

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 07-046 (GK)</b>
	:	
v.	:	<b>UNDER SEAL</b>
	:	
<b>DEBORAH JEANE PALFREY</b>	:	
<i>aka</i> "Jeane Palfrey,"	:	
<i>aka</i> "Julia,"	:	
<i>aka</i> "Pamela Martin,"	:	
	:	
<b>Defendant.</b>	:	
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**GOVERNMENT’S EX-PARTE APPLICATION FOR TEMPORARY  
RESTRAINING ORDERS, AND A PROTECTIVE ORDER,  
AND REQUEST FOR A HEARING**

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully requests that this Court issue, pursuant to 18 U.S.C. § 1514(a), a temporary restraining order and, after notice and a hearing under 18 U.S.C. § 1514(b)(1), a *Protective Order*, temporarily restraining defendant Deborah Jeane Palfrey, as well as her agents and attorneys, from proceeding in a civil action entitled Palfrey v. Neble, Civil Action No. 1:07-cv-0461 (GK), pending in the United States District Court for the District of Columbia, and from engaging in any other similar acts or actions against potential Government witnesses, or agents and investigators involved in this prosecution. The actions of Palfrey and attributable to the attorney representing her in her civil proceedings constitute witness intimidation and harassment. A Protective Order is necessary to protect the integrity of the ongoing criminal proceeding and to prevent the serious and ongoing harassment of witnesses who may have provided information to law enforcement officers or testified as part of the Grand Jury’s investigation into the defendant’s criminal activities, as well as to protect against harassment of witnesses who may testify at the

defendant's upcoming criminal trial.

In addition, the United States makes application to this Court, pursuant to 18 U.S.C. §§ 1963(d)(1) and 982(b)(1) and 21 U.S.C. § 853(e)(1)(A), for a *Restraining Order* to preserve the availability of certain property that is subject to forfeiture in the above-styled criminal action (during the pendency of that action). Pursuant to 18 U.S.C. §§ 1963(d)(1) and 982(b)(1) and 21 U.S.C. § 853(e)(1), this Court is authorized to enter a restraining order or injunction, require the execution of satisfactory performance bond, or take any other action to preserve the availability of property subject to forfeiture.

#### **FACTS SUPPORTING APPLICATION FOR A PROTECTIVE ORDER**

In further support of its Application for a *Protective Order* to prevent intimidation and harassment of witnesses, the United States says as follows

1. Defendant Palfrey has been aware, for some time, that the Government has been investigating her and her operation of Pamela Martin and Associates, an interstate prostitution business operated under the guise of an escort service. In October 2006, others also became aware of the investigation after law enforcement officers executed search warrants and seizure warrants, and at the same time, instituted civil forfeiture proceedings against some of the property Ms. Palfrey illegally acquired.

During the pendency of the civil forfeiture proceedings, and while Ms. Palfrey was aware that a Grand Jury was investigating her criminal activities, Ms. Palfrey sent an email to counsel for the Government in the forfeiture proceeding. Ms. Palfrey indicated, in her email:

. . . I simply cannot emphasize to you the terrible and quite unnecessary ramifications this case (civil and/or criminal) will set off, if permitted to advance for both sides. The press will have a

field day at each of our expense. Despite my aforementioned disclaimer not to comment upon my case, let me say this. The attached item rings more true than false when juxtaposed to my situation. . . . I am ferocious fighter when need be. Knowing my intense makeup as I do, far more than even my attorneys comprehend at this juncture and my belief in the solidness of my case, I can state with unequivocal certainty this situation will be a very long and unpleasant one; this despite, the sickening and humiliating additional lambasting I expect to receive in the media. Please reflect soberly upon my various thoughts, here. This is all I ask. -Sincerely, Jeane Palfrey" (Emphasis in original).

2.

3.

4. Thereafter, Mr. Sibley filed an unsupported motion in the civil forfeiture case seeking to have this Court restrain the Department of Justice from conducting a criminal investigation. Mr. Sibley next threatened to write the Attorney General to ask that a Special Prosecutor be appointed to investigate his client's activities, rather than prosecutors working in the United States Attorney's Office (prosecutors who, Mr. Sibley had confirmed, were in no way

conflicted).

