

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

UNITED STATES OF AMERICA,

Plaintiffs,

v.

Case No: 5:20-cv-73-JSM-PRL

ADAM L. SACHS, et al,

Defendants.

REPORT AND RECOMMENDATION¹

This matter is before the Court on the United States' Motion for a Final Order on the Writs of Garnishment issued to Charles Schwab & Co., Inc., Fidelity Investments, Fidelity Brokerage Services, Wells Fargo Bank NA, Wells Fargo Advisors Financial Network LLC, National Financial Services LLC, American Century Services, LLC, Bank of America, and JP Morgan Chase. (Doc. 53). The Garnishees have answered (Docs. 42, 43, 45, 46, 47, 53-1), and the United States and Sachs have reached a stipulation regarding the Writs. (Doc. 52).

Accordingly, and pursuant to the parties' stipulation, it is recommended that the United States' motion be granted (Doc. 53), and the Court enter final judgment in garnishment against the Garnishees directing as follows:

¹ Within 14 days after being served with a copy of the recommended disposition, a party may file written objections to the Report and Recommendation's factual findings and legal conclusions. *See* Fed. R. Civ. P. 72(b)(3); Fed. R. Crim. P. 59(b)(2); 28 U.S.C. § 636(b)(1)(B). A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.

I. Within five days of the Court's Order:

A. Wells Fargo Bank NA shall pay the \$13,882.33 held by Wells Fargo in Account Number ending 5001 to the United States.

B. JP Morgan Chase Bank, NA shall pay the \$15,502.60 held in Checking Account number ending 8955 and the \$11,198.51 held by JP Morgan in Account checking number ending 8502 to the United States. The amounts held in JP Morgan account numbers ending 2859 and 7132 shall not be paid to the United States.

C. Fidelity Investments shall convert the investments and securities held in Account Number ending 9124 and any other account subject to the writ of garnishment, to cash and distribute the same to the United States.

D. Charles Schwab & Co., Inc., shall convert the investments and securities held in Account Number ending 7079 subject to the writ of garnishment to cash and distribute the same to the United States. The amounts in Charles Schwab account number ending 1071 shall not be paid to the United States.

E. The amounts held by American Century Services LLC and Bank of America subject to the writs of garnishment shall not be paid to the United States.

II. All payments and cash distributions to the United States shall be made by delivering a check made payable to "United States Department of Justice" and marked with the name of this case, "United States v. Adam Sachs," Case No. 5:20-CV-00073. Checks shall be mailed to:

If by First Class Mail:

United States Department of Justice
Tax Division
Office of Review/Financial Litigation
P.O. Box 310
Ben Franklin Station
Washington, DC 20044

If by courier or overnight delivery:

United States Department of Justice
Tax Division
Office of Review/Financial Litigation
Room 11501
1275 First Street, NE
Washington, DC 20002

- III. The writs of garnishment issued to Wells Fargo, and Wells Fargo Advisors shall automatically terminate after Wells Fargo makes its payment to the United States. The writ of garnishment issued to JP Morgan shall automatically terminate after it makes its payments to the United States. The writs of garnishment issued to Fidelity Investments and Fidelity Brokerage Service shall automatically terminate after Fidelity Investments makes its cash distribution(s) to the United States. The writ of garnishment issued to Charles Schwab shall automatically terminate after Charles Schwab makes its cash distribution(s) to the United States.
- IV. Wells Fargo, JP Morgan, Fidelity Investments and Charles Schwab are not entitled to attorneys' fees, costs or other fees from the amounts paid, or distributed, to United States. No party to this action is entitled to attorney's fees or costs from the United States.
- V. The Writs of Garnishment issued to American Century Services, LLC, Bank of America and National Financial Services, LLC are terminated and quashed without prejudice.

Recommended in Ocala, Florida on March 21, 2024.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy