

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-21791-CIV-UNGARO/O'SULLIVAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

PROCEEDS OF CRIME
TRANSFERRED TO CERTAIN
DOMESTIC FINANCIAL
ACCOUNTS,

Defendant.

_____ /

UNITED STATES' NOTICE OF FILING

COMES NOW the United States of America and gives notice of filing the Stipulation and Settlement Agreement entered into with Oscar Rovelli, Angela Rovelli, and Primarosa Battistella Rovelli.

Respectfully submitted,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

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By: s/ A.J. De Kluiver
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Attorneys for Plaintiff United States

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 16, 2007, I electronically filed the foregoing *United States' Notice of Filing* with the Clerk of the Court using CM/ECF.

Dated: November 16, 2007.

s/Michelle B. Alvarez
MICHELLE B. ALVAREZ
Assistant United States Attorney

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STIPULATION AND SETTLEMENT AGREEMENT

WHEREAS, the United States filed the above captioned civil forfeiture action against certain domestic financial accounts (hereafter the "defendant property"), alleging the defendant property is subject to forfeiture pursuant to 18 U.S.C. §§ 981, 984, 1956, 1957 and 2314; and

WHEREAS, Oscar Rovelli, Angela Rovelli and Primarosa Battistella (hereafter collectively referred to as the "Potential Claimants"), are known to the United States to have a protected legal or equitable property interest in the defendant property specifically identified below; and

WHEREAS, the defendant property is related to pending criminal and civil proceedings in Italy; and

WHEREAS, the Potential Claimants are defendants in the legal proceedings in Italy; and

WHEREAS, the parties would like to forfeit the defendant property in which the Potential Claimants have an interest to the United States so that the United States can, in turn,

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return same, minus expenses, to Italy for the resolution of the pending Italian legal proceedings or remit the funds in any manner pursuant to and consistent with the applicable laws of the United States; and

WHEREAS, the United States and the Potential Claimants, in order to resolve the forfeiture action and to avoid further litigation costs, hereby agree to enter into this Agreement without the admission of any issue of fact or law.

THEREFORE, the parties agree as follows:

1. The Potential Claimants agree and stipulate that venue and jurisdiction are proper in the Southern District of Florida.

2. The Potential Claimants hereby represent that only they have a protected legal or equitable interest in the following defendant accounts:

- a. All assets in account 56X-005609 in the name of East West Bancorporation and in the custody of Atlas One Financial Group, LLC;
- b. All assets in account 56X-007423 in the name of East West Bancorporation and in the custody of Atlas One Financial Group, LLC;
- c. All assets in account 56X-001558 in the name of Rottenberg Corporation and in the custody of Atlas One Financial Group, LLC;
- d. All assets in account 56X-005757 in the name of East West Bancorporation and in the custody of Atlas One Financial Group, LLC;
- e. All assets in account 56X-001541 in the name of Bactra Corporation and in the custody of Atlas One Financial Group, LLC;
- f. All assets in account 56X-001574 in the name of Bactra Corporation and in the custody of Atlas One Financial Group, LLC;
- g. All assets in account 15B-07B79 in the name of Romanian Corporation and in the custody of Merrill Lynch;
- h. All assets in account 476-159893 in the name of JJ Trading and in the custody of Morgan Stanley Dean Witter;
- i. All assets in account 4736-0164 (also known as account 9077049178) in the name of Romanian Bancorporation and in the custody of Wachovia Securities;

j. All assets in account 6387-1147 (also known as account 9077062719) in the name of East West Bancorporation and in the custody of Wachovia Securities;

k. All assets in account 302-00282 in the name of Runneymede and in the custody of Lazard Asset Management LLC;

l. All assets in account AE 82429 SF in the name of Shamah and in the custody of UBS Paine Webber; and

m. All assets in account 951-90050 in the name of Alamein Holding and in the custody of First Allied Securities.

3. The Potential Claimants consent to the forfeiture of the defendant property identified in paragraph 2 above to the United States.

4. The Potential Claimants agree and stipulate that they will not file a Claim or Answer in this action or otherwise impede the United States' efforts to forfeit the defendant property.

5. The United States agrees to use its best efforts to effect the prompt return of the forfeited defendant property, minus expenses, to an account under the control of persons acting on behalf of the Italian government or in any other manner pursuant to and consistent with the applicable laws of the United States.

6. No person or entity is admitting any fact or any liability by entering into this Agreement, and this Agreement shall in no way be deemed an admission of culpability, liability or guilt on behalf of the Potential Claimants or shall in no way constitute a reflection upon the merits of any matter which has been asserted, which may have been asserted, or which may be asserted in the prosecution or defense of this Action.

7. The Potential Claimants release, save, and hold harmless the United States and its officials, officers, employees, and agents from any claim, liability, obligation, appeal, action or demand, known or unknown, existing or arising in the future, brought by any person or entity, in

connection with, arising out of, or incident to, any property arrested, seized, or forfeited by the United States in this forfeiture action.

8. The Potential Claimants and the United States agree that each will bear its own costs and attorney fees in the forfeiture action.

9. The terms of this Agreement do not affect tax obligations, tax fines, tax penalties, or related interest, if any, which the Potential Claimants may be found to owe the Internal Revenue Service.

10. The Potential Claimants and the United States acknowledge and agree that this Agreement contains the entire agreement between the Potential Claimants and the United States, is governed by the laws of the United States, and that this Court retains jurisdiction to enforce the terms of this Agreement.

11. No provision of this Agreement may be waived, modified, or amended except by way of written agreement executed by all parties hereto against whom such waiver, modification or amendment is sought to be enforced.

12. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute but one instrument.

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By: _____

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Admitted *Pro Hac Vice*