5. Within days of

, a federal grand jury for this District returned a multi-count Indictment charging defendant Palfrey with a number of felony offenses, including violations of 18 U.S.C. § 1962(c) (Racketeer Influenced and Corrupt Organizations (RICO)); 18 U.S.C. § 1952(a)(3) (Travel in Interstate Commerce in Aid of Racketeering Enterprises); and 18 U.S.C. § 1952(h) (Conspiracy to Commit Money Laundering). The Indictment also included two criminal forfeiture allegations, invoking 18 U.S.C. §§ 982(a)(1) & 1963.

6. This criminal case was calendared as Criminal Number 07-0046 (GK), assigned to this Court, and set for arraignment for March 9, 2007.

7. After the Indictment was returned, Government counsel sent Mr. Sibley a copy of Ms. Palfrey's Indictment, and a letter dated March 5, 2007. In the Government's letter to Mr. Sibley, this Office reminded Mr. Sibley that the Indictment provided additional notice to him that the Government was seeking forfeiture of all property interests Ms. Palfrey acquired through her operation of the unlawful enterprise articulated in the Indictment, and all assets traceable thereto. This forfeiture would, obviously, include any proceeds traceable to any sale of Palfrey's customer (or client) list. In other words, we explained, there was no legal basis for Mr. Sibley (or any other attorney) to accept as fees any funds that might be generated from the post-indictment sale of such a business asset. Thus, while the uninformed might believe Mr. Sibley's recent insinuation – that the procuring of legal fees was the purpose behind his threat to sell Palfrey's customer list – the Government, and the case law, recognized his legal fees posturing to be

entirely unfounded.

8. When the Court set the time for defendant's arraignment, the Government requested the Court also to schedule a status hearing in the related Civil Forfeiture case for that same day. Prior to making its request, the Government sought and obtained consent from claimant's counsel for the requested status hearing.

9. On March 9, 2007, the Court first proceeded with defendant Palfrey's arraignment on her criminal charges. After the Court arraigned defendant Palfrey on the criminal charges, the Court turned to the issues still pending in the Civil forfeiture case.

10. The Government raised two concerns. We asked the Court to remind claimant's counsel that the local rules prohibit his filing of discovery. We made this suggestion because the attorney representing Palfrey in the civil forfeiture proceeding, consistent with his prior representations, appeared to be using civil discovery submissions to cast dispersions, publicly, on individuals who may (or may not) have used the escort service. We also suggested that, as the Indictment had now issued, it would be a good time to decide whether the civil case should go forward or be stayed.

11. We had asked that the civil case be heard on the same day that Palfrey's criminal attorney was scheduled to appear because we wanted the Court to be able to make inquiry of both counsel as to their position on a stay before deciding the propriety of the stay. We were aware that Palfrey's criminal attorney had expressed concern about Ms. Palfrey submitting herself to civil discovery.

12. With regard to the stay of the civil case, the Court recognized at the March 9, 2007 hearing that ongoing civil discovery would interfere with the pending criminal prosecution.

The Court also recognized that defendant Palfrey's fifth amendment rights would certainly be tested should she be required to face civil discovery. Neither her criminal attorney, who was present in the courtroom at the time, nor her civil attorney, voiced objection when the Court indicated that it was probable that claimant's criminal counsel would in fact object to her being compelled to testify under oath as part of civil discovery with criminal charges pending.

13. On March 9, 2007, the Court ordered that the civil forfeiture case be stayed for six months.

14. On the same day that this Court stayed the civil forfeiture case, the attorney representing claimant in the civil forfeiture case filed another civil lawsuit, purportedly against Palfrey's former employees. See Palfrey v. Neble, Civil Action No. 1:07-cv-0461 (GK) In the lawsuit, which Mr. Sibley apparently authored, Palfrey maintains that she should be entitled to damages payments from her former employees because she now faces criminal charges as a result of these others' violations of contracts they had with her. But Ms. Palfrey is not charged with others' criminal misconduct, only with hers.

15. The most recent lawsuit Mr. Sibley has filed in this Court appears to be consistent with tactics he has used before. In this Court, for example, Mr. Sibley appeared as counsel of record in at least two other matters involving Palfrey: (1) in a case filed against two financial institutions that she asserts, somehow violated wiretap laws by providing records to the investigators; and (2) in a case filed against one of the case agents who investigated Palfrey's crimes.

