

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 22-CR-124 (NEB/DTS)

Plaintiff,

v.

PRELIMINARY ORDER OF
FORFEITURE

MOHAMED JAMA ISMAIL (2),

Defendant.

Based on the United States' Motion for a Preliminary Order of Forfeiture, (ECF No. 649); on the Superseding Indictment, (ECF No. 57); on the evidence admitted at trial in this matter; on the Jury's verdict of Guilty on Counts 1, 20, and 28 of the Superseding Indictment, (ECF No. 558); on the Declaration of Lacramioara Blackwell, (ECF No. 650); and on the Court having found that certain property is subject to forfeiture pursuant to 18 U.S.C. Section 981(a)(1)(C) in conjunction with 28 U.S.C. Section 2461(c), and 18 U.S.C. Section 982(a)(1), the United States has established the requisite nexus between such property and the offenses to which Defendant Mohamed Jama Ismail has been found guilty, IT IS HEREBY ORDERED that:

1. The United States' Motion for a Preliminary Order of Forfeiture (ECF No. 649) is GRANTED;

2. The following property is forfeited to the United States pursuant to 18 U.S.C. Section 981(a)(1)(C) in conjunction with 28 U.S.C. Section 2461(c):

- a. \$418,532.30 seized from US Bank account No. 104786619932, held in the name of Empire Cuisine and Market LLC;
- b. \$4,000,422.57 seized from JP Morgan Chase Bank account No. 761580833, held in the name of Empire Cuisine and Market LLC;
- c. \$5,192.25 seized from Wells Fargo account No. 5674871586, held in the name of Mohamed Ismail;
- d. Approximately \$137,000 of the equity of the Real Property at 13825 Edgewood Avenue South, Savage, Minnesota 55378.

3. The following property is forfeited to the United States pursuant to 18

U.S.C. Section 982(a)(1):

- a. \$424,695.03 seized from US Bank account No. 104786619932, held in the name of Empire Cuisine and Market LLC;
- b. \$4,000,422.57 seized from JP Morgan Chase Bank account No. 761580833, held in the name of Empire Cuisine and Market LLC;
- c. \$5,192.25 seized from Wells Fargo account No. 5674871586, held in the name of Mohamed Ismail;
- d. The Real Property at 13825 Edgewood Avenue South, Savage, Minnesota 55378.

4. A money judgment forfeiture is ENTERED against Defendant Ismail pursuant to 18 U.S.C. Section 981(a)(1)(C) and 28 U.S.C. Section 2461(c), and 18 U.S.C. Section 982(a)(1) in the amount \$9,559,370.81;

5. Defendant Ismail shall receive a credit against the money judgment forfeiture for the net forfeited value of each asset that is forfeited from him in connection with this case;

6. Defendant Ismail is ORDERED to forfeit, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(2)(C), any property, real or personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a

result of the fraud scheme and conspiracy alleged in Counts 1 of the Superseding Indictment;

7. Defendant Ismail is ORDERED to forfeit, pursuant to 18 U.S.C. § 982(a)(1) and Fed. R. Crim. P. 32.2(b)(2)(C), any property, real or personal, involved in the Conspiracy to Commit Money Laundering charged in Count 20 of the Superseding Indictment, and any property traceable to such property;

8. Pursuant to Fed. R. Crim. P. 32.2(b)(3) and (c)(1)(B), and 21 U.S.C. § 853(m), the United States may conduct discovery as to Defendant Ismail to identify property subject to forfeiture under the terms of this order and to address any factual issues raised by a third-party petition filed pursuant to Fed. R. Crim. P. 32.2(c);

9. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to Defendant Ismail at the time of sentencing, and shall be made a part of the sentence and included in the judgment; and

10. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: September 27, 2024

BY THE COURT:

s/Nancy E. Brasel
Nancy E. Brasel
United States District Judge