

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

E-FILED
Date _____

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 10-20705

HONORABLE ROBERT H. CLELAND

- vs-

D-1 FATIMA TOUFAILI,

Defendant.

_____ /

STIPULATED PRELIMINARY ORDER OF FORFEITURE

Plaintiff, by and through its attorneys, BARBARA L. McQUADE, U.S. Attorney for the Eastern District of Michigan, and LINDA AOUATE, Assistant U.S. Attorney, together with Defendant, FATIMA TOUFAILI, (“Defendant”) by and through her attorney, JOAN E. MORGAN, ESQ., hereby submit this Stipulated Preliminary Order of Forfeiture:

WHEREAS, a Superseding Information (“the Information”) was filed on or about April 8, 2011, which charged Defendant with violating 18 U.S.C. § 1343 (Wire Fraud);

WHEREAS, Defendant entered into a Rule 11 Plea Agreement and agreed to the entry of a forfeiture money judgment against her, in favor of the United States, in the amount of \$140,000 in U.S. Currency, as property constituting proceeds of her 18 U.S.C. § 1343 violation;

NOW, THEREFORE, based upon the Information, Defendant’s agreement to forfeiture, and other information in the record:

IT IS HEREBY ORDERED THAT a money judgment in the amount of \$140,000 is granted and entered against Defendant, in favor of the United States of America, such amount represents proceeds obtained from Defendant’s offense;

IT IS FURTHER ORDERED that pursuant to Fed.R.Crim.P. 32.2(b)(4)(A) and (b)(4)(B) this Stipulated Preliminary Order of Forfeiture shall become final upon entry, be made part of Defendant's sentence and included in the judgment, and shall not be the subject of ancillary proceedings given that the forfeiture consists entirely of a money judgment;

IT IS FURTHER ORDERED that any unpaid balance of the money judgment may be satisfied through the forfeiture of any property of Defendant as substitute property by operation of 21 U.S.C. §853(p)(1) and (p)(2); and

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

Agreed upon as to form and substance:

BARBARA L. McQUADE
United States Attorney

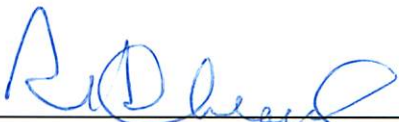
s/Linda Aouate
LINDA AOuate [P-70693]
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
Phone: (313) 226-9587
Linda.aouate@usdoj.gov
Dated: 11/10/2011

s/Joan E. Morgan
JOAN E. MORGAN, ESQ. [P-34482]
Attorney for Defendant TOUFAILI
2057 Orchard Lake Road
Sylvan Lake, MI 48320
Phone: (248) 335-9157
Joanmorgan127@comcast.net
Dated: 11/4/2011

s/Fatima Houssein Toufaili (please see attached pg.)
FATIMA HOUSSEIN TOUFAILI, Defendant
Dated: 11/4/2011

IT IS SO ORDERED.

Dated: NOV 17 2011



HONORABLE ROBERT H. CLELAND
United States District Judge

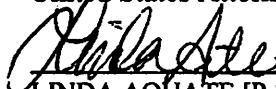
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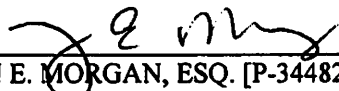
IT IS FURTHER ORDERED that any unpaid balance of the money judgment may be satisfied through the forfeiture of any property of Defendant as substitute property by operation of 21 U.S.C. §853(p)(1) and (p)(2); and

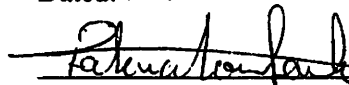
IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

Agreed upon as to form and substance:

BARBARA L. McQUADE
United States Attorney


LINDA AOuate [P-70693]
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Dated: 11-19-11


JOAN E. MORGAN, ESQ. [P-34482]
Attorney for Defendant TOUFAILI
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Phone: (248) 335-9157
Joanmorgan127@comcast.net
Dated: 11-4-11


FATIMA HOUSSEIN TOUFAILI, Defendant
Dated: 11-4-11

IT IS SO ORDERED.

Dated: _____

HONORABLE ROBERT H. CLELAND
United States District Judge