16. In Florida, Mr. Sibley has even more history of filing vexation litigation in an apparent effort to intimidate witnesses to, or investigators of, his clients' criminal activity. He

appeared as counsel in a lawsuit captioned Flu Fighter Corp. v. Ceba-Tek, Inc., Barton A. Bellamy, and Southern Tape & Label, Inc., Case No. 2006CA000305XXXXMB (15<sup>th</sup> Circ. Fla.) filed against witnesses to criminal fraud investigation involving, Arthur Vanmoor (also known as “Big Pimping Patty”). We understand that case was subsequently dismissed. Mr. Sibley also appeared on Mr. Vanmoor’s behalf in a lawsuit he brought against investigators and prosecutors involved in the forfeiture of Mr. Vanmoor’s criminal proceeds. After the Court dismissed the charges against each individually-named defendant, Mr. Sibley sought to file another complaint, to add another theory. See Vanmoor v. Aycock et al., Case No. 1:06-cv-20446 (S.D. Fla.). Mr. Sibley also appeared in a Florida lawsuit against men who allegedly used the escort service Vanmoor operated. In that case, as in the case Mr. Sibley most recently filed in the District of Columbia, Mr. Sibley asserted that individuals who engaged in sexual activity for money breached contracts they had with Vanmoor not to break the law. It appears, from the docket, that the only claim still alive in that Florida case is a counterclaim that one of the defendant’s filed against Mr. Sibley’s client, Arthur Vanmoor. See Vanmoor v. King et al., Case No. 0:06-cv-60115. The United States District Court for the Southern District of Florida does not appear to have sanctioned Mr. Sibley for misconduct, but the Florida Supreme Court apparently has. See Exhibit A.

17. Meanwhile, Mr. Sibley has persisted in his threat to disclose the identifies of possible witnesses to Palfrey’s prostitution business. For example, it has been reported on radio station WTOP (and its website) that Mr. Sibley wrote, in an email to a reporter, that Ms. Palfrey stated to him:

I take no pleasure in being forced to reveal the identities of the

clients and women of the service. I want to make it very clear that for the full operational history of my business Pamela Martin and Associates, I NEVER once disclosed any client information whatsoever, to a third party (with the exception of Dick Morris, who voluntarily "outed" himself, on numerous occasions on national television, in 1996). I respected each and every client's confidentiality and demanded the women in my employ do the same. In addition, upon my short-lived retirement of two months (early August to early October of last year) I continued my policy of discretion and most notably have remained silent the past five months during the civil proceedings hoping a reasonable resolution could be reached with the government. It was only when it became apparent to me that the government was intent upon indicting me on very serious charges did I begin to contemplate the idea of raising necessary monies for legal fees and living expenses via the phone records. Regardless, the records needed and need to be mined for potential defense witnesses, in the criminal and civil cases currently pending against me. Therefore, I have decided to hand over all phone records, logs and invoices (including those presently unknown to the government) to what I believe to be one of the most reputable and respected investigative news organizations in the country, to assist me with my needs. Even though the Federal Public Defender's Office can and will also investigate the phone records for potential defense witnesses, I take a certain comfort level knowing I will have not one, but two teams of investigators at work here. Furthermore, I fully comprehend the unique position I am in and the attention being shown my situation. Correspondingly, if information by chance is discovered during the course of the overall investigation as I prepare my defense, which will assist this country out of the shameful and immoral abyss it has fallen in recent years, then so be it.

See Exhibit B.

18. On March 13, 2007, media reports indicated that Ms. Palfrey had decided not to sell her records to the highest bidder, or to a news organization, as had been indicated, but instead to provide the list to a news organization for free.

## ARGUMENT

### **1. Protective Order**

The Victim and Witness Protection Act of 1982 allows an attorney for the Government to institute a civil action to prevent the potential intimidation or harassment of a witness. Section 1514(b)(1) of Title 18 permits a court to issue a protective order if the court finds by a preponderance of the evidence that an identified witness is being harassed. “Harassment” is defined as a course of conduct directed at a particular person that caused substantial emotional distress in such person and serves no legitimate purpose. 18 U.S.C. § 1514(c)(1).

