeiture is approved by this Court
this 26 day of September, 2014.

/s/ Gregory L. Frost

HONORABLE GREGORY L. FROST
UNITED STATES DISTRICT COURT JUDGE