

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
DOCKET NO. 5:09CR27

UNITED STATES OF AMERICA)
)
v.)
)
BERNARD VON NOTHAUS)
_____)

MOTION TO GRANT 265 PETITIONS

NOW COMES the United States of America, by and through Jill Westmoreland Rose, Acting United States Attorney for the Western District of North Carolina, pursuant to Fed. R. Crim. P. 32.2(c)(1)(A) and moves the Court to Grant the two hundred and sixty five (265) Petitions in Appendix A as attached hereto.

The two hundred and sixty five (265) petitions claim specified amounts of precious metals, previously forfeited to the United States, represented in one or more of the following forms: 1.) warehouse receipts 2.) electronic Liberty Dollars (eLD's) 3.) other specifically identified, non-contraband coins, including but not limited to Ron Paul, Hawaii Dala, and Chiropractic dollars, from orders that were paid for but left unfilled. These Petitions are largely supported by documentation and/or plausible factual explanations that comport with the information known to the United States and that satisfy 21 U.S.C. § 853(n)(6). The United States herein moves that these Petitions, as set forth in Appendix A, be granted but that final disbursement by the United States be deferred until a comprehensive final order of forfeiture is entered in this case.

The United States requests that final disbursement to the Petitioners by the United States be deferred until a comprehensive final order of forfeiture has been entered in this case. In

addition, the United States asks the Court to order Petitioners whose Petitions are based on the possession of serialized warehouse receipts to send in the original warehouse receipts to the United States in order to receive the silver or other metal equivalent from the United States. This requirement will not only confirm the amount claimed in each filed Petition, but it will also serve the additional purpose of removing these negotiable instruments from circulation, thereby preventing both counterfeiting and fraud.

WHEREFORE the United States moves the Court to grant the two hundred and sixty five (265) Petitions in Appendix A in the manner and at the time described above. A proposed Order is attached.

Respectfully submitted this the 14th day of August, 2015.

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CERTIFICATE OF SERVICE

I hereby certify that the Government's Motion to Grant was duly served upon all
Petitioner on the attached Appendix A

This the 14th day of August, 2015.

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Appendix "A"

Name	Claim Filed	Docket #	Warehouse Receipt Silver in Oz	Warehouse Receipt Gold in Oz	eLD's (oz)	Ron Paul Copper Dollars	Misc Metals/ Coins
Abrams, Dale	4/13/15	501	X		X		
Adair, Christopher	3/16/15 3/19/15	299 308	X				
Adkins, Mark	3/13/15	298	X				
Alexanian, Stephen J.	3/31/15	390	X				
Allen, Cola	4/21/15	583	X				
Ameringer, David	4/9/15	463	X				
Andrews, Aaron	5/18/15	609	X		X		
Annaheim, Kurt Walter	5/7/15	592			X		
Antonucci, Angelo	4/13/15	509	X				
Armour, Randal S.	3/30/15	360	X				
Arnold, Francine	3/30/15	367				X	
Atkinson, Arthur	3/20/15	310	X		X		
Atlee, David	3/24/15	333				X	
Aygarn, Wilmar H.	3/23/15	325				X	
Babb, James	4/16/15	517	X			X	
Barnett, Gerald	4/8/15	456	X				
Barron, Joseph	4/9/15	460			X		
Barsell, Donald	4/13/15	502	X		X		
Beemer, Alvina	5/14/15	604	X				
Bemmelen, Robert J.	4/16/15	537	X		X		
Bergen, Kevin J.	4/3/15	402	X				
Berger, Scott	4/13/15	490				X	
Bevington, Tom	4/8/15	455	X		X		
Blakeley, Paul David	3/27/15	348	X				
Boehler, Robert Gene	4/16/15	555	X				
Boer, Bill den	3/30/15	351	X				
Boswell, Matthew	7/15/15	629	X		X		
Brock, Wendell	3/30/15	383	X		X		
Brockway, Alan Leonard	4/13/15	489	X				
Broy, Charles L.	4/16/15	530	X				
Bruce, Paul E.	4/13/15	498			X		
Bunt, William L.	3/26/15	339				X	
Card, Peter	4/16/15	575	X				
Chamness, Robert O.	4/2/15	395			X		
Chotvacs, Andy	3/25/15	334	X			X	
Clardy, Brad	4/6/15	442				X	
Clark, Ron	4/2/15	397	X		X		
Clarke, Matthew	3/23/15	322	X			X	X
Clement, Chad E.	4/13/15	479	X				
Colquitt, Jason	4/16/15	557	X				
Coss, Robert	4/6/15	439	X				
Cote, Gerard	4/10/15	470	X		X		
Craven, Mac Charles	5/6/15	591	X				
Crofts, James	4/16/15	551	X		X		
Curtis, Maria	5/11/15	596			X		
Curtis, Scott	3/30/15	381	X		X		
Daniel, Justin	6/8/15	620	X		X		
Dennison, Russell Patrick III	5/14/15	603	X				
Duclos, James A.	4/13/15 4/16/15	482 571	X			X	
DiDonato, Andrea	4/13/15	491	X				

