UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. DENNY BHAKTA, Defendant.	Case No. 21cr3352-JLS ORDER FOR INTERLOCUTORY SALE OF PORSCHE AND DEPOSIT OF FUNDS FROM ITS SALE WITH THE U.S. MARSHAL, AND RETURN OF AUDI

The Parties have filed a Joint Motion stipulating and agreeing to the immediate interlocutory sale of One 2017 Porsche 991, 911 Coupe, CA License No. MB17TCB, VIN: WP0AD2A98HS167515 (the "Porsche"), which was seized from Defendant DENNY BHAKTA ("Defendant") and is subject to a criminal forfeiture allegation in this case.

Having reviewed the foregoing Joint Motion and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

The Joint Motion is approved.

1. The Court directs that the Porsche shall be sold by the United States Marshals Service or by its contractor.

2. When the sale is made, the net sales proceeds will be a substitute res subject to forfeiture in place of the Porsche that was sold. The net sales amount will

be held by the United States Marshals Service in an interest-bearing account maintained by the United States pending the conclusion of the forfeiture action.

3. The sales price for the Porsche shall be equal to or greater than the total of the amount owed to Bank of America as of the date of sale. The United States Marshals Service shall proceed to sell the Porsche on an expedited basis. The United States Marshals Service shall pay all costs of sale, amounts owed to Bank of America, and costs of expenses from the gross proceeds of sale. The net proceeds will thereafter be deposited as described below.

4. Any net proceeds realized from the sale of the Porsche shall be substituted as the property subject to the forfeiture allegations of the Indictment regarding the Porsche in this criminal case. The net proceeds shall be held in the custody of the Department of Justice Seized Asset Deposit Fund pending further order of this Court.

5. The validity and priority of any other claims to the Porsche or any net proceeds realized from the sale of the Porsche made pursuant to 21 U.S.C. § 853(n) will be determined at an ancillary proceeding, contingent upon and following a judgment in the criminal case and the Court's entry of a final order of forfeiture to the United States.

6. The rights of Plaintiff and Defendant are hereby reserved against the net proceeds from the sale of the Porsche as if they were the vehicle subject to forfeiture.

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7. The Court also directs for the release of One 2016 Audi S8, VIN: WUAJ5AFDXGN900295, which was also seized from Defendant and is subject to a criminal forfeiture allegation in this case. The Audi shall be returned to Defendant by the United States Marshals Service, either directly or to someone so designated by attorney Sandra Resnick.

IT IS SO ORDERED.

Dated: March 9, 2022

Janis L. Sammartino
Hon. Janis L. Sammartino
United States District Judge