UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

) 4438

UNITED STATES OF AMERICA,

Plaintiff,

No.

FUNDS IN ACCOUNT 263226700 WHELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS IN ACCOUNTS 39483134, 39483396, 4650279566, 00400220, 39936404, 39936383, HELD BY CITIBANK, N.A. IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.,

FUNDS IN ACCOUNTS 52050-89451952,) 52050-89451952, 52050-89451953 HELD BY CITIBANK, INTERNATIONAL IN THE NAME OF BOLA TINUBU,

Defendants.

Judge MAGISTRATE HIDEL RUCE

VERTFIED COMPLAINT FOR FORFEITURE

The United States of America, by its attorney, Michael J. Shepard, United States Attorney for the Northern District of Illinois, for its verified complaint for forfeiture, states as follows:

- This is a forfeiture action under 21 U.S.C. § 881 and 18 U.S.C. § 981. This court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.
- The defendant funds are located in the above-described accounts and were seized pursuant to process issued by this court.

This court has venue in this matter pursuant to 28 U.S.C. § 1355 because criminal activity giving rise to this forfeiture action occurred in this district.

- 3. This complaint is verified by the affidavit of Special Agent Kevin Moss which is attached hereto and incorporated by reference in this complaint.
- 4. As is stated more fully in the attached affidavit, beginning as early as 1988, Adegboyega Muccz Akande, with others, operated a organization which distributed white heroin, a controlled substance under Title 21 of the United States Code.
- 5. As is stated more fully in the attached affidavit, this distribution operation was conducted on a large scale and the proceeds of the operation were substantial. The defendant funds represent proceeds of this operation or property involved in money laundering.
- 6. By reason of facts set forth above and in the attached affidavit, there is probable cause to believe that the defendant funds represent proceeds of narcotics trafficking and further represent property involved in money laundering in violation of 18 U.S.C. §§ 1956 and 1957. The defendant funds are therefore forfeitable to the United States pursuant to 21 U.S.C. § 881 and 18 U.S.C. § 981.

WHEREFORE, the United States requests:

1. that the defendant funds be proceeded against for Forfeiture and condemnation, that warrants of seizure and monition issue and that due notice be give to all interested parties to appear and show cause why the forfeiture should not be decreed; and 2. that the Court adjudge and decree that the defendant funds be forfeited to the United States and that the defendant funds be disposed of according to law.

Respectfully submitted,

MICHAEL J. SHEPARD

United States Attorney

By:

MARSHA A. McCLELLAN Assistant United States Attorney 219 South Dearborn Street Chicago, Tilinois 60604 (312) 353-2814

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JUL 26 1993

STATE OF ILLINOIS)

COUNTY OF COOK

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H. STUART CUNNINGHAM CLERK, U. S. DISTRICT COURT

AFFIDAVIT

KEVIN MOSS, being duly sworn on oath, deposes and states as follows:

- I have been a Special Agent with the Internal Revenue Service (hereafter "IRS"), in the Criminal Investigation Division, for over fifteen (15) years.
- 2. As is detailed more specifically below, there is probable cause to believe that funds in certain bank accounts controlled by Bola Tinubu, were involved in financial transactions in violation of 18 U.S.C. §§1956 and 1957 and represent proceeds of drug trafficking; therefore these funds are forfeitable to the United States under 18 U.S.C. §981 and 21 U.S.C. §881(a)(6).
- fraud and other financial crimes, including money laundering. I have become familiar with the methods commonly used to launder money by persons engaged in narcotics trafficking through training and experience. I have also discussed and compared information that I have about the methods used to launder money with other experienced federal, state and local law enforcement agents. Through training and experience, I have learned that narcotics traffickers must take steps to conceal their receipt of huge cash



proceeds that represent the profits received from the operation of their narcotics trafficking organizations. These steps include hiding large amounts of cash in safety deposit boxes or other concealed safes and "laundering" the cash through financial transactions. Often, to disguise their involvement in the transaction, the drug dealers make use of nominees and/or alluses. Drug traffickers commonly purchase assets with U.S. currency to reduce or eliminate the paper trail generated by their financial transactions. Frequently, when individuals involved in narcotics trafficking acquire assets or expend money, they do so using relatives, associates, nominees and/or aliases. These tactics promote the operation of the nurcotics enterprise and conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the narcotics enterprise. Also, I have known individuals, who derive income from narcotics trafficking, to engage in monetary transactions with property valued in excess of \$10,000 that has been derived from criminal activity in violation of 18 U.S.C. §1957.

4. As part of my duties and responsibilities as a Special Agent with the TRS, I have been involved with other agents in an investigation of money laundering of the proceeds of a heroin distribution organization in the Chicago area. One aspect of this investigation concerns the money laundering activities of Adegboyega Mueez Akande. Through my own participation in this investigation and through information provided to me by other Special Agents of TRS, Drug Enforcement Administration in Hammond, Indiana, (hereafter "DEA") and the Federal Bureau of Investigation

in Merrillville, Indiana (hereafter "FBI"), I am familiar with all aspects of this investigation. The statements contained in this affidavit are based in part on information provided by Special Agents of the TRS, DEA, FBI, on information provided by confidential sources, and on my experience and background as a Special Agent of the IRS.

- 5. During this investigation, I have reviewed financial documents, including bank statements, Currency Transaction Reports, (hereafter CTRs), copies of money orders, cashier's checks and tax returns pertinent to this investigation and IRS records for the fitting of 8300 forms. In addition to these documents, I have reviewed records of wire transfers of huge amounts of cash generated by individuals who are believed to be members of this heroin distribution organization.
- 6. Through my experience as a law enforcement officer, I have learned that large amounts of cash, often in small denominations, pose a significant logistical problem to drug traffickers. Thus, drug traffickers have a need to transform their illegal money into assets that appear to have been legitimately obtained or earned. This process usually entails the integration of the illegally obtained money into the banking system where it can be transferred to other accounts, both within the United States and overseas. The biggest hurdle in accomplishing this goal is often the initial integration of the illegal money into the banking system, in such a way that it appears legitimate, and the avoidance of IRS filing and reporting requirements. Debriefings of narcotics

traffickers and their associates by IRS, DEA and FBI Special Agents have revealed that these individuals are well aware of the paper trail that is created when cash over \$10,000 is brought to a financial institution, and that they seek ways to avoid that paper trail.

