

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:17-cr-61-FtM-38MRM

ANDRE BERNARD

ORDER OF FORFEITURE

THIS CAUSE comes before the Court upon the United States of America's Motion for an order of forfeiture against Defendant in the amount of \$10,500,497.92.

Being fully advised of the relevant facts, the Court hereby finds Defendant personally obtained at least \$10,500,497.92 in proceeds as a result of his participation in the wire fraud conspiracy to which he pled guilty.

The Court further finds that Defendant has dissipated or otherwise spent the \$10,500,497.92 in proceeds that he obtained.

Accordingly, it is hereby:

ORDERED that for good cause shown, the United States' motion is **GRANTED**.

It is **FURTHER ORDERED** that, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, Defendant shall be held personally liable for an order of forfeiture in the amount of \$10,500,497.92.


It is **FURTHER ORDERED** that, because the \$10,500,497.92 in proceeds was dissipated by Defendant, the United States may seek, as a substitute asset, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), forfeiture of any of Defendant's property up to the value of \$10,500,497.92.

It is **FURTHER ORDERED** that Defendant's order of forfeiture be credited with the net proceeds obtained from the forfeiture of the accounts in the companion civil case, *United States v. Approximately \$1,116,331.67, et al.*, Case No. 2:17-cv-365-FtM-99CM.

It is **FURTHER ORDERED** that, upon entry of this order, it shall become a final order of forfeiture as to Defendant.

The Court retains jurisdiction to address any third party claim that may be asserted in these proceedings, to enter any further order necessary for the forfeiture and disposition of such property, and for any substitute assets that the United States may be entitled to seek up to the amount of the order of forfeiture.

DONE and ORDERED in Fort Myers, Florida, this 6th day of December, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies to:
Suzanne C. Nebesky, AUSA
Counsel of Record