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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL D. DROBOT,

Defendant.

No. SA CR 14-00034-JLS

PERSONAL MONEY JUDGMENT OF
FORFEITURE

Pursuant to the Stipulation and request of the parties filed in this matter on January 5, 2018, the Court hereby finds and orders as follows:

1. On February 20, 2014, defendant entered into a plea agreement in the case captioned United States v. Michael D. Drobot, No. SA CR 14-034-JLS, pursuant to which he agreed to plead guilty to conspiracy, in violation of 18 U.S.C. § 371, and Payment of Kickbacks in Connection with a Federal Health Care Program, in violation of 42 U.S.C. § 1320a-7b(b) (2) (A). (CR 7.)

2. Pursuant to his plea agreement, defendant agreed to forfeit all "right title, and interest" in assets "derived from or acquired as a result of, or used to facilitate the commission of, defendant's

1 illegal activities.” (Id. at ¶ 3(a).) Defendant further agreed
2 “[t]o the Court’s entry of an order of forfeiture at or before
3 sentencing with respect to these assets and to the forfeiture of the
4 assets.” (Id. at ¶ 3(b).)

5 3. The entry of a judgment of forfeiture is specifically
6 authorized by Rule 32.2 of the Federal Rules of Criminal Procedure
7 and is part of the defendant’s sentence. Rule 32.2(c)(1) provides
8 that “no ancillary proceeding is required to the extent that the
9 forfeiture consists of a money judgment.”

10 4. Pursuant to the stipulation, defendant expressly waived the
11 requirements of Federal Rules of Criminal Procedure 32.2. and 43(a)
12 regarding notice of forfeiture in the charging instrument,
13 pronouncement of forfeiture at sentencing, and incorporation of
14 forfeiture in the personal money judgment of forfeiture. Defendant
15 further agreed to immediate entry of the Judgment, and that the
16 personal money judgment of forfeiture shall become final as to him
17 upon entry.

18 5. A personal money judgment of forfeiture in the amount of
19 \$10,000,000.00 (ten million dollars) is HEREBY ENTERED in favor of
20 the United States of America against defendant Michael D. Drobot,
21 subject to the following terms:

22 a. By a date agreed to by defendant and the United States
23 Attorney’s Office (“USAO”), pay the USAO the sum of \$300,000 by ACH
24 deposit pursuant to instructions to be provided by the USAO.

25 b. By January 19, 2018, to the extent such liens are not
26 already in place, enter liens in the favor of the USAO on all
27 properties in Oregon owner by defendant (collectively, the “Oregon
28 properties”). By a date agreed to by defendant and the USAO, sell

1 the Oregon properties and pay all net proceeds (gross proceeds less
2 taxes, costs, and other normal and customary costs associated with
3 the sale) to the USAO by ACH deposit pursuant to instructions to be
4 provided by the USAO.

5 c. By a date agreed to by defendant and the USAO, sell
6 defendant's 1965 Aston Martin, 1958 Porsche, and 1971 Mercedes Benz,
7 and pay the proceeds to the USAO by ACH deposit pursuant to
8 instructions to be provided by the USAO.

9 6. This personal money judgment of forfeiture is part of the
10 sentence imposed on defendant in this case.

11 7. This Court shall retain jurisdiction for the purpose of
12 enforcing this personal money judgment of forfeiture. The government
13 shall notify the Court upon defendant's satisfaction of his
14 obligations under this judgment.

15 IT IS SO ORDERED.

16
17 January 10, 2018

18 DATE



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HONORABLE JOSEPHINE L. STATON
UNITED STATES DISTRICT JUDGE