Dienst, Donald	4/6/15	410				X	
Dunaier, Gary	3/30/15	369				X	
Dye, Bradley	4/13/15	481	X				
Eck, Harriett J.	4/6/15	423	X		X		
Eisenach, Glenn	4/6/15	429	X		X		
Eisenbacher, David	4/16/15	526	X				
Elniff, Terrill I.	4/9/15	462	X				
England, De Voe	5/18/15	613			X		
English, Robert	4/6/15	425	X		X		
Eyre, Kenneth W.	4/9/15	457	X				
Faw, Jack	4/6/15	434				X	
Ferderer, Dennis	3/30/15	377	X		X		
Fetch, Robert	3/27/15	346	X				
Foley, Win	3/26/15	338				X	
Ford, Patrick R.	4/13/15	480	X				
Foust, Kenneth Ray	3/30/15	352	X				
Freehan, Joshua	4/16/15	576	X				
Gamble, Trevor	4/6/15	404	X	X	X		
Gannucci, Jeremy	4/16/15	515	X				
Garcia, Luis E.	3/19/15	307	X		X		
Gardner, Clarence	3/26/15	341	X		X		
Gerbracht, Jon A.	4/16/15	539	X				
Gholston, J. James	3/30/15	373	X			X	
Gillie, Dave	4/13/15	506	X				
Glouser, Jonathan	5/18/15	614			X		
Glick, Steven	3/30/15	364	X		X		
Good, Constance	4/10/15	474	X				
Goodger, Ron	4/3/15	399	X	X			
Gough, David	5/11/15	601	X				
Granda, George	4/6/15	418	X				
Gregor, Daniel	4/2/15	394	X				
Groeve, Albert De	3/18/15	304			X		
Guenther, James A.	3/23/15	323	X				
Guthrie, Bruce	4/6/15	409	X				
Haas, Joseph S.	4/16/15	514	X				
Hails, Darrell	4/6/15	427	X		X		
Haire, Robert	4/16/15	531	X		X		
Haley, Michael	3/30/15	357	X		X		
Hall, David	4/16/15	516	X		X		
	5/18/15	608					
Hall, Kevin	4/13/15	496	X				
Hallimore, Michael	4/6/15	435	X		X		
Hampe, Charles	4/7/15	451			X		
Hannevig, Veronica	3/30/15	354	X				
Harness, Steve A.	4/6/15	438				X	
Hayden, Mike	4/16/15	536	X		X		
Henderson, Shawn	4/14/15	512	X				
Hendrix, Penny	3/26/15	342	X			X	
Hettinger, Vern	4/16/15	566	X				
Hinman, Noel	3/30/15	350	X				
Hitchens, Daniel	4/16/15	547	X				
Hoppe, Jason	3/23/15	319	X				
Hornsby, Juanita	4/16/15	543	X				
Howe, Jeffrey	4/16/15	545	X				
Howey, Earle T.	3/30/15	365		X			

