

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

| | | |
|---|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| 1987 MARSHFIELD MANUFACTURED * HOME, IDENTIFICATION NUMBER |) | Case No. 08-C-638 |
| |) | |
| and |) | |
| |) | |
| 2004 PONTIAC GRAND PRIX GT, VIN |) | |
| |) | |
| Defendant. |) | |

ORDER OF FORFEITURE

Upon application of the United States of America, and review of the entire file in this case, the Court hereby finds:

1. The Stipulated Settlement Agreement is incorporated herein by reference and attached to this Order of Forfeiture.
2. Lyle Dank and Northwoods Investments hereby forfeit all right, title, and interest in the 1987 Marshfield Manufactured Home, Identification Number , Title * Number and the 2004 Pontiac Grand Prix GT, to the * United States of America.

3. The government shall sell the defendant properties. The government shall pay twenty percent of the net proceeds from the sale of the defendant properties to Lyle Dank, through his attorney Robert Ruth at 7 North Pinckney Street, Suite 240, Madison, Wisconsin 53703.

4. "Net proceeds" refers to the monies remaining from the sale of the defendant properties after payment of all expenses, including but not limited to the following:

- a. reasonable costs incurred in the sale of the defendant properties;
- b. any outstanding taxes;
- c. any costs incurred to prepare the properties for sale;
- d. any outstanding mortgages or liens; and
- e. any expenses of custody incurred by the U.S. Marshals Service or other property custodian.

5. The United States Marshal for the Western District of Wisconsin is directed to:

- a. dispose of defendant property in accordance with the terms outlined above and in accordance with federal law.

ORDERED this 8th day of October 2009.

/s/

BARBARA B. CRABB
Chief United States District Court Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

| | | |
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| UNITED STATES OF AMERICA, |) | |
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| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| 1987 MARSHFIELD MANUFACTURED |) | |
| HOME. IDENTIFICATION NUMBER |) | Case No. 08-C-638 |
| 49541, TITLE NUMBER 1521694, |) | |
| |) | |
| and |) | |
| |) | |
| 2004 PONTIAC GRAND PRIX GT, |) | |
| VIN 2G2WP342641296509 |) | |
| |) | |
| Defendant. |) | |

The United States of America, by Stephen P. Sinnott, Acting United States Attorney for the Western District of Wisconsin, by Elizabeth Altman, Assistant United States Attorney for said district, Lyle Dank, by his attorney, Robert Ruth, and Lyle Dank as sole member of Northwoods Investments, LLC, hereby stipulate and agree as follows:

1. On or about October 29, 2008, the government filed a Verified Complaint In Rem against a 1987 Marshfield Manufactured Home, Identification Number Title Number a 2004 Pontiac Grand Prix GT, VIN (defendant properties).

2. Lyle Dank and Northwoods Investments hereby agree to forfeit, under 21 U.S.C. § 881(a)(4), and do forfeit all right, title, and interest in the 1987 Marshfield Manufactured Home, Identification Number [redacted] Title Number [redacted] and the 2004 Pontiac Grand Prix GT, VIN [redacted] nited States of America to be disposed of according to law pursuant to 21 U.S.C. § 881(e) as property used in the violation of 21 U.S.C. § 841(a)(1).

3. The government agrees to sell the defendant properties. The government also agrees to pay twenty percent of the net proceeds from the sale of the defendant properties to Lyle Dank, through his attorney Robert Ruth at 7 North Pinckney Street, Suite 240, Madison, Wisconsin 53703.

4. "Net proceeds" refers to the monies remaining from the sale of the defendant properties after payment of all expenses, including but not limited to the following:

- a. reasonable costs incurred in the sale of the defendant properties;
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- c. any costs incurred to prepare the properties for sale;
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- e. any expenses of custody incurred by the U.S. Marshals Service or other property custodian

5. The parties agree and request that the court enter a Certificate of Reasonable Cause pursuant to Title 28, United States Code, Section 2465, in that, at the

time the complaint was filed against the defendant properties, there was probable cause to believe that the 1987 Marshfield Manufactured Home, Identification Number [redacted] Title Number [redacted] and the 2004 Pontiac Grand Prix GT, VIN [redacted] were forfeitable to the United States of America, pursuant to Title 21, United States Code, Sections 881(a)(4).

6. Lyle Dank and Northwoods Investments hereby releases and forever discharges the United States of America, the Drug Enforcement Administration (DEA), and the Vernon County Sheriff's Department, their officers, agents, employees, and any law enforcement officer or agency involved in the seizure from any and all actions, causes of action, suits, proceedings, damages, claims and/or demands whatsoever in law or equity which the claimants, their heirs, successors, or assignees ever had, now have, or may have in the future in connection with the forfeiture of the defendant properties.

7. Lyle Dank and Northwoods Investments further agree to hold and save the DEA, and the Vernon County Sheriff's Department, their officers, agents, employees, and any law enforcement officer or agency involved in the seizure, its servants, employees, heirs, successors, or assignees harmless from any claims by any others, including costs and expenses for, or on account of, any and all law suits or claims of any character whatsoever, in connection with the forfeiture of the defendant properties.

8. This stipulation contains the entire agreement between Lyle Dank, Northwoods Investments, LLC, and the United States of America.

WHEREFORE, the parties petition the court to enter an order in conformance with this agreement.

10/8/09
Date

ELIZABETH ALTMAN, AUSA
Assistant U.S. Attorney

9-26-09
Date

Lyle Dank, Claimant

9-26-09
Date

Northwoods Investments, LLC
sole member Lyle Dank, Claimant

10-5-09
Date

Robert Kuth, Attorney for Lyle Dank and
Northwoods Investments, LLC, sole
member Lyle Dank,