

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

Plaintiff,

v.

**8 GILCREASE LANE, QUINCY,
FLORIDA 32351, et al.,**

Defendants.

Civil Action No. 08-1345 (RMC)

ORDER TO SHOW CAUSE

In this civil *in rem* action, the United States seized real property and funds from Thomas A. (“Andy”) Bowdoin, Jr., AdSurfDaily (“ASD”), and Bowdoin/Harris Enterprises, Inc. It alleges that Mr. Bowdoin operated ASD as a huge Internet Ponzi scheme. Mr. Bowdoin and the two corporations first filed claims against the *in rem* property (Dkt. # 6), and then on January 13, 2009, with the advice of counsel, filed a release of claims to seized property and consent to forfeiture (Dkt. # 39). On January 22, 2009, the Court entered an Order granting the motion for leave to withdraw claims and vacated the initial scheduling conference. *See* Dkt. # 41. Disagreements arose between clients and counsel and, on February 27, 2009, Mr. Bowdoin, proceeding *pro se*, filed a Notice of Rescission and Withdrawal of Release of Claims to Seized Property and Consent to Forfeiture (Dkt. # 47), a Motion to Exclude and Suppress Evidence Obtained in Forfeiture Action (Dkt. # 48), a Motion to Set Aside Forfeiture and Motion to Dismiss for Lack of Jurisdiction (Dkt. # 49). For good measure, on March 9, 2009, Mr. Bowdoin filed a Motion to Dismiss Due to Lack of Advance Fair Notice (Dkt. # 50). In these filings, Mr. Bowdoin attempted to represent himself

and the two corporations.

By Order entered on March 26, 2009, the Court directed defense counsel to indicate whether they continued to represent the claimants and whether they “have explained to Mr. Bowdoin that, while he may represent himself in this civil matter, a corporation cannot proceed *pro se*.” Dkt. # 53. Eventually, new counsel entered an appearance for all three claimants (Dkt. ## 59 & 60), and then filed a First Motion to Withdraw Notice (Other) For Leave to Withdraw Notice of Rescission (Dkt. # 66). In this First Motion, counsel explained that he “require[d] time to evaluate the facts and circumstances” of the matter but that all claimants, through counsel, “intend to resubmit this Motion to Rescind on or before May 15, 2009.” *Id.*

It is now July 24, 2009, and nothing further has been heard from counsel, Mr. Bowdoin, ASD, or Bowdoin/Harris Enterprises, Inc.

THEREFORE, Mr. Bowdoin, ASD, and Bowdoin/Harris Enterprises, Inc. are **ORDERED TO SHOW CAUSE** no later than August 7, 2009, why the Court should not **DENY** all pending motions and **ORDER** this civil forfeiture matter to proceed based on their release of claims and consent to forfeiture.

SO ORDERED.

Date: July 24, 2009

/s/
ROSEMARY M. COLLYER
United States District Judge