



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 23, 2023

BY ECF

The Honorable Lewis J. Liman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Rafael Martinez*, 22 Cr. 251 (LJL)

Dear Judge Liman:

On March 23, 2023, the defendant in the above-captioned action pleaded guilty to Count One of the S2 Superseding Information. At that time, the Court also entered the Consent Preliminary Order of Forfeiture directing, among other things, that a money judgment in the amount of \$44,546,712.94 be entered against the defendant. On June 9, 2023, the Court entered a Consent Preliminary Order of Forfeiture as to Substitute Assets, which provided for the forfeiture of the defendant's right, title, and interest in a specific bank account held at Citibank, N.A. in the name of MBE Capital Partners LLC. The Government has now seized that account and reached an agreement as to the disposition of certain of the funds held in the account with the Federal Reserve Bank of San Francisco, which has asserted a claim to those funds. The Government submits herewith a proposed Stipulation & Order between the Government and the Federal Reserve Bank of San Francisco setting forth that agreement. The Government respectfully requests that the Court enter the attached Stipulation and Order.

Respectfully submitted,

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by:


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cc: Defense Counsel (By ECF)
Counsel for the Federal Reserve Bank of San Francisco (By Email)