Independently, Section 1514(b)(1) also allows for such a protective order when necessary to prevent and restrain an offense under 18 U.S.C. § 1512. Section 1512, in turn, contains two relevant provisions: Section 1512(c) criminalizes corruptly obstructing or impeding any official proceeding and section 1512(d) additionally prohibits an individual from intentionally harassing another person (or attempting to do so) and thereby dissuading any person from assisting the institution of a criminal prosecution.

The statute allows for a temporary restraining order, not to exceed ten days, upon a finding by the district court that there are reasonable grounds to believe that harassment of an identified witness exists or that such an order is necessary to prevent a witness-tampering offense identified above. 18 U.S.C. § 1514(a)(1). Moreover, a temporary restraining order may be issued without notice to the adverse party if the court finds that such notice is not necessary and there is a reasonable probability of success on the merits. 18 U.S.C. § 1514(a)(2).

This statutory scheme is intended to give the Government flexibility to respond, in a measured and appropriate way, to the threat of or potential harassment of a Government witness.

The structure of the statute, with its ability to obtain an *ex parte* temporary restraining order, its lower standard of proof, its use of hearsay evidence in a hearing supporting a protective order, and its requirement that the court find merely that such an order is “necessary to prevent or restrain” future criminal conduct (e.g., obstruction of justice), is all evidence that the statute was designed as a prophylactic measure to ensure that witnesses would be able to testify absent fear of intimidation and tampering.

The facts show that Ms. Palfrey’s pursuit of the lawsuit she has filed in this Court against some witnesses to the operation of her criminal enterprise, as well as her threats to expose the identities of other potential witnesses, are for the purpose of retaliating against witnesses for possibly providing information to law enforcement officers or for testifying before the Grand Jury, and an effort to obstruct or impede the Government’s effort to prosecute Palfrey. Indeed, the facts here are remarkably similar to those the court faced in United States v. Tison, 780 F.2d 1569 (11<sup>th</sup> Cir. 1986). In that case, a witness, Bean, testified in front of a grand jury, which ultimately returned an indictment against a number of individuals, including defendant Echevarria. Echevarria’s counsel, Tison, after attempting and failing to interview witness Bean, advised Bean’s lawyer that he intended to file a slander suit against Bean for providing information to the authorities. The district court issued a temporary restraining order, and ultimately a protective order, prohibiting the defendant from filing suit against Bean for three years. The Tison court, in upholding the district court’s actions, held that the attempted filing of the lawsuit was harassment because it served no legitimate purpose. In doing so, the court looked at the ultimate purpose of the lawsuit, which was to attempt to get the witness to retract his statements against the defendant and, additionally, to discover exactly what statements the

witness made against him. The court so concluded by noting that the substance of the lawsuit was related to the government witness' grand jury testimony, that the suit was filed only after the defendant tried and failed to obtain Bean's statements voluntarily, and lastly that the suit itself was filed after Bean refused to either deny he had made the statements to law enforcement, or refused to retract them. The court found that the restraining order provision of Section 1514 was designed precisely to avoid this type of harassment. Id. at 1573.

The context in which Palfrey filed her most recent lawsuit shows that it, too, was done to harass and to attempt to have witnesses in a federal criminal prosecution recant testimony rather than as a legitimate effort to collect damages against individuals who have breached contracts Palfrey never intended to enforce. As Mr. Sibley must know from his unsuccessful efforts to file similar suits in Florida, there is no legal basis for imposing liability against witnesses, let alone witnesses who disclose criminal activity. See 18 U.S.C. § 4.

In the context of the Government's request for a stay of the civil forfeiture case, the Court already addressed how the broad-ranging civil discovery process would affect the criminal prosecution. The same concerns also apply to the new case. Allowing civil discovery would eviscerate the protections of grand jury secrecy and allow Palfrey full access to statements of a potential witness to which she would otherwise not be entitled under the Federal Rules of Criminal Procedure. The Tison court held that this was an illegitimate use of the civil discovery process:

A litigant should not be allowed to make use of the liberal civil discovery procedures applicable to a civil suit as a dodge to avoid the restrictions on criminal discovery and thereby obtain documents he would not otherwise be entitled to for use in his criminal suit.