FACTS AND CIRCUMSTANCES

- 7. Prior to and during 1988, the DEA became involved in the investigation of a white heroin trafficking network operating in Chicago, Illinois and Hammond, Indiana. The investigation disclosed that an individual known as Lee Andrew Edwards was a source of white heroin. Edwards is currently incarcerated for attempting to murder a federal agent while the agent was executing a search warrant. Cocaine, heroin, guns and paraphernalia used to distribute drugs were recovered during the execution of the warrant. Edwards entered a guilty plea to the charges arising from the attempted murder of the federal agent.
- 8. A DEA confidential source (Source A) has provided reliable information to the DEA in its investigation into this white heroin distribution network. Information provided by Source A has been corroborated by an engoing DEA investigation, FBT investigations, surveillances of Source A, consensual recordings of conversations, and a review of FBI and DEA records.
- Source A provided reliable information about Lee Andrew
 Edwards including the identity of a telephone number which

activated an electronic pager. Source A reported that this number was to be called to place an order for white heroin. According to records reviewed, this pager was subscribed to by Adegboyega Mueez Akande at 7504 South Stewart Avenue, Chicago, Illinois.

- 10. During February 1988, an individual identified as Abiodun Agbele arrived in the United States from Nigeria. According to investigating agents of DEA, Agbele identified Akande as his uncle and stated that Akande provided him (Agbele) an apartment in Hammond, Indiana.
- 11. The investigation disclosed through interviews with Agbele that Akande returned to Nigeria in mid 1990; however, before he left, he instructed Agbele to serve as a source of white heroin for Lee Andrew Edwards. According to DEA investigators, Agbele sold white heroin to Edwards on numerous occasions. With the assistance of Source A, DEA called Agbele to purchase a small amount of white heroin. On November 20, 1990, Agbele sold one ounce of white heroin to a law enforcement officer working in an undercover capacity for \$7,000.
- 12. Subsequent to the sale of the white heroin to law enforcement officers, Agbele was arrested and agreed to cooperate by providing information regarding the white heroin distribution network of Akande.
- 13. During interviews with the law enforcement agents investigating this distribution network, Agbele confirmed that Akande was involved in the distribution of white heroin. As a result of his involvement in this business enterprise, Akande

generated huge profits that Agbele admitted he often wired to bank accounts on behalf of Akando.

- 14. According to Agbele, Akande controlled the operation of the white heroin distribution network from Nigeria in conjunction with other individuals in Nigeria and the United States. Much of the business, at the time the operation flourished, was conducted by telephone, although, according to Agbele, Akande occasionally travelled to the United States under an assumed name to retrieve portions of the drug profits.
- 15. During the course of the investigation, DEA agents learned that in November 1986, Adeqboyega Mueez Akande completed a lease application for an apartment on which he listed his employment as an account representative for Globe-Link International. Akande listed his address as 7504 South Stewart Avenue, Chicago, Illinois and a former address as 7527 North Sheridan Road also in Chicago. On the application, Akande listed Audrey Akande as his spouse and his current landlord was identified as Christine Schaffer.
- 16. Further investigation by DEA disclosed that Abiodun Aqbele also completed a lease application for an apartment in the same apartment complex located at 4050 %. 115th Street, Chicago, Tilinois. In the application, Agbele stated that he was employed by Globe-Link as a sales representative. The investigators have confirmed that Adegboyega Mueez Akande maintained an apartment in this complex.

- 17. A review of the documents provided by the Secretary of State disclosed that Globe-Link International was owned by Mueez Adegboyega Akande. According to the 1985 corporate report, the company was located at 7527 North Sheridan Road and was in the business of consulting and business negotiations.
- 18. It is believed by this affiant that Adegboyega Mueez Akande and Mueez Adegboyega Akande are the same individual because of social security and tax information. Further, Agbele told agents investigating this matter that Nigerians often transpose their first and middle names or use aliases to avoid detection by immigration officials.
- 19. A review of the 1986 corporate report from the Secretary of State showed that Globe-Link was owned by Mueez A. Akande and other relatives. Audrey Akande was one of the relatives listed, and she was identified as Akande's wife. The business address remained 7527 North Sheridan Road, Chicago, Illinois.
- 20. A review of records from the IRS disclosed that Globe-Link was purportedly located at 7504 S. Stewart, Chicago, Illinois but received mail at a post office box. The building at this address is a two-flat with one of the residents being identified as Christine Schaffer, who is the mother of Audrey Akande and the mother-in-law of Adegboyega Mueez Akande. The IRS information further disclosed that Globe-Link filed one corporate tax return in 1987 showing taxable income in the amount of \$9,105. No other returns have been filed. Interviews with investigators from the U.S. Customs Service have disclosed that the address at 7504 S.

Stewart Avenue is known as a drop-off point for packages from Nigoria that contain white heroin.

- 21. This investigation has disclosed the identity of other individuals, including relatives, who have worked for Akando with various duties in the distribution organization. One of these individuals has been identified by the investigation as Bola Tipubu.
- 22. According to bank records from the First Heritage Bank, Country Club Hills, Illinois, Tinubu opened an individual money market account and a "NOW" account in December 1989. In the application, Tinubu stated that his address was 7504 South Stewart, Chicago, Illinois. This is the same address used previously by Akande and Globe-Link. Upon opening this account, Tinubu deposited \$1,000 in traveler's checks.
- 23. Bank records disclosed that five days after the account was opened, on January 4, 1990, \$80,000 was deposited into the NOW account at First Heritage Bank by wire transfer through First Chicago from Banc One Houston. The transaction was completed at the direction of Mirbec A. Akande who resided at 7930 Corporate Drive, Houston, Texas. A review of a credit bureau report shows that Adegboyega Mueez Akande previously used this address. Further, the investigation disclosed through a review of bank records that an individual named Muecz Adegboyega Akande bad three accounts at Banc One.
- 24. According to bank employees, when Bolz Tinubu came to First Heritage Bank in December 1989 to open the accounts, he was

introduced to them by Adegboyega Mueez Akande who at that time maintained an account at the bank.

