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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	Crim. No. 21-00061 LEK
	)	
Plaintiff,	)	FINAL ORDER OF
	)	FORFEITURE
vs.	)	
	)	
MARTIN KAO,	)	
	)	
Defendant.	)	
	)	

FINAL ORDER OF FORFEITURE

WHEREAS, on August 31, 2023, this Court entered an Order of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture in which the Court ordered the forfeiture of all of defendant Martin Kao's right, title, and interest in the

following property (the "Forfeitable Property"), which was seized on or about September 30, 2020:

i. $693,986.72 seized from defendant's business operating account: Central Pacific Bank Account No. xxxxxx9145;

ii. $8,000,000.00 seized from defendant's business investment account: Merrill Lynch Account No. xxx-x3506;

iii. $2,000,000.00 seized from defendant's personal investment account: Merrill Lynch Account No. xxx-x2641; and

iv. $20,200.00 from defendant's personal checking account: First Hawaiian Bank Account No. xx-xx1787 ; and

WHEREAS the United States caused notice of this forfeiture to be published on an official government website (www.forfeiture.gov) for at least 30 consecutive days, beginning on September 2, 2023, as directed by the United States Attorney General in accordance with 21 U.S.C. § 853(n)(1), and as evidenced by the Notice of Filing Declaration of Internet Publication, filed on October 3, 2023 (ECF No. 121); and

WHEREAS the United States has, to the extent practicable, provided written notice to those persons known to have an alleged interest in the Forfeitable Property; and

WHEREAS no timely claim to the Forfeitable Property has been filed or received; and

WHEREAS the Court finds that the defendant, or any combination of defendants convicted in the case, had an interest in the Forfeitable Property, which is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461 and/or 18 U.S.C. § 982(a)(1); and

WHEREAS, pursuant to 21 U.S.C. § 853(n)(7), as incorporated by 28 U.S.C. § 2461 and 18 U.S.C. § 982(b)(1), the United States is therefore entitled to have clear title to the Forfeitable Property and to warrant good title to any subsequent purchaser or transferee; and

WHEREAS good and sufficient cause has been shown,

It is hereby ORDERED, ADJUDGED, AND DECREED:

THAT a Final Order of Forfeiture is entered against the Forfeitable Property, which was seized on or about September 30, 2020, specifically:

i. $693,986.72 seized from defendant's business operating account: Central Pacific Bank Account No. xxxxxx9145;

ii. $8,000,000.00 seized from defendant's business investment account: Merrill Lynch Account No. xxx-x3506;

iii. $2,000,000.00 seized from defendant's personal investment account: Merrill Lynch Account No. xxx-x2641; and

iv. $20,200.00 from defendant's personal checking account: First Hawaiian Bank Account No. xx-xx1787 ; and

no right, title, or interest in the Forfeitable Property shall exist in any other party;

THAT the Forfeitable Property is hereby forfeited to the United States of America pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461; and

THAT all right, title, and interest in the Forfeitable Property, as well as any income derived as a result of the management of the property by any United States agency that has had custody of the Forfeitable Property, are hereby condemned, forfeited, and vested in the United States of America and shall be disposed of according to law.

ORDERED.

DATED: HONOLULU, HAWAII, December 14, 2023.

/s/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge

USA v. Martin Kao; Criminal No. 21-00061 LEK; "Final Order of Forfeiture"