

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2008 DEC -9 AM 8:24

LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL DOCKET NO. 07-103
v. * SECTION: "L"
JAMES PERDIGAO *
* * *

PRELIMINARY ORDER OF FORFEITURE

Based upon the Motion and Brief of the United States for Issuance of a Preliminary Order of Forfeiture in the above-captioned case, and the reasons stated therein,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that, based on the defendant's Plea Agreement, Factual Basis, Consent Decree for Forfeiture, the following properties are subject to forfeiture pursuant to 18 U.S.C. §§1344, 1957 and 982 for Bank Fraud and Money Laundering; and 18 U.S.C. §§1341, 2314 and 981 (a)(1)(C), made applicable through 28 U.S.C. §2461(c), for Mail Fraud and Interstate Transportation of Stolen Property, and that the

Fee _____
Process _____
X Dkt _____
CtRmDep _____
Doc. No. _____

Government has established the requisite nexus between such properties and such offenses and are hereby forfeited to the United States of America:

Two cashier's checks totaling \$1,195,000 seized from defendant on October 15, 2004, plus any and all accrued interest;

\$25,052.27 U.S. Currency seized from defendant on October 15, 2004, plus any and all accrued interest;

\$9,099,610.59 U.S. Currency plus any and all accrued interest;

\$18,999,971.20 U.S. Currency from defendant's Credit Suisse account plus any and all accrued interest; and

\$316,275.42 U.S. Currency from defendant's Credit Suisse account plus any and all accrued interest.

IT IS FURTHER ORDERED that, upon the imposition of sentence on the defendant, JAMES PERDIGAO, this Preliminary Order of Forfeiture becomes final as to the defendant, JAMES PERDIGAO, and is hereby included in the Judgment nunc pro tunc, as if copied therein in extenso.

IT IS FURTHER ORDERED that the United States Marshal seize forthwith the following forfeited properties:

Two cashier's checks totaling \$1,195,000 seized from defendant on October 15, 2004, plus any and all accrued interest;

\$25,052.27 U.S. Currency seized from defendant on October 15, 2004, plus any and all accrued interest;

\$9,099,610.59 U.S. Currency plus any and all accrued interest;

\$18,999,971.20 U.S. Currency from defendant's Credit Suisse account plus any and all accrued interest; and

\$316,275.42 U.S. Currency from defendant's Credit Suisse account plus any and all accrued interest,

and dispose of them in accordance with law. That the aforementioned forfeited properties are to be held by the United States Marshal's Service, as indicated, in their secure custody and control.

That pursuant to 21 U.S.C. §853(n), the United States Government shall publish notice at www.forfeiture.gov of this Order, notice of the Marshal's intent to dispose of the properties in such a manner as the Attorney General may direct and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited properties must file a petition with the Court within thirty (30) days of the publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the properties, shall be signed by the

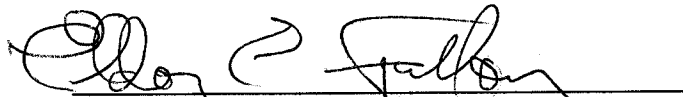
petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties, the time and circumstances of petitioner's acquisition of the right, title and interest in the forfeited properties, and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the properties that are the subject of the Preliminary Order of Forfeiture as a substitute for published notice as to those persons so notified.

That, upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. §853(n), in which all interests will be addressed.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed.R.Crim.P. 32.2(e).

New Orleans, Louisiana, this 8th day of December, 2008.


UNITED STATES DISTRICT JUDGE