

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States of America,)
)
 Plaintiff,)
)
 v.) Civil No. 14-294-PB
)
 Six Hundred Ninety Five Dollars (\$695.00))
 in U.S. Currency, more or less, seized from)
 Phat Stuff, Keene, New Hampshire; et al,)
)
 Defendants *in rem*.)
)
 _____)

**ASSENTED-TO MOTION FOR INTERLOCUTORY SALE OF ONE 2011
FORD F 250, NH REGISTRATION #2977098, VIN #1FT7W2B68BEA60933,
REGISTERED TO PANAGIOTES AND KATIE ELIOPOULOS**

1. On July 3, 2014, the United States filed a Verified Complaint for Forfeiture in Rem, seeking the forfeiture of the defendant *in rem* vehicle, one 2011 Ford F 250, NH Registration #2977098, Vin #1FT7W2B68BEA60933, registered to Panagiotes and Katie Eliopoulos, among other assets.
2. The Verified Complaint, Summons and Warrant of Arrest in Rem, Notice of Complaint, and ECF Notice were served on all known potential claims, including Panagiotes and Katie Eliopoulos, through their attorney, Charles J. Keefe, Esq., and Ford Motor Credit Company, who were served on July 18, 2014, via certified mail.
3. A legal notice of this action *in rem* was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on July 17, 2014. Claims based on direct notice were due no later than August 22, 2014, and September 15, 2014, as to the official government internet site.

4. Panagiotes and Katie Eliopoulos filed timely claims to the defendant *in rem* on August 20, 2014. Ford Motor Credit Company filed a timely claim on September 4, 2014, pursuant to an order enlarging their deadline to file to September 5, 2014.

5. All parties in interest to the proceeding, being all known claimants and persons with an interest in the defendant property, agree that the property should be sold through an interlocutory sale, pursuant to Supplemental Rule G(7)(b) and 18 U.S.C. § 981(g)(6).

6. Claimants Panagiotes and Katie Eliopoulos, through counsel Charles J. Keefe, Esq., and Ford Motor Credit Company, through counsel Kristin Lindsey, Esq., assent to this motion.

7. Due to the nature of this Motion, no memorandum of law is necessary.

Therefore, the United States of America and claimants Panagiotes and Katie Eliopoulos and Ford Motor Credit Company state that:

A. The defendant property is one 2011 Ford F 250, NH Registration #2977098, Vin #1FT7W2B68BEA60933, registered to Panagiotes and Katie Eliopoulos;

B. In furtherance of the interlocutory sale, Panagiotes and Katie Eliopoulos and Ford Motor Credit Company agree to execute promptly any documents which may be required to complete the interlocutory sale of the defendant property;

C. The defendant property will be sold by the United States Marshals Service;

D. The proceeds realized from the sale of the defendant property, less payment of the Ford Motor Credit Company lien and reasonable and necessary expenses, shall be transmitted to the United States Marshals Service, through a bank or cashier's check made payable to "United States Marshals Service" and shall be substituted as the "res" for the defendant property in this proceeding. The proceeds (substitute res) shall be held by the United States Marshals Service, pending further order of the Court.

Wherefore, the United States and the parties in interest request that the Court enter the attached Order for Interlocutory Sale.

Respectfully submitted,

JOHN P. KACAVAS
United States Attorney

Dated: October 30, 2014

By: /s/ Robert J. Rabuck
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2014, the foregoing Assented-To Motion For Interlocutory Sale was served via ECF on Charles J. Keefe, Esquire, counsel for Katie Eliopoulos and Panagiotis Eliopoulos; and Kristin Lindsey, Esquire, counsel for Ford Motor Credit Company.

/s/ Robert J. Rabuck
Robert J. Rabuck, AUSA