Hull, Adam	3/30/15	359			X		
Hunt, David L.	4/16/15	529	X			X	
Hunt, Max K.	4/23/15	582	X				
Hurst, Clinton W.	4/16/15	567	X				
Hutton, Scott D.	4/10/15	471	X		X		
Iddins, Kenneth Michael	3/23/15	314			X		
Jacobsen, Kenneth W.	4/16/15	523	X				
Jester, James N.	3/23/15	327				X	
Johnson, Brent	4/16/15	569	X				
Johnson, Gaynor Karl	4/16/15	535	X		X		
Johnson, Norbert	4/16/15	527	X				
Johnson, Stephen	4/16/15	542			X		
Jouzapaitis, Mark	4/13/15	483	X		X		
Jungles, Robert	3/30/15	368	X				
	4/16/15	559					
Kanowski, Patricia	3/23/15	330	X		X		
Kelley, Jeffrey B.	3/31/15	388				X	
Kern, Dennis L.	4/16/15	522					
Ketcherside, Brenda	3/30/15	374					
	4/6/15	449	X		X		
Killian, Shane	4/6/15	437	X				
Kimmich, Barbara	4/13/15	486	X				
Klinkenberg, Jonathan	3/27/15	345	X		X	X	
Kong, Lawrence	4/16/15	554	X		X		
Kramer, Dwight	3/19/15	306				X	
Kroll, Gregory M.	4/24/15	587	X				
Kuebler, Andrew	4/8/15	453	X		X		
Kuehmicel, Brian	3/27/15	344			X		
Kuglin, Vernie	4/17/15	579	X		X		
Kunath, Michael	4/6/15	436	X				
Kutzkey, Ben	3/30/15	384	X		X		
Langdon, James	4/10/15	469	X				
Langham, Perry	4/16/15	525	X		X		
Lapso, Alexander	7/6/15	627			X		
Lapso, Dennis	4/16/15	564	X		X		
Lee, LeGrand	4/16/15	520	X				
Lehman, Jack	4/16/15	538	X		X		
Lehrman, Frederic	3/18/15	302			X		
Lenhard, Kent	4/6/15	428	X				
Lichtman, Howard S.	3/19/15	305				X	
Lightfoot, Gail K.	3/23/15	316	X				
Link, John Christian Jr.	4/10/15	467					
Loughrey, Gary T.	4/16/15	521	X		X		
Louthen, Robert P.	4/2/15	393	X				
Lowell, Richard	3/23/15	331	X				
Lutter, Ted	4/16/15	524	X				
MacGregor, Bonnie	4/16/15	552	X				
Maly, John	4/16/15	533	X				
Manelius, Rick	1/28/15	294			X		
Manikovskiy, Yuriy	4/9/15	476			X		
Maniscalco, Vincent	4/6/15	416	X				
McClure, Jerad	3/30/15	378	X				
Meisinger, Janet	4/16/15	577	X				X
Meng, Bill	4/16/15	519	X				
Merritt, James Anderson	4/13/15	484	X		X		

Midlam, Stephen	3/26/15	343				X	
Miller, Paula	4/6/15	405			X		
Millington, Thomas H.	4/10/15	466	X				
Minarik, Robert L.	4/13/15	505	X		X		
	5/14/15	605					
Minter, Keith	4/6/15	412			X		
Minter, Larry L.	3/30/15	382	X		X		
Moffett, Jamie	4/13/15	497	X		X	X	
Mohr, John W. Jr.	4/6/15	413				X	X
Moore, Mark	4/13/15	503	X				
Morearty, Michael	3/31/15	389			X		
Morrow, Dan	4/9/15	461	X		X		
Morse, James H. IV	4/7/15	450	X				
Moseley, David	5/18/15	612			X		
Myers, William	4/8/15	452				X	
Myres, Jim	6/15/15	621	X				
Nagy, David	4/2/15	396	X				
Nelson, Jon	4/6/15	407	X				
Nelson, Norman T.	4/16/15	540	X				X
Neth, Jr., Roger D.	5/11/15	602	X				
Nichols, David	4/6/15	440	X		X		
Nicolle, Henry	5/11/15	599	X				
Noha, James	4/23/15	581				X	
Norman, Brett	5/18/15	610			X		
NotHaus, Random von	4/16/15	518			X		
Olofson, David Roland	4/16/15	549	X				
Osborne, Gardner	4/6/15	406	X				
Ostrowski, Albert	4/13/15	510	X			X	
Owens, Mary D.			X		X		
Pannone, Michael	3/16/15	300	X				
	3/30/15	379					
Parsons, Michael	4/9/15	459	X				
Perez, Albert A.	5/11/15	595	X				
Petersen, Mark	5/11/15	597	X				
Pitner, Joseph A.	4/16/15	563	X				
Prather, Ronald	4/16/15	532	X				
Pratt, Jason	4/6/15	426			X		
Price, Max	5/12/15	607			X		
Pruitt, J. B. Jr.	4/13/15	493	X		X		
Publik, Gregory	4/9/15	464	X				
Pugh, Bruce	4/8/15	454	X				
Purtschert, Daniel A.	4/6/15	408	X				
Ralston, Dustin	7/17/15	631	X				
Reile, Christopher	3/30/15	358	X				
Reile, Gerhard A.	3/23/15	329			X		
Reile, Paul A.	3/25/15	336	X		X		
Reile, Peter	3/31/15	391	X		X		
Reile, Teresa	3/25/15	337	X		X		
Remeika, Mike	4/6/15	443	X		X		
Rifleman, Thomas	3/30/15	370				X	
Ring, II, Joseph J.	4/13/15	511	X				
Roberts, Eric	3/23/15	318	X				
Robinson, Harry K.	3/20/15	313	X				
Rockett, Tom	4/24/15	586	X				
Rogalski, Nicholas	4/20/15	580			X		

