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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 6:09-cv-1852-Orl-28GJK

**ASSETS DESCRIBED IN
"ATTACHMENT A" TO THE
VERIFIED COMPLAINT
FOR FORFEITURE IN REM,**

Defendants.

FIRST JUDGMENT OF FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C), the United States has filed an Amended First Motion for Judgment of Forfeiture. Doc. 286. The court, being fully advised, finds that the complaint has been filed and service of process has been completed in accordance with the provisions of Rule G of the Supplemental Rules for Admiralty or Maritime Claims, Federal Rules of Civil Procedure.

The only claimants to the gold bars – Raul Rojer (Rojer), Pegasvs Capital Corporation (Pegasvs) and First Bank & Trust Leasing Services, a Division of Kinetic Leasing, Inc. (Kinetic) – have agreed to the forfeiture of the above-referenced asset. Doc. 279 at Exhibits 1-3.

On February 19, 2010, the United States filed an Application to the Clerk of Courts for Entry of Default as to Evolution Market Group (EMG). Doc. 79. On February 22, 2010, the Clerk entered default against EMG. Doc. 81.

No other persons or entities have filed a claim in these proceedings, and the time for filing a claim to any of the defendant assets in this forfeiture action has expired.

Accordingly, it is hereby

ORDERED, ADJUDGED, and DECREED that the United States' Amended First Motion for Judgment of Forfeiture is **GRANTED**. It is **FURTHER ORDERED** that, pursuant to 18 U.S.C. § 981(a)(1)(C), all right, title, and interest in the following defendant asset, is hereby **CONDEMNED** and **FORFEITED** to the United States of America for disposition according to law, free and clear of all claims by **EMG, Rojer, Pegasvs, Kinetic and all others:**

Approximately \$138,181,313.12 obtained from the liquidation of: 1) 262 gold bars seized from Delaware Depository Service Company Custody Account #32648 held in the name of Pegasvs Capital Corporation, located at 3601North Market Street, Wilmington, DE, 19802 on February 9, 2009; and 2) 32 gold bars seized from Inwood Security Vaults Custody Account held in the name of Pegasvs Capital Corporation, located at 333 Inwood Village, Dallas, TX 75209 on February 11, 2009.

In accordance with the Stipulated Settlement Agreement between the United States and Claimants Rojer and Pegasvs, the remaining \$5.6 million obtained from the liquidation of: 1) 262 gold bars seized from Delaware Depository Service Company Custody Account #32648 held in the name of Pegasvs Capital Corporation, located at 3601North Market Street, Wilmington, DE, 19802 on February 9, 2009; and 2) 32 gold bars seized from Inwood Security Vaults Custody Account held in the name of Pegasvs Capital Corporation, located at 333 Inwood

Village, Dallas, TX 75209 on February 11, 2009 shall be dismissed from this action and paid to Rojer and Pegasvs pursuant to the terms of their respective settlement agreements.

DONE and ORDERED in Chambers in Orlando, Florida, this 31st
day of October, 2013.



JOHN ANTOON, II
UNITED STATES DISTRICT JUDGE