

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **MAR 06 2018**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
-v.-
:
WILLIAM McFARLAND,
:
:
Defendant. :
----- x

CONSENT PRELIMINARY ORDER OF
FORFEITURE/MONEY JUDGMENT

S1 17 Cr. 600 (NRB)

WHEREAS, on or about March 6, 2018, WILLIAM MCFARLAND (the “defendant”), was charged in a two-count Superseding Information, S1 17 Cr. 600 (NRB) (the “Information”), with wire fraud, in violation of Title 18, United States Code, Section 1343 (Counts One and Two);

WHEREAS, the Information included a forfeiture allegation as to Counts One and Two of the Information, seeking to forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2), all property constituting, or derived from, proceeds obtained directly or indirectly as a result of the offenses, including, but not limited to, a sum of United States currency representing the amount of proceeds personally obtained directly or indirectly by the defendant as a result of the offenses alleged in Counts One and Two of the Information;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$26,040,099.48 in United States currency;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Kristy J. Greenberg, of counsel, and the defendant, and his counsel, Randall W. Jackson, Esq., that:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the defendant pled guilty, a money judgment in the amount of \$26,040,099.48 in United States currency (the "Money Judgment") shall be entered against the defendant.

Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant WILLIAM MCFARLAND, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of convictions therewith.

2. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, the United States Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

3. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, United States Customs and Border Protection, or its designee the Office of Fines, Penalties, and Forfeitures shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of

forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rule of Criminal Procedure.


6. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander Wilson, Chief of the Money Laundering and Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

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7. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

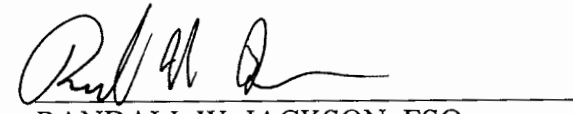
By: 
KRISTY J. GREENBERG
Assistant United States Attorney
One Saint Andrew's Plaza
New York, New York 10007
(212) 637-2469

3/6/18
DATE

WILLIAM MCFARLAND,
Defendant

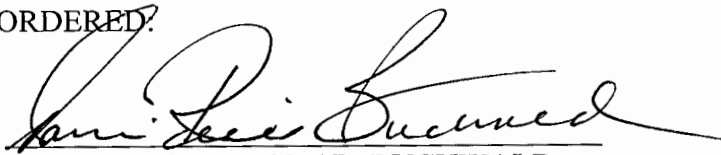
By: 
WILLIAM MCFARLAND

3/6/18
DATE

By: 
RANDALL W. JACKSON, ESQ.

3-6-18
DATE

SO ORDERED:


HONORABLE NAOMI R. BUCHWALD
UNITED STATES DISTRICT JUDGE

March 6, 2018
DATE