

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALL ASSETS LISTED IN ATTACHMENT
A, AND ALL INTEREST, BENEFITS, AND
ASSETS TRACEABLE THERETO,

Defendants *in Rem*.

Civil Action No.: 1:14-cv-969

The Honorable Liam O'Grady

ORDER OF FORFEITURE
AS TO CERTAIN ASSETS IN NEW ZEALAND

WHEREAS, the Plaintiff filed a motion for default judgment, pursuant to Fed.R.Civ.P. 55(b)(2), and for an order of forfeiture as to certain assets in New Zealand (Dkt. #97), pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 985;¹

AND WHEREAS, this Court ruled in an opinion of March 25, 2015, (Dkt. #101) that the government's motions for default judgment are granted.

¹ The forfeiture is based on 18 U.S.C. § 981(a)(1)(C), which authorizes forfeiture of property that is derived from proceeds traceable to any offense constituting specified unlawful activity. Section 1956(c)(7)(D) of Title 18, United States Code, defines "specified unlawful activity" and includes a violation of 18 U.S.C. § 2319. Section 2319 sets forth the penalties for a violation of 17 U.S.C. § 506(a)(1) which criminalizes copyright infringement.

Now deeming it proper so to do, IT IS ORDERED, ADJUDICATED and DECREED

THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 985 and all right, title, and interest of the former owners is now vested exclusively in the United States of America:

BANK ACCOUNTS

All assets held in account number 123107006652100, in the name of Kim Tim Jim Vestor, at ASB Bank Limited in New Zealand, and all interest, benefits, or assets traceable thereto;

All assets held in account number 011839015545900, in the name of Megastuff Limited, at ANZ National Bank Limited in New Zealand, and all interest, benefits, or assets traceable thereto;

All assets held in account number 3029340126642088, in the name of Bram van der Kolk, at The Hongkong and Shanghai Banking Corporation Limited (HSBC) in New Zealand, and all interest, benefits, or assets traceable thereto;

All assets held in account number 020192009920004, in the name of Cleaver Richards Limited Trust Account for Megastuff Limited, at Bank of New Zealand (BNZ), and all interest, benefits, or assets traceable thereto;

All assets held in account number 0301040943847002, in the name of Simpson Grierson Trust Account holder Kim Dotcom, at Westpac Banking Corporation in New Zealand, and all interest, benefits, or assets traceable thereto;

FINANCIAL INSTRUMENT

All assets held in holder number 14824385, in the name of Kim Dotcom, at Computershare Investor Services Limited, and all interest, benefits, or assets traceable thereto;

REAL PROPERTY

The property at 5G The Prom, Coatesville, Auckland 0793, New Zealand, being all that parcel of land on Certificate of Title number 341889, and all interest, benefits, or assets traceable thereto;

VEHICLES

2009 Calcite White Mercedes Benz E500 Coupe, VIN WDD2073722F019582, and including License Plate "FEG690", and all interest, benefits, or assets traceable thereto;

2005 Silver Mercedes Benz CLK DTM, VIN WDB2093422F165517, and including License Plate "GOOD", and all interest, benefits, or assets traceable thereto;

2010 Black Mini Cooper S Coupe, VIN WMWZG3200TZ03648, and including License Plate "T", and all interest, benefits, or assets traceable thereto;

2010 Black Mini Cooper S Coupe, VIN WMWZG3200TZ03651, and including License Plate "V", and all interest, benefits, or assets traceable thereto;

2010 Mercedes Benz ML63 AMG, VIN WDC1641772A542449, and including License Plate "GUILTY", and all interest, benefits, or assets traceable thereto;

2011 Black Toyota Hilux, VIN MROFZ29G001599926, and including License Plate "FSN455", and all interest, benefits, or assets traceable thereto;

2010 Black Mercedes Benz CL63 AMG, VIN WDD2163742A026653, and including License Plate "HACKER", and all interest, benefits, or assets traceable thereto;

Victor Conti Dutch Angel – Bike, NZ ID# 546420, and all interest, benefits, or assets traceable thereto;

2004 Silver Mercedes Benz CLK DTM AMG 5.5L Kompressor, VIN WDB2093422F166073, and including License Plate "EVIL", and all interest, benefits, or assets traceable thereto;

2010 Black Mercedes Benz AMG, VIN WDD2120772A103834, and including License Plate "STONED", and all interest, benefits, or assets traceable thereto;

2009 Black Mercedes Benz ML63 AMG, VIN WDC1641772A486965, and including License Plate "MAFIA", and all interest, benefits, or assets traceable thereto;

1957 Black Cadillac El Dorado, VIN 5770137596, and all interest, benefits, or assets traceable thereto;

1959 Pink Cadillac Series 62 Convertible, VIN 59F115669, and all interest, benefits, or assets traceable thereto;

2010 Black Mercedes Benz S65 AMG, VIN WDD2211792A324354, and including License Plate "CEO", and all interest, benefits, or assets traceable thereto;

2010 Black Mercedes Benz CL65 AMG, VIN WDD2163792A025130, and including License Plate "KIMCOM", and all interest, benefits, or assets traceable thereto;

2008 Black Rolls Royce Phantom Coupe, VIN SCA2D68098UH07049, and including License Plate "GOD", and all interest, benefits, or assets traceable thereto;

2011 Black Mercedes Benz G55 AMG, VIN WDB4632702X193395, and including License Plate "POLICE", and all interest, benefits, or assets traceable thereto;

2011 Mercedes Benz G55 AMG, VIN WDB4632702X191902, and including License Plate

“GDS672”, and all interest, benefits, or assets traceable thereto;

2005 Silver Mercedes Benz A170, VIN WDD1690322J184595, and including License Plate “FUR252”, and all interest, benefits, or assets traceable thereto; and

2005 Silver Mercedes Benz ML500, VIN WDC1641752A026107, and including License Plate “DFF816”, and all interest, benefits, or assets traceable thereto.

2004 Silver Mercedes Benz CLK DTM Cabriolet, VIN WDB2094421T067269, and all interest, benefits, or assets traceable thereto;

MISCELLANEOUS

Four 2010 Sea-Doo GTX Jet Skis, VINS YDV03103E010, YDV00375L910, YDV00385L910, & YDV03091E010, and all interest, benefits, or assets traceable thereto;

Sharp 108” LCD Display Television, and all interest, benefits, or assets traceable thereto;

Three Samsung 820DXN 82” LCD Televisions, and all interest, benefits, or assets traceable thereto;


Devon Works LLC, Tread #1 Time Piece, and all interest, benefits, or assets traceable thereto; and

In High Spirits by Olaf Mueller Photographs from the Cat Street Gallery, and all interest, benefits, or assets traceable thereto.

2. The Attorney General or a designee shall seize and dispose of the defendant property in accordance with the law.

Alexandria, Virginia

Date: March 27, 2015.



Liam O'Grady
United States District Judge