- 25. According to bank records, Bola Tinubu also opened a joint checking account in his name and the name of his wife, Cluremi Tinubu. Oluremi Tinubu proviously opened a joint bank account also at this bank with Audrey Akande, the wife of Adegboyega Mueez Akande.
- 26. Bank records further disclosed that on January 6, 1990, Tinubu withdrew \$20,000 from the "NOW" account to purchase a Cortificate of Doposit for \$10,000; the remaining \$10,000 was deposited into the money market account.
- 27. On the same day, January 6, 1990, Tinubu completed a credit application for an \$8,000 loan to purchase an automobile. Tinubu stated in the application that he resided at 7504 South Stewart and that Mueez A. Akande, his cousin, resided at 3515 Maple Lane, Hazel Crest, Illinois. Further, Tinubu stated in the application that his employer was Mobile Oil Nigeria Ltd., Fairfax, Virginia and that his take home pay was \$2,400 per month. Additionally, Tinubu stated that he had no other sources of income. He listed his wife, Oluremi S. Tinubu, as a co-applicant. The application states that she resides at the same location and her employment is listed as housewife. This loan was secured with the certificate of deposit in the amount of \$10,000 that Tinubu recently purchased.

- 28. A review of a Trans Union Credit report, however, showed that Tinubu resided at 7424 South Shore, Chicago, Illinois. The date of this credit report was December 28, 1989.
- 29. On January 8, 1990, a loan was given to Tinubu by First Heritage Bank and a check in the amount of \$8,000 was made payable to the car dealership and him for the purchase of a car.
- 30. A review of records from the car dealership disclosed that on January 9, 1990, Bola Tinubu purchased a 1990 Nissan 240X (VIN: JN1H536P7LW121339) for \$17,754.03 using cashier's checks purchased at First Heritage Bank from funds in his bank accounts. Tinubu provided 3515 Maple Lane, Hazel Crest, Illinois as his residence while completing paperwork at the car dealership.
- 31. Bank records also disclosed that on May 9, 1989, Adegboyega M. Akande opened a checking account number 263153800-2 at First Heritage Bank using social security number 577-76-9301. The account remained open until September 1990 according to records from the bank. A review of the bank statements and cashier's checks from this checking account disclosed that it remained inactive except during January 1990 and February 1990. The account records showed a deposit of a cashier's check in the amount of \$5,000. The cashiers's check was purchased by Bola Tinubu on January 11, 1990, seven days after the above described \$80,000 wire transfer was received from Akande. Tinubu made the cashier's check payable to Audrey Akande and after endorsement with the names Audrey Akande and Adegboyega Akande, it was deposited into Adegboyega Mueez Akande's account.

- 32. Information received from the Social Security Administration and the TRS disclose that the social security number used by Adegboyega Mueez Akande to open the account at First Heritage Bank does not belong to him.
- 3). A review of records from the IRS disclosed the Muccz A. Akande and Audrey Akande last filed a joint income tax return in 1987 showing disposable income or adjusted gross income of \$10,500 from self-employment. Akande listed his address as 7504 South Stewart, Chicago, Illinois. The records further disclose that Akande did not file income tax returns for any year following 1987.
- 34. Records from First Heritage Bank disclose that in 1990, Bola Tinubu deposited \$661,000 into his individual money market account and in 1991, Tinubu deposited \$1,216,500 into the same money market account. The balance in the account is approximately \$980,967.
- 35. Bank records from Citibank Inc., disclosed that in January 1991, Tinubu began opening accounts at Citibank in the section known as the world-wide personal banking unit. A review of bank records disclosed that on January 25, 1991, Tinubu transferred \$560,000 from his money market account at First Heritage Bank to one of the world-wide personal accounts at Citibank.
- 36. Account statements from the accounts at both First Heritage Bank and Citibank were forwarded to Bola Tinubu in care of Shola Ogunbode at 6641 Morningview Court, Alexandria, Virginia.
- 37. Representatives from Mobil Oil were interviewed regarding Tinubu's employment status. The representatives confirmed that

Tinubu was employed by Mobil Oil Nigeria Ltd. as a treasurer. This position, however, does not involve the transfer of large amounts of money between banking institutions. Mobil Oil representatives stated that under no circumstances would Tinubu be permitted to retain money belonging to Mobil Oil in accounts bearing Tinubu's name. Finally, Mobil Oil confirmed that the corporation never had any accounts in banks in the southern suburbs of Chicago.

- 38. IRS tax laws require the payment of taxos for resident and non-resident aliens on interest income from deposits made into U.S. banks. A review of IRS records has disclosed that Bola Tinubu has failed to file income tax returns since 1984 despite the receipt of interest income credited to the accounts in his name.
- 39. On January 10, 1992, applications for seizure warrants were presented to Magistrate Judge Rosemond of the Northern District of Illinois. After considering the applications and the attached affidavits, Magistrate Judge Rosemond issued seizure warrants for accounts at First Heritage Bank and Citibank in the name of Bola Tinubu. The amount of money seized from these accounts exceeded \$1.4 million dollars.
- 40. Shortly thereafter, Mr. Tinubu contacted the First Heritage Bank to transfer money from his accounts and was advised that the accounts had been seized by the U.S. Treasury. Representatives from First Heritage Bank advised me of Tinubu's inquiries about his accounts. On January 13, 1992, I spoke to an individual who identified himself as Bola Tinubu at a telephone number in Nigeria that he provided to the employees of the bank.

During the course of the conversation, he advised me that he (Tinubu) knew Akande. Tinubu admitted that he had wire transferred \$100,000 to Akande's bank account in Houston and that \$80,000 of the funds used to open the bank accounts at Pirst Heritage Bank had come from Akande. When asked to identify other accounts in his name, Tinubu stated that he had an account in Fairfax, Virginia and an account in London. Despite repeated requests for information regarding bank accounts, Tinubu denied having any additional accounts in the United States.