780 F.2d at 1572 (quoting Campbell v. Eastland, 307 F.2d 478, 487 (5<sup>th</sup> Cir. 1962)).

This Court should order Palfrey and her attorneys and agents not to proceed in the most recent civil lawsuit, or any other, for the pendency of the criminal case. Even absent the broad authority under 18 U.S.C. § 1514, such an order would be an appropriate exercise of equitable authority over a person within its jurisdiction to restrain him from doing an act that would result in harm to a current proceeding in this District. Laker Airways v. Pan American World Airways, 559 F. Supp. 1124 (D.D.C. 1983), aff'd sub nom., Laker Airways v. Sabena, Belgian World Airlines, 731 F.2d 909 (D.D.C. Cir. 1984) (restraining parties from proceeding in a foreign civil proceeding due to potential harm to U.S. civil proceeding); United States v. Davis, 767 F.2d 1025 (2d Cir. 1985) (restraining parties from proceeding in a foreign civil action due to potential harm to a U.S. criminal investigation).

To the extent she has any, Palfrey would be able to fully and vigorously pursue her claims at the conclusion of the Government's case and would suffer no harm from a stay. This is similar to the order issued in Tison, and analogous to stays granted in parallel civil and criminal proceedings, where moving forward with the civil case would damage the Government's ability to investigate or prosecute a related criminal case. See, e.g., 18 U.S.C. § 981(g)(1).

## **2. Post-Indictment Asset Restraint Order**

On March 1, 2007, a Federal Grand Jury for the District of Columbia returned an Indictment charging Deborah Jeane Palfrey with federal criminal violations including RICO, in violation of 18 U.S.C. §§ 1962-1963, and conspiracy to launder monetary instruments, in violation of 18 U.S.C. § 1956(h). In the Indictment, the United States provided notice of its intent to seek the criminal forfeiture, under 18 U.S.C. §§ 982 and 1963, of all property involved

in the money laundering conspiracy and all interests the defendant acquired through her unlawful operation of the racketeering enterprise – including all proceeds obtained, directly or indirectly, from commission of the racketeering activity alleged in the Indictment.

In order to assure the availability of property for forfeiture upon conviction, 21 U.S.C. § 853(e)(1), incorporated by 18 U.S.C. § 982(b)(1), provides that the Court may enter a restraining order upon the filing of an Indictment. Section 853(e), in pertinent part, provides:

(1) Upon application of the United States, the court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property . . . for forfeiture under this section--

(A) upon the filing of an indictment or information charging a violation . . . for which criminal forfeiture may be ordered under this section and alleging that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section; . . .

21 U.S.C. § 853(e). The applicable asset-restraint provisions contained under RICO are materially indistinguishable. See 18 U.S.C. § 1963(d)(1).

Pre-trial restraint of assets under section 853(e) has been approved by the United States Supreme Court. In United States v. Monsanto, 491 U.S. 600 (1989), the district court restrained, under 21 U.S.C. § 853, a defendant from disposing of his house, his apartment and \$35,000 in cash prior to trial. The Supreme Court upheld the pre-trial restraint, noting:

[I]t would be odd to conclude that the Government may not restrain property, such as the home and apartment in respondent's possession, based on a finding of probable cause, when we have held that . . . , the Government may restrain persons where there is a finding of probable cause to believe that the accused has committed a serious offense.

Id., at 615-16. Other courts have recognized the right of the United States to seek pre-trial restraint extends to forfeitable assets held by third parties. United States v. Real Property in Waterboro, 64 F.3d 752, 755-56 (1st Cir. 1995); United States v. Jenkins, 974 F.2d 32, 36 (5th Cir. 1992); In Re Billman, 915 F.2d 916, 921 (4th Cir. 1990); United States v. Regan, 858 F.2d 115, 120-21 (2d Cir. 1988).

In determining whether to issue a restraining order, the Grand Jury's return of the Indictment against the defendant establishes probable cause that the charged offenses were committed. United States v. Jones, 160 F.3d 641, 648 (10th Cir. 1998); In re Billman, 915 F.2d at 919. As noted in the legislative history of the Comprehensive Crime Control Act of 1984,

For the purposes of issuing a restraining order, the probable cause established in the indictment or information is to be determinative of any issue regarding the merits of the government's case on which the forfeiture is to be based.

