

The Hon. John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC SHIBLEY

Defendant.

NO. CR20-174-JCC

[PROPOSED]

**PROTECTIVE ORDER
RESTRAINING CERTAIN
FORFEITABLE PROPERTY**

THIS MATTER comes before the Court on the United States' Motion for Entry of a Protective Order Restraining Certain Forfeitable Property ("Motion"), of the following property:

- A. \$49,500.86 in U.S. funds, seized on or about May 29, 2020 from Navy Federal Credit Union account #*****7528, held in the name of Eric R. Shibley MD PLLC;
- B. \$100,000.00 in U.S. funds, seized on or about May 29, 2020 from Wells Fargo account #*****2378, held in the name of ES1 LLC;

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- 1 C. \$804,816.63 in U.S. funds, seized on or about May 27, 2020 from Wells
 2 Fargo account #*****3536, held in the name of The A Team Holdings
 3 LLC;
 4 D. \$114,440.00 in U.S. funds, seized on or about June 30, 2020 from Verity
 5 Credit Union account #***5390, held in the name of Dituri Construction
 6 LLC; and
 7 E. \$114,743.59 in U.S. funds, seized on or about June 30, 2020 from Verity
 8 Credit Union account #***5320, held in the name of SS1 LLC.

9 The Court, having reviewed the papers and pleadings filed in this matter, including
 10 the United States' Motion and supporting Declaration of Federal Bureau of Investigation
 11 Special Agent ("SA") Kathleen Moran, hereby FINDS entry of a protective order
 12 restraining the above-identified property (hereafter, the "Subject Property") is appropriate
 13 because:

- 14 • The United States gave notice of its intent to pursue forfeiture in the
 15 Indictment (Dkt. No. 31) and the Forfeiture Bill of Particulars (Dkt. No. 39);
 16 • Based on the facts set forth in SA Moran's Declaration, there is probable cause
 17 to believe the Subject Property is subject to forfeiture in this case; and
 18 • To ensure the Subject Property remains available for forfeiture, its continued
 19 restraint, pursuant to 21 U.S.C. § 853(e)(1), is appropriate.
 20

21 NOW, THEREFORE, THE COURT ORDERS:

22 1. The United States' request for a protective order restraining the Subject
 23 Property pending the conclusion of this case is GRANTED; and

24 2. The Subject Property, shall remain in the custody of the United States,
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1 and/or its authorized agents or representatives, pending the conclusion of criminal
2 forfeiture proceedings and/or further order of this Court.

3
4 IT IS SO ORDERED.

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6 DATED this _____ day of _____, 2020.

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9 THE HON. JOHN C. COUGHENOUR
10 UNITED STATES DISTRICT JUDGE
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15 Presented by:

16
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