- 41. On January 14, 1992, T had another telephone conversation with the same individual who identified himself as Bola Tinubu. During this telephone conversation, Tinubu admitted to me that he knew Aghele and that he met Aghele through Akande. He further admitted that he (Tinubu) had associated with Akande and Aghele in the United States as well as Nigeria. Again during this conversation, he denied the existence of any other bank accounts in the United States.
- 42. The initial warrant served on Citibank seized accounts in a division referred to as Citibank, N.A. Further investigation disclosed that there was an additional banking unit known as Citibank, International with world-wide banking capabilities. Records from Citibank, International disclosed that accounts, in the name of Bola Tinubu and corporate accounts to which Tinubu had access existed in this separate international banking unit.
- 43. On January 24, 1992, a seizure warrant was issued in the Southern District of New York for the accounts held in the name of

Bola Tinubu by Citibank, International. Approximately \$550,000 was seized from these accounts held by Citibank, International in the name of Bola Tinubu.

- 44. According to records from Citibank, International, there were two additional corporate accounts held in the name of Compass Finance and Investment Company, Ltd. which were controlled by Bola Tinubu.
- 45. The bank records from these accounts in the international division disclosed that when Bola Tinubu opened these accounts at Citibank, International, he provided certain corporate documents from Compass Pinance and Investment Company, Ltd. including documents identified as a memorandum of association and articles of association. Both corporate documents identified Muccz Adegboyega Akando and Abiodum Clasuyi Agbole as directors of Compass Pinance and Investment Company, Ltd.
- 46. A further review of the records from Citibank, International disclosed that the funds transferred from First Heritage Bank in Illinois to Citibank, N.A. were subsequently transferred to the Citibank, International accounts held in the name of Bola Tinubu and Compass Finance and Investment Company Ltd. Punds held in international accounts may be easily transferred into the international banking system or converted into foreign currency.
- 47. On January 30-31, 1992, Timubu advised agents investigating this matter that he had no business association or financial relationship with Agbele or Akande. This information

contradicted his prior statements on January 13, 1992, when he advised law enforcement officers that the money used to open the account at First Heritage Bank had come from Akande.

- 48. For the reasons set forth above, there is probable cause to believe that the funds in the accounts, held by First Heritage Bank, Citibank, N.A. and Citibank, International, in the names of Bola Tinubu and Compass Finance and Investment Company, Ltd., represent property that was involved in transactions in violation of 18 U.S.C. §§ 1956 and 1957, or is property traceable to such property or represents the proceeds of drug trafficking making the fund in the accounts forfeitable to the United States pursuant to 18 U.S.C. §981 and 21 U.S.C. §881.
- 49. I have read the foregoing verified complaint and this affidavit; the averments contained therein are true and correct to the best of my knowledge, information and belief.

Kevin Moss

Special Agent

Internal Revenue Service

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF JULY, 1993.

NOTARY PUBLIC

"OFFICIAL SEAL"
Rense F. Swanson
Notary Public, State of Dinois
My Commission Expites 12/6/94

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CIVIL COVER SHEET

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff.

v.

FUNDS IN ACCOUNT 263226700 HELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS IN ACCOUNTS 39483134,)
39483396, 4650279566, 00400220,)
39936404, 39936383,)
HELD BY CTTIBANK, N.A.)
IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.,)

FUNDS IN ACCOUNTS 52050-89451952,)
52050-89451952, 52050-89451953)
HELD BY CITIBANK, INTERNATIONAL)
IN THE NAME OF BOLA TINUBU,)

Defendants.

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No.

Judge WINCHE WINCHER

MAGISTRATE JUDGE DUGALO

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H. STUARY CUNNINGHAM, CLERK UNITED STATES DIGITALL LUCK!

EX PARTE MOTION OF THE UNITED STATES FOR ORDER RELATING TO EXECUTION OF SEIZURE

NUCKETED

The United States of America, by its attorney, MICHAEL J. SHEPARD, United States Attorney for the Northern District of Illinois, requests that the Court review the verified complaint filed herein (a copy of which is submitted herewith) and make a finding of probable cause and issue an order relating to execution of the scizure and service of the warrant of seizure and monition and in support states:

This is an in rem forfeiture case brought pursuant to 21
 U.S.C. § 881 and 18 U.S.C. § 981 which provides for the forfeiture
 of property representing the proceeds of drug trafficking and

property involved in money laundering. The verified complaint and affidavit allege that the property sought to be seized in this case is subject to forfeiture under these provisions.

- 2. Although Rule C(3) of the Admiralty Rules, which governs this in rem case, explicitly provides that judicial review prior to issuance of warrant of scizure is not required, a number of courts have held that a prior determination of probable cause is necessary before real property can be seized. E.g., United States v. 124 East North Avenue, Lake Forest, Illinois, 651 F. Supp. 1350 (N.D. Ill. 1987). Other courts are split on the need for a pre-seizure hearing in real estate seizures. Compare, United States v. A Single Family Residence Located at 900 Royal Vista Boulevard, Ft. Lauderdale, Florida, 803 F.2d 625 (11th Cir. 1986) (no pre-seizure hearing required, ex parte or otherwise) with United States v. the Premises and Real Property at 4492 South Livonia Road, Livonia, NY, 889 F.2d 1258 (2nd Cir. 1989)(preseizure notice and opportunity for adversarial hearing required in residential real estate seizures). No preseizure notice or hearing has been required, however, in a civil forfeiture action relating to personal property such as the funds in the bank accounts at issue in this case.
- 3. Nevertheless, the United States has delayed service of process until this Court has reviewed the complaint and affidavit ex parts to determine whether there is probable cause to believe that the subject property represents drug proceeds or property involved in money laundering. Probable cause in the forfeiture context has been described as "...less than prima facis proof but more than mere suspicion." United States v. One 1981 Cadillac

Eldorado, 535 F.Supp. 65, 66 (N.D. III. 1982).

4. The defendant funds in these bank accounts were seized pursuant to warrants issued in this district and in the Southern District of New York. The banking institutions have retained custody of the defendant funds in these accounts on behalf of the court. The United States requests that this court direct that the warrant for seizure and monition be served by mail on these banking institutions having custody of the defendant funds and that the funds remain in these accounts during the pendency of these proceedings, until further order of this court.

WHEREFORE, the United States prays that the court grant it grant its motion, make a finding of probable cause, and direct the execution of process in the manner set forth above. A draft order is submitted herewith.

Respectfully submitted,

MICHAEL J. SHRPARD United States Attorney

By:

MARSHA A. McCLELLAN Assistant U.S. Attorney 219 South Dearborn Chicago, TL 60604

(312) 353-2814

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

y.