Rogers, Jack L.	3/30/15	349	X	X			
Rosato, Justin	5/18/15	615	X				
Rose, Anna	4/16/15	560			X		
Ruiz, Jose	4/6/15	433			X		
Ryan, Jeremy	4/3/15	403	X		X		
Rye, Chris	7/2/15	623				X	X
Salhany, Edwin A.	4/9/15	458	X				
	4/16/15	573					
Salhany, Wayne	3/23/15	317	X				
Santos, Shelly	3/23/15	328	X				
Sarmento, Gregory S.	3/20/15	312	X				
Scherer, William B.	3/30/15	363			X	X	
Schilling, Allen	4/6/15	448	X		X		
Schneider, Jeffery	5/18/15	611			X		
Schram, Steven	4/6/15	415	X				
Serrano, Rafael	3/30/15	355	X		X		
Shioura, Geroge	3/23/15	315	X		X		
Skipper, James M.	4/6/15	444				X	
Sleath, Trevor G.	4/6/15	432			X		
Slossar, Robert J. Jr.	4/6/15	431	X				
Smith, Alma	3/31/15	356	X		X		
Snow, Meg	4/6/15	419	X		X		
Sonnentag, Jeffrey	5/26/15	617				X	
Southerland, Travis	4/16/15	553	X		X	X	X
Staeheli, Robert	3/30/15	361				X	
Standish, Michael	4/16/15	541	X				
Sullivan, Peter J.	4/13/15	488	X				
Swearingen, Varrin	4/3/15	401	X				
Sweeney, Terrance J.	3/24/15	332	X				
Tanguay, Richard	3/30/15	375	X				
	4/13/15	500					
Tanis, Glenn R.	4/6/15	417	X		X		
Thompson, David	4/16/15	565	X		X		
Thurber, Erik	4/13/15	485	X				
	4/16/15	570					
Timberlake, Richard H.	3/23/15	321	X				
Torrey, Arthur	4/16/15	568	X		X		
Tureen, Steven C.	7/15/15	630					X
Ubinger, Raymond	4/13/15	492			X		
Unruh, Larren R.	4/6/15	424	X				
Valey, Ruth S. Van					X		
Vienna, Joseph Frank	3/30/15	392	X				
	4/13/15	507					
Voss, Sharon	3/23/15	320	X				
Wabeke, Catherine	4/16/15	544	X				
Wagner, Albert J.	5/14/15	606	X				
	6/26/15	622					
Warden, David	3/23/15	324	X				
Watkins, Jeff	5/11/15	600	X				
Watkins, K. Andrew	4/20/15	548			X		
Werline, Earl	3/30/15	353	X		X		
Weston, Loretta	5/11/15	598	X				
Wheeling, Robert L.	4/6/15	422	X				
	4/16/15	574					
White, Kenneth F.	4/2/15	398	X		X		

Wilkes, John	4/13/15	478	X		X		
Williams, Frank	4/24/15	585	X		X	X	
Wolff, Lucille	4/13/15	494	X		X		
Yeung, Steve	3/30/15	366	X				
Young, John	3/30/15	362					
	4/10/15	472	X				
	4/16/15	546					
Zysk, Anne	4/3/15	400	X		X		