S. Rep. No. 225, 98th Cong., 2d Sess. 203 (1984), *reprinted in* 1984 U.S.C.C.A.N. 3182, 3386.

The proposed post-Indictment Restraining Order tracks the Indictment except that it specifically adds, in addition to the property specified in the Indictment, records that Ms. Palfrey, and the attorney representing her in the civil forfeiture case, have indicated Ms. Palfrey still possesses. According to Ms. Palfrey and her counsel, these are the only remaining assets of Ms. Palfrey's business that the Government has not included as part of the civil forfeiture case. At various times over the past several days, Ms. Palfrey and the attorney representing her in the civil forfeiture case have professed an intent to sell or otherwise dissipate this asset. Regardless of whether their recent solicitations were merely intended to intimidate or as threats, or were made as a means to increase the monetary value of the documents, the documents constitute property

subject to forfeiture under the Indictment's first forfeiture allegation and the proposed dissipation of this asset, and any proceeds derived from this forfeitable asset, should therefore be restrained. Moreover, a post-Indictment Restraining Order is appropriately issued even though assets may already be subject to a civil forfeiture case, and especially in a case such as this where, by defendant's admissions, there is reason to believe that the defendant still possesses, or has access to, some forfeitable property. See United States v. Wingerter, 369 F. Supp.2d 799 (E.D. Va. 2005) ("there is no discretion to permit a defendant to spend assets that are subject to forfeiture, including substitute assets. They must be preserved for forfeiture.").

Although the United States has requested a hearing for purposes of the Protective Order it has requested (an Order to prevent any further witness intimidation and harassment), where an Indictment has been returned, a pre-restraint hearing is not required before a court may issue an Order restraining assets subject to criminal forfeiture. United States v. Musson, 802 F.2d 384, 386-87 (10th Cir. 1986). If any third parties have claims on the funds subject to the requested Order, 21 U.S.C. § 853(n) sets out a specific procedure for the adjudication of such claims. This process begins, however, "[f]ollowing the entry of an order of forfeiture under this section . . . ." 21 U.S.C. § 853(n)(1); see also Libretti v. United States, 516 U.S. 29, 44 (1995); United States v. McHan, 345 F.3d 262, 269-270 (4th Cir. 2003) ("§ 853(n) provides all of the process due"); United States v. Gilbert, 244 F.3d 888, 911 (11th Cir. 2001) (ancillary proceeding is "exclusive means" for third parties to assert claims to forfeited property; citing legislative history); United States v. Messino, 122 F.3d 427, 428 (7th Cir. 1997) (under Sections 853(k) and (n), third parties must wait until the court has entered a preliminary order of forfeiture to challenge the forfeiture action); United States v. McCorkle, 143 F. Supp.2d 1311, 1318-19 (M.D. Fla. 2001). This Court

has jurisdiction to enter the requested post-Indictment order to restrain assets subject to forfeiture “without regard to the location of any property which may be subject to forfeiture under this section . . . .” 21 U.S.C. § 853(l), incorporated by 18 U.S.C. § 982(b)(1).

### CONCLUSION

WHEREFORE, the United States respectfully requests that this Court: (1) issue a temporary restraining order restraining Deborah J. Palfrey, as well as her agents and attorneys, from proceeding in a civil action entitled Palfrey v. Neble, et al., No. 1:07cv0461, or any other, and schedule a hearing for a Protective Order at its first opportunity; and (2) enter an Order (without any need for a hearing) immediately restraining, prohibiting, and enjoining Deborah Jeane Palfrey and her agents, servants, employees, attorneys, family members and those persons in active concert or participation with her, and those persons, financial institutions, or entities who have any interest or control over the subject property, from attempting or completing any action that would affect the availability or value of said property, including but not limited to selling, assigning, pledging, distributing, encumbering, wasting, secreting or otherwise disposing of, or removing from the jurisdiction of this Court, all or any part of their interest, direct or indirect, in the subject property, without providing notice to the United States and this Court and obtaining permission from this Court. Proposed Orders are submitted for the Court’s utilization.

Pursuant to 18 U.S.C. § 1514(a)(2)(A), the undersigned certifies that the facts contained within this Application are true and accurate to the best of his knowledge.

RESPECTFULLY SUBMITTED,

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