

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 08-1345 (RMC)
)	
8 GILCREASE LANE, QUINCY)	
FLORIDA 32351, et al.,)	
)	
Defendants.)	
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DEFAULT JUDGMENT AND FINAL ORDER OF FORFEITURE

This matter came before the Court on the plaintiff's U.S. government's Motion For Entry Of A Default Judgment And For Final Order Of Forfeiture. The Court has received no pleading in opposition to plaintiff's motion; therefore, before granting the requested relief, the Court has fully examined this case's record.

On August 5, 2008, the plaintiff United States government commenced this civil action *in rem* against 17 defendant properties seeking their forfeiture on the grounds that they constituted the proceeds of fraud and money-laundering. The complaint alleged the existence of unlawful internet operations in the nature of "Ponzi-style" or "pyramid" frauds, which swindled many millions of dollars out of victims who sent money to the schemes' operators.

When the government filed its complaint, it sought forfeiture of 17 defendants *in rem*. These were two pieces of real property and the funds seized from fifteen bank accounts maintained at Bank of America. Ten accounts related to Mr. Thomas A. Bowdoin and AdSurfDaily ("Bowdoin-ASD accounts"), and five related to Mr. Clarence Busby, Ms. Dawn Stowers, or Golden Panda Ad Builder ("Golden Panda accounts"). At this time, only eleven defendants remain before the Court. These

are the real property at 8 Gilcrease Lane in Quincy, Florida, and the funds seized from the ten Bowdoin-ASD Bank of America accounts, which total \$65,838,999.70. