

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 <i>in rem</i> .	)	
_____	)	

**ASSENTED-TO MOTION TO DISMISS \$129.00 FROM DEFENDANT  
IN REM (1) AND TO DISMISS DEFENDANT IN REM (4)**

The United States moves the Court to dismiss \$129.00 from defendant *in rem* (1) Six Hundred Ninety Five Dollars (\$695.00) in U.S. Currency, more or less, seized from Phat Stuff, Keene, New Hampshire and defendant *in rem* (4), Funds in the amount of \$9,871.00, seized from TD Bank Savings Account No. 9734334339, in the name of Panagiotes J. Eliopoulos, in accordance with a Stipulated Settlement Agreement executed by the United States and Panagiotes and Katie Eliopoulos, and filed with the Court. In support of this motion, the United States of America states as follows:

1. On July 3, 2014, the United States commenced an action by filing a Verified Complaint for Forfeiture in Rem, seeking the forfeiture of the defendants *in rem*, based upon alleged violations of 21 U.S.C. § 881(a)(6) and (10).

2. The United States and Pangiotos and Katie Eliopoulos have reached an agreement which provides for the dismissal of \$129.00 from defendant *in rem* (1) Six Hundred Ninety Five Dollars (\$695.00) in U.S. Currency, more or less, seized from Phat Stuff, Keene, New Hampshire, and defendant *in rem* (4) Funds in the amount of \$9,871.00, seized from TD

Bank Savings Account No. 9734334339, in the name of Panagiotis J. Eliopoulos. Accordingly, these assets listed above shall be dismissed and returned to Panagiotis Eliopoulos, through his attorney, Charles J. Keefe.

3. The agreement also provides for the forfeiture of defendants *in rem* (2), (3), (5) and (6) though (29), which will be addressed in a subsequent motion.

4. In accordance with the Stipulated Settlement Agreement, the United States requests the relief set forth above.

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

6. Charles J. Keefe, counsel for Panagiotis and Katie Eliopoulos, has assented, through the Stipulated Settlement Agreement, to the relief sought in this Motion.

Respectfully Submitted,

EMILY GRAY RICE  
United States Attorney

Dated: April 6, 2016

By: /s/ Robert J. Rabuck  
Robert J. Rabuck  
N.H. Bar # 2087  
Assistant U.S. Attorney  
District of New Hampshire  
53 Pleasant Street  
Concord, New Hampshire  
(603) 225-1552  
[rob.rabuck@usdoj.gov](mailto:rob.rabuck@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of April, 2016, a copy of the foregoing Motion was served electronically through ECF on all counsel of record.

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