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SOUTHERN UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 JOHN F. DOORLY, )  
 Defendant. )

CRIMINAL NO. 09-10055-NMG

PRELIMINARY ORDER OF FORFEITURE

GORTON, D.J.,

WHEREAS, on March 4, 2009, a federal grand jury sitting in the District of Massachusetts returned a sixteen-count Indictment charging defendant John F. Doorly (the "Defendant") with Mail Fraud, in violation of 18 U.S.C. § 1341 (Counts One through Twelve), and Money Laundering, in violation of 18 U.S.C. § 1957 (Counts Thirteen through Sixteen);

WHEREAS, the Forfeiture Allegations of the Indictment sought the forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of any offenses alleged in Counts One through Twelve, of any property, real or personal, that constitutes, or is derived from, proceeds traceable to the commission of such offenses, including but not limited to the following:

- a. at least United States Currency;
- b. Club Home Interest 03, an undivided 1/8 fee simple interest in Club Home Residence 0651, in Eagle Tree Condominium, located at the Ritz-Carlton Golf Club & Spa, 115 Eagle Tree Drive, Jupiter, Florida, as recorded in Official Records Book 15778 at Page 0022 in the Public Records of Palm Beach County, Florida, and any amendments thereof; and

Forgoing document is true and correct copy of the  
 electronic docket in the captioned case  
 electronically filed original filed on 3/31/10  
 original filed in my office on 3/31/10  
 Sarah A. Thornton  
 Clerk, U.S. District Court  
 District of Massachusetts  
 Michael J. Clarke  
 Court Clerk

- c.                               received from Ritz-Carleton Golf Club & Spa in Jupiter, Florida, plus any accrued interest thereon, held in escrow by Andrews & Updegraph, P.C.;

WHEREAS, the Forfeiture Allegations of the Indictment also sought the forfeiture, pursuant to 18 U.S.C. § 982(a)(1), upon conviction of the offenses alleged in Counts Thirteen through Sixteen, of any property, real or personal, involved in such offenses, or any property traceable to such property, including but not limited to                               in United States currency;

WHEREAS, the Indictment further provided that, if the Assets, as a result of any act or omission by the Defendant, (a) cannot be located upon the exercise of due diligence; (b) have been transferred or sold to, or deposited with, a third party; (c) have been placed beyond the jurisdiction of the Court;--(d) have been substantially diminished in value; or (e) have been commingled with other property which cannot be divided without difficulty, the United States is entitled to seek forfeiture of any other property of the Defendant, up to the value of the Assets, pursuant to 21 U.S.C. § 853(p), as incorporated in 28 U.S.C. § 2461(c);

WHEREAS, on November 30, 2009, the Defendant pled guilty to all counts of the Indictment and admitted the following assets were traceable to proceeds of his crimes:

- a.       Membership at the Ritz-Carlton Golf Club & Spa, 115 Eagle Tree Drive, Jupiter, Florida, in the name of John F. Doorly;

- b. Club Home Interest 03, an undivided 1/8 fee simple interest in Club Home Residence 0651, in Eagle Tree Condominium, located at the Ritz-Carlton Golf Club & Spa, 115 Eagle Tree Drive, Jupiter, Florida, as recorded in Official Records Book 15778 at Page 0022 in the Public Records of Palm Beach County, Florida, and any amendments thereof;
- c. received from Ritz-Carlton Golf Club & Spa in Jupiter, Florida, plus any accrued interest thereon, held in escrow by Andrews & Updegraph, P.C.;
- d. Membership at the Ritz-Carlton Golf Club & Spa, 115 Eagle Tree Drive, Jupiter, Florida, in the name of Adam Doorly;
- e. Membership at the Mayacama Golf Club, 1240 Mayacama Club Drive, Santa Rosa, California, in the name of John F. Doorly;
- f. Membership at the Mayacama Golf Club, 1240 Mayacama Club Drive, Santa Rosa, California, in the name of Adam Doorly;
- g. Membership at the Kinloch Golf Club, 100 Kinloch Lane, Manakin-Sabot, Virginia in the name of John F. Doorly;
- h. one 5.69 karat emerald-cut diamond and platinum ring, purchased from DeScenza jewelers on or about February 2, 2003;
- i. one 3.32 karat Asscher-cut diamond set in four-prong pendant mounting in 18 karat white gold purchased from DeScenza jewelers on or about September 4, 2003; and
- j. one platinum and 7-diamond (7.68 karats), thirty inch necklace purchased from DeScenza jewelers on or about September 4, 2003,

(collectively, the "Assets").

ACCORDINGLY, it is hereby ORDERED, ADJUDGED, and DECREED:

1. The Court finds, pursuant to Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, and based upon the Defendant's guilty plea, that the United States has established the requisite nexus between the Assets and the offenses to which the Defendant pleaded guilty. Accordingly, all of the Defendant's interests in the Assets are hereby forfeited to the United States of America for disposition pursuant to 21 U.S.C. § 853(a) and (p).

2. If the Assets, as a result of any act or omission by the Defendant, (a) cannot be located upon the exercise of due diligence; (b) have been transferred or sold to, or deposited with, a third party; (c) have been placed beyond the jurisdiction of the court; (d) have been substantially diminished in value; or (e) have been commingled with other property which cannot be divided without difficulty, the United States is entitled to seek forfeiture of any other property of the Defendant, up to the value of the Assets, pursuant to 21 U.S.C. § 853(p).

3. The United States shall seize and hold the Assets in its secure custody and control.

4. Pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c), the United States shall publish, for thirty (30) consecutive calendar days, notice of this Order and of the United States' intent to dispose of the Assets in such manner as

the Attorney General may direct on the government website [www.forfeiture.gov](http://www.forfeiture.gov).

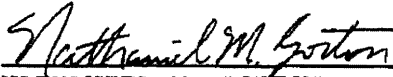
5. Pursuant to 18 U.S.C. § 2253, the United States shall give, to the extent practicable, direct written notice to any person known to have alleged an interest in the Assets to be forfeited.

6. Pursuant to 18 U.S.C. § 2253, the notice referred to above shall state: (a) that any person, other than the Defendant, asserting a legal interest in the Assets, shall, within thirty (30) days of the final publication of the notice or that person's receipt of direct written notice, whichever is earlier, file a petition with the United States District Court in Boston, Massachusetts, requesting a hearing to adjudicate the validity of his or her interest in the Assets; and (b) that the petition shall be signed by the petitioner under the penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Assets, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the Assets, any additional facts supporting the petitioner's claim, and the relief sought.

7. Pursuant to 18 U.S.C. § 2253, following the Court's disposition of all petitions filed under this subsection, or if no such petitions are filed following the expiration of the period provided in 18 U.S.C. § 2253 for the filing of such

petitions, the United States of America shall have clear title to the Assets. At that time, the Court shall enter a Final Order of Forfeiture addressing all alleged interests in the Assets.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture will become final as to the Defendant at the time of his sentencing, will be part of the Defendant's criminal sentence, and will be included in the criminal judgment entered by this Court against him.

  
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NATHANIEL M. GORTON  
United States District Judge

Date: 3/31/10