FUNDS IN ACCOUNT 263226700 HELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS IN ACCOUNTS 39483134, 39483396, 4650279566, 00400220, 39936404, 39936383, HELD BY CITIBANK, N.A. IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.,

FUNDS IN ACCOUNTS 52050-89451952, 52050-89451952, 52050-89451953 | HELD BY CITIBANK, INTERNATIONAL IN THE NAME OF BOLA TINUBU.

Defendants.

980 4488

No.

Judge 1000F NOF MEN

MAGISTRATE 1896: SUCKLO



ORDER

This matter is before the Court on the ex parte motion of the United States for a finding of probable cause to believe that the defendant funds in this forfeiture action is subject to forfeiture under 21 U.S.C. Section 881 and 18 U.S.C. § 981 and for an order relating to the execution of process in this matter. The Court has reviewed the verified complaint filed herein and, having been fully informed in the bases for this motion, hereby

FINDS that there is probable cause to believe that the funds described in the complaint is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881 and 18 U.S.C. § 981.

Accordingly, it is hereby

ORDERED that the United States Marshal shall hereby have authority to execute the warrants of seizure and monition issued pursuant to Rule C of the Admiralty Rules by serving the warrants by mail on Citibank and First Heritage Bank, who shall be deemed the substitute custodians of the defendant funds for the United States Marshal, and who shall hold the defendant funds during the pendency of these proceedings until further order of court; it is further

ORDERED that, upon execution of the warrant as set forth above, the United States Marshal shall give due notice to all interested parties to appear and to show cause why the forfeiture should not be decreed.

ENTER:

UNITED STA - 3 DISTRICT COURT, NORTHERN DIS - 1.01 OF ILLINOIS

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United States Attorney Northern District of Illinois

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Dirham Faleral Ballainy 219 South Dearborn Societ, 12th Floor Chicago, Illinois 66601

H. Stuart Cunningham, Clark United States District Court

August 17, 1993

H. Stuart Conningham, Clerk United States District Court Northern District of Illinois 219 South Dearborn Stuart - 20th Floor Chicago, Illinois 60604

Re: US V FUNDS IN 3 ACCOUNTS Nordberg, John A.

9304483

25/6 27 199L

Dear Mr. Cunningham:

The above-referenced matter is assigned to Assistant United States Attorney Marsha A. Mc Clellan whose telephone number is (312)353-5437.

Please direct all communication to the above-named Assistant.

This letter is not an appearance by the United States Attorney on behalf of any party, but is provided for informational purposes only.

Very truly yours,

MIGHARD J. SHEPARD United States Attorney

Byz

MARSHA E. GLENN Docket Tenhnician

cc: AUSA Mersha A. Mc Clellan



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FOR THE

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

To the Marshal of the

Northern

District of

Illinois

WHEREAS, on the 26th day of JULY

A.D. 19 93 Northern

. a Ver. Complt for For

was filed in the United States District Court for said
Illinois , by

MICHAEL J. SHEPARD

District of United States attorney

for said District, on behalf of the United States, against

FUNDS IN ACCOUNTS 52050-89451952, 52050-89451952, 52050-89451953 HELD BY CITIBANK, INTERNATIONAL IN THE NAME OF BOLA TINUBU

PAGISTANIE LUMS ELASSAL

and praying that all persons interested in said goods, wares, and merchandise may be cited in general and special, to answer the premises; and due proceedings being had, that the said goods, wares, and merchandise may, for the causes in said complaint mentioned, be condemned as forfeited to use of the United States.

YOU ARE THEREFORE HEREBY COMMANDED To attach the said goods, weres, and merchandise, and to detain the same in your custody until further order of said Court respecting the same; and to give notice by publication in the Chicago Daily Law Bulletin to all persons claiming the same, or knowing or having anything to say why the same should not be condemned as forfeited to the use of the United States, pursuant to the prayer of said complaint, that they be and appear before the said Court, at the city of Chicago within ten days after giving of notice, if the same shall be a day of jurisdiction thereafter, then and there to interpose a claim for the same and to make their allegations in that behalf and that they file and serve their answers within twenty days after the filing of said claims. And what you have done in the premises, do you then and there make return thereof, together with this writ.

WITNESS THE HONORAB	LE	UNITED STATES DISTRICT JUDGE AT
DATE	CLERK S	BTUART CUNNINGHAM
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FOR THE

NORTHERN DISTRICT OF ILLINOIS



To the Marshal of the

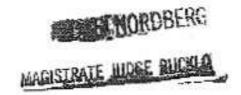
Northern

District of

Illinois

WHEREAS, on the 26th day of JULY .A.D. 19 93 , a Ver. Complt for For was filed in the United States District Court for said Northern District of .By MICHAEL J. SHEPARD .United States attorney for said District, on behalf of the United States, against

FUNDS IN ACCOUNTS 39483134, 39483396, 4650279566, 00400220, 39936404, 39936383, HELD BY CITIBANK, N.A. IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.



and praying that all persons interested in said goods, wares, and merchandise may be cited in general and special, to answer the premises; and due proceedings being had, that the said goods, wares, and merchandise may, for the causes in said complaint mentioned, be condemned as forfeited to use of the United States.

YOU ARE THEREPORE HEREBY COMMANDED To attach the said goods, wares, and merchandise, and to detain the same in your custody until further order of said Court respecting the same; and to give notice by publication in the Chicago Deily Law Bulletin to all persons claiming the same, or knowing or having anything to say why the same should not be condemned as forfeited to the use of the United States, pursuant to the prayer of said complaint, that they be and appear before the said Court, at the city of Chicago within ten days after giving of notice, if the same shall be a day of jurisdiction thereafter, then and there to interpose a claim for the same and to make their allegations in that behalf and that they file and serve their answers within twenty days after the filing of said claims. And what you have done in the premises, do you then and there make return thereof, together with this writ,

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U.S. Department of Justice United States Marshals-Service

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FORM USM-285 (Res. 12/5/80)

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EASTERN DIVISION

NORTHERN DISTRICT OF ILLINOIS





To the Marshal of the

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WHEREAS, on the 26th day of JULY was filed in the United States District Court for said

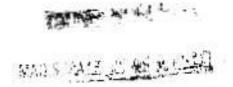
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District of , United States attorney

, by MICHAEL J. SUBPARD for said District, on behalf of the United States, against

PUNDS IN ACCOUNT 263226700 HELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU



and praying that all persons interested in said goods, wares, and merchandise may be cited in general and special, to answer the premises; and due proceedings being had, that the said goods, wares, and merchandise may, for the causes in said complaint mentioned, be condemned as forfeited to use of the United States,

YOU ARE THEREFORE HEREBY COMMANDED To attach the said goods, wares, and merchandise, and to detain the same in your custody until further order of said Court respecting the same; and to give notice by publication in the Chicago Daily Law Bulletin to all persons claiming the same, or knowing or having anything to say why the same should not be condemned as forfeited to the use of the United States, pursuant to the prayer of said complaint, that they be and appear before the said Court, at the city of Chicago within ten days after giving of notice, if the same shall be a day of jurisdiction thereafter, then and there to interpose a claim for the same and to make their allegations in that behalf and that they file and serve their enswers within twenty days after the filing of said claims. And what you have done in the premises, do you then and there make return thereof, together with this writ,

WITNESS THE HONORAL	BLE	UNITED STATES DISTRICT JUDGE AT
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U.S. Department of Justice United States Marshals Service

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FORM USM-285 (Res. 12/15/80)

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

FUNDS IN ACCOUNT 263226700 HELD BY FIRST HERTTAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS TN ACCOUNTS 39483134, 39483396, 4650279566, 00400220, 39936404, 39936383, HELD BY CITIBANK, N.A. IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.,)

FUNDS IN ACCOUNTS 52050-89451952,)
52050-89451952, 52050-89451953
HELD BY CITIBANK, INTERNATIONAL
IN THE NAME OF BOLA TINUBU,

Defendants.

No. 93 C 4483 Judge Nordberg

FILED

SEP 1 : 1995

H. STUALT CETOKINEHAM, CESTAL UNITED STATES DISTRICT COULT

HERETER

SEF 2 1 1993

STIPULATION AND COMPROMISE SETTLEMENT OF CLAIMS TO THE FUNDS HELD BY HERTTAGE BANK AND CITIBANK

The United States of America, by its attorney, Michael J. Shepard, United States Attorney for the Northern District of Illinois and claimants, Bola A. Finubu, K.O. Tinubu (individually and on behalf of the Tinubu Family) and Alhaji Mogati, by their attorney, Patrick S. Coffey, stipulate and agree as follows:

The United States filed a Verified Complaint for Forfeiture against the funds in the above-captioned defendant accounts because there was probable cause to believe that the property represented proceeds of narcotics trafficking or was property involved in financial transactions in violation of 18 U.S.C. §§ 1956 and 1957 and therefore was forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6) and 81 U.S.C. § 981. The funds in the defendant accounts were seized initially by seizure warrants. The claimants dispute that there was probable cause for these seizures.

923 8

- The defendant accounts held by Citibank and Heritage Bank are in the name of Compass Financial and Bola Tinubu. Ownership interests in the funds in these defendant accounts have been asserted on behalf of Bola A. Timubu, K.O. Timubu (individually and on behalf of the Tinubu Family) and Alhajq Mogati, (hereafter "the claimants"). The claimants warrant that they have exclusive right, title and interest to the defendant property seized.
- The United States and the claimants agree to settle and to compromise this action on the terms described below.
- The parties agree that the funds held by Citibank shall he released to K.O. Tinubu and the action filed against those funds held in the accounts by Citibank shall be dismissed with prejudice.
- The parties further agree that \$460,000 from the defendant account held by Heritage Bank in the name of Bola Tinubu shall be forfeited by the United States and disposed of according to law. The funds remaining in the account shall be released to K. O. Tinubu.
- The claimants, Bola A. Tinubu, K.O. Tinubu (individually and on behalf of the Tinubu Family) and Alhaja Mogati, hereby release and forever discharge the United States, its officers, agents, servants, and employees, its heirs, successors, or assigns

from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims, and/or demands whatsoever in law or equity which the claimants, their heirs, successors, or assigns ever had, now have or may have in the future in connection with the investigation, seizure, detention, forfeiture, disposition and release of the defendant property.

- 7. The parties further agree that this Court will retain jurisdiction of this matter for the purposes of implementing this settlement agreement.
- 8. The United States and the claimants agree to bear their own costs and attorney's fees.
- 9. The United States and the claimants state that they have read this agreement and understand this agreement and that they intend to be bound by its terms and conditions.

AGREED:

MICHAEL J. SHEPARD United States Attorney

Marsha A. McClellan

Assistant United States Attorney

219 S. Dearborn Street

Chicago, Illinois 60604

3

Attorney for Claimants

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 93 C 4483

v.

Judge Nordberg

FUNDS IN ACCOUNT 263226700 HELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS IN ACCOUNTS 39483134,)
39483396, 4650279566, 00400220,)
39936404, 39936383,)
HELD BY CITIBANK, N.A.)
IN THE NAME OF BOLA TINUBU OR)
COMPASS FINANCE & INVESTMENT CO.,)

FUNDS IN ACCOUNTS 52050-89451952,)
52050-89451952, 52050-89451953)
HELD BY CITIBANK, INTERNATIONAL)
IN THE NAME OF BOLA TINUBU,

Defendants.

100 27 1954

SETTLEMENT ORDER OF CLAIMS TO FUNDS HELD BY HERITAGE BANK AND CITIBANK

This matter coming before the Court upon the motion of the the United States and the claimants, Bola A. Tinubu, K.O. Tinubu (individually and on behalf of the Tinubu Family) and Alhaji Mogati, by their attorney, Patrick S. Coffey, the Court finds as follows:

(a) The United States filed a Verified Complaint for Forfeiture against the funds in the above-captioned defendant accounts because there was probable cause to believe that the property represented proceeds of narcotics trafficking or was

property involved in financial transactions in violation of 18 U.S.C. §§ 1956 and 1957 and therefore was forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6) and 81 U.S.C. § 981. The funds in the defendant accounts were seized initially by seizure warrants. The claimants dispute that there was probable cause for these seizures;

- (b) The defendant accounts held by Citibank and Heritage Bank are in the name of Compass Financial and Bola Tinubu. Ownership interests in the funds in these defendant accounts have been asserted on behalf of Bola A. Tinubu, K.O. Tinubu (individually and on behalf of the Tinubu Family) and Alhaji Mogaji, (hereafter "the claimants"). The claimants warrant that they have exclusive right, title and interest to the defendant property seized;
- (c) The Court has jurisdiction over the defendant accounts and over the subject matter of this action;
 - (d) A verified complaint was filed on July 26, 1993
- (e) Warrants of seizure and monition were served by the United States Marshal's Service;
- (f) The United States and the claimants agree to settle and to compromise this action;
- (g) The parties agree to a settlement of the action against the defendant accounts as set forth in the Stipulation for Compromise Settlement attached to this Order and incorporated herein. It is agreed by the parties that the funds held by Citibank (Account Nos., 39483134, 39483396, 4650279566, 00400220, 39936404 and 39936383, Citibank International Account Nos. 52050-

89451951 (and/or 52050-89651951), 52050-89451952 (and/or 52050-89651952), and 52050-89451953 (and/or 52050-89651953)) shall be released and the action filed against these funds held in the accounts by Citibank shall be dismissed with prejudice;

(h) The parties further agree that \$460,000 from the defendant account held by Heritage Bank in the name of Bola Tinubu shall be forfeited by the United States when publication has been completed and those funds shall remain in the account First Heritage Bank until disposed of according to law by further order of this Court. The additional funds remaining in the account in excess of the \$460,000 shall be released accordingly, it is hereby

ORDERED that the funds in the above named accounts and any accounts held by Citibank or its related entities on behalf of Bola Tinubu or companies over which Bola Tinubu has control shall be released and the action filed against these funds held in these accounts by Citibank shall be dismissed with prejudice; it is further

ORDERED that the funds in the defendant account held by First Heritage in excess of \$460,000 shall be released and the action, as it relates to these funds, filed against the account by First Heritage shall be dismissed; it is further

ORDERED that the funds in the defendant account held by First Heritage in the amount of \$460,000 shall be maintained in the defendant account until further order of this Court; it is further

ORDERED that the Stipulation for Compromise Settlement and Hold Harmless Agreement and its terms and conditions are made a

part of this Settlement Order; it is further

ORDERED that the Court shall retain jurisdiction over this action in order to implement and enforce the terms of the attached Stipulation.

JOIN A. NORDBERG United States District Judge

September 15, 1993

Minute Order (1879)

UNITED STATE, DISTRICT COURT, NORTHERN DIS...ICT OF ILLINOIS

or Magistrale C	Judge John A. Nordberg	Sitting Junge if Oth Than Assigned Jud		
Case Numit	93 C 4483	Date	Septomber 15, 1993	
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NORTHERN DISTRICT OF ILLINOIS

FILED

SEP 15 1993

in the Matter of United States v. Funds in Account
2632267000 et al.

H. STUART CUNIVINGHAM CLERK, U. S. DISTRICT COURT

Case Number: 93 C 4483

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

CLAIMANTS BOLA A. TINUSU, K.O. TINUSU AND ALMATI MOSATI

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GARDNER, CARTON & DOUBLAS	55P 1 ≈ 1993		
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PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.

Anited States District Court FILED

Northern District of Illinois Eastern Division

Plaintiff (s) UNITED STATES

VS.

Defendant(s) Funds in Accounts 263226700, et al

H. STUART CUNININGHAM CLERK, U. S. DISTRICT OF

AFFIDAVIT EVIDENCING COMPLIANCE WITH GENERAL RULE 29

CLAIMANTS GOLA A. TIAUGU, K.O. TIMBU AND ALMASI MOCATI

Affiant is the attorney of record for

--Ha**stua**nd towningaam, cleat PRIME STATES DICTRICT COLLAR

and has knowledge of the matters covered by this affidavit and has read General Rule 39.

Affiant has not directly or indirectly solicited employment by the above-named party or parties, and knows of no solicitation of said party or parties by any person that has resulted in the employment of the affiant, except (here state all exceptions, or if none state "no exception"): NO GXCEPTION

Affiant has not paid, or promised to pay, and knows of no payment or promise of payment to the above-named party, or parties, of the costs of this case, or of the medical, living or other expenses of any party, or of any part of an attorney's fee, or of any portion of the recovery by suit or settlement herein to any person whatever other than the above-named party or parties and the attorneys of record herein, except (here state all exceptions, or if none state "no exception"): No Exception

Affiant has filed contemporaneously herewith a signed copy of any written contingent fee agreement applicable to his compensation for representing the above-named party or parties in this action and represents that a signed copy thereof has been furnished to each party be represents; if no copy of a contingent fee agreement is filed herewith, affiant represents that his compensation for services in this case is not on a contingent basis.

day of JENTOMBEL Subscribed and sworn to before me this 1574



CERTIFICATE OF PUBLICATION

CASE NO. 93C-4483

Seized FUNDS IN ACCOUNTS

LAW BULLETIN PUBLISHING CO.

does hereby certify that it is the publisher of

CHICAGO DAILY LAW BULLETIN.

that said CHICAGO DAILY LAW BULLETIN is a second development that has been published DAILY in the City of Chicago. County of Cook. State of Elinois, continuously for more than one year prior to the first date of publication of the notice appended, that it is of general decutation throughout said County and State, that it is a newspaper as defined in "An Act to revise the law in relation to notices," as amended Elinois Compiled Statutes (715 LCS 5/1 & 5/5), and that the notice appended was published in the said CHICAGO DAILY LAW BULLETIN on

SEPTEMBER 01, 1993.

FREE TEN

In witness whereof, the undersigned has caused this contilinate to be signed and its corporate seal affixed at Chicago. Hinnels,

SEPTEMBER 01ST, 1993.

LAW BULLETIN PUBLISHING CO.

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UNITED STATES MARSHAL'S MOTICE.
District Case No. 900-4480
To When It May Concern

To When it Way Concern Wereaut and Monton soled out of the United States Cished Court of the United States Cished Court of the United States of Hings, on the 27th case of July A.D. 1993, postural to a company field by Verbed J. Shupard. Those States Alteries for the Rothern Cishelf of United States and against Certain merchandles to will

Funds in Assessed 263226700 held by first Hortzge Bork in the name 9 Bala Tribbu Funds in Accounts 36483134 39482396 after 279566 20040324 3936383, held by Chibark, N.A. to the name of Brite Industrial Compass Finance & Investment Ce. and Funds in Accounts 52050-89451952, 52050 after 200401950 5206089451953 held by Chibark International in the name of John Tribbu in causes and reasons in sald com-

name of 30% trushi.

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Dated at Chicago, Ifinals, this list day of September, A.D., 1993.

MARYIN LUTES
U.S. Marshes Service,
Northern District of Birds,
929267 Sept—L

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION



UNITED STATES OF AMERICA,

Plaintiff.

V.

) No. 93 C 4483)) Judge Nordberg

FUNDS IN ACCOUNT 263226700 HELD BY FIRST HERITAGE BANK IN THE NAME OF BOLA TINUBU,

FUNDS IN ACCOUNTS 39483134, 39483396, 4650279566, 00400220, 39936404, 39936383, HELD BY CITLBANK, N.A. IN THE NAME OF BOLA TINUBU OR COMPASS FINANCE & INVESTMENT CO.,

FUNDS IN ACCOUNTS 52050-89451952,)
52050-89451952, 52050-89451953
HELD BY CITIBANK, INTERNATIONAL
IN THE NAME OF BOLA TINUBU,

Defendants.

DECREE OF FORFRITURE AS TO FUNDS HELD BY FIRST HERITAGE BANK

This matter coming before the Court upon the motion of the the United States of America, the Court finds as follows:

(a) The United States filed a Verified Complaint for Forfeiture against the funds in the above-captioned defendant accounts because there was probable cause to believe that the property represented proceeds of narcotics trafficking or was property involved in financial transactions in violation of 18 U.S.C. §§ 1956 and 1957 and therefore was forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981. The

funds in the defendant accounts were seized initially by seizure warrants;

- (b) The defendant accounts held by Citibank and First Heritage Bank are in the name of Compass Financial and Bola Tinubu. Ownership interests in the funds in these defendant accounts have been asserted on behalf of Bola A. Tinubu, K.O. Tinubu (individually and on behalf of the Tinubu Family) and Alhaji Mogaji. These individuals warranted that they had exclusive right, title and interest to the defendant property seized;
- (c) The Court has jurisdiction over the defendant accounts and over the subject matter of this action;
 - (d) A verified complaint was filed on July 26, 1993;
- (e) Warrants of seizure and monition were served by the United States Marshal's Service;
- (f) The United States and the individual claimants agreed to settle and to compromise this action upon terms previously presented to the Court;
- (g) A Settlement Order relating to the individual claimants was approved and signed by this Court on September 15, 1993;
- (h) Pursuant to the stipulation for compromise settlement made a part of the Settlement Order, funds remaining in the amount of \$460,000 in the defendant account held by First Heritage Bank in the name of Bola Tinubu were to be forfeited by the United States when publication was completed if no other claims to the funds were made;
 - (i) Pursuant to Rule C of the Supplemental Rules Governing

Certain Admiralty and Maritime Claims, the United States Marshal published notice of the seizure on September 1, 1993, directing that any claim be filed within ten days of said date and any answer be filed within twenty days of the filing of the claim;

(j) Neither a claim nor answer has been filed on behalf of the defendant funds other than the claims previously resolved by this Court in its Settlement Order dated September 15, 1993 accordingly, it is hereby

ORDERED that the funds in the amount of \$460,000 in account 263226700 held by First Heritage Bank in the name of Bola Tinubu represent proceeds of narcotics trafficking or were involved in financial transactions in violation of 18 U.S.C. §§ 1956 and 1957 and therefore these funds are forfsit to the United States pursuant to 21 U.S.C. § 881(a)(5) and 18 U.S.C. § 981; it is further

ORDERED that First Heritage Bank shall issue a check in the amount of \$460,000 payable to Federal Reserve Bank of Chicago and that these funds shall be disposed of according to law; it is further

ORDERED that the Court shall retain jurisdiction over this action in order to implement and enforce the terms of this Decree of Forfaiture.

JOHN A. NORDBERG

DMitcd States District 700/ge

Dated: () 4, 1993

Minufe Order Form (rov 12/90) UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS Namh of Asserted Judge John A. Nordberg Silting Judge il Other or Maghetrale Judge Then Assigned Judge 93 C 4483 Gase Number October 4, 1993 Date USA v. Acct #260226700, etal Case Title (In the following box (a) indicate the party Sign the motion, a.g., plainfull, determined. Orderly plainfull, and (b) state orielly the nature of the motion heling wear the continuous of the motion heling was the continuous of the contin MOTION: Ellmed on_____ DOCKET ENTRY: Filed motion of [use listing in 1MO HQN* box above] (1) Brief in support of motion due (2)Reply to answer brief due Anxiet brief to motion due (3) Bulling (4) Hearing (5)Status hearing managed to ant for re set for all Pretrial coel re set for continued to set for (G) Set for cu-sul for (7)laint doneU (8) dury Total Hearing here and continued to (9) This case is dismissed without with projudice and without costs by agreement pursuant to FRCP 1(j) (lailure to serve) General Halo 21 (went of prosecution) FROP 41(a)(4) FROP 41 (4)(2) [Other docket entry] Counsel for the plaintiff appeared. Enter Decree of Forfeiture as (10)to Funds Held by First Heritage Bank. It is ordered that the funds in the amount of \$460,000 in account 263226700 hold by First Haritage Bank in the name of Rola Tinubu are forfeited to the United States pursuant to 21 USC 881(a)(6) and 18 USC 991. It is ordered that First Heritage Bank shall lesue a chock in the amount of \$460,000 payable to Federal Reserve Bank of Chicago. (For further detail see arous on the jeverse of (11)A side attached to the original minute order form.) No notices required, advised in open court number of netices No notices received

Notices meiled by judge's staff. Document # date 1963 E - 1999 docketed Notified counsel by telephone. Dockeling to mail melices Jacketing daty initials Vail AO 450 lorm. date mailed Copy to judge/magistrate Judge. garton courtroom Date/time reserved in deputy s mailing central Olark's Office Ir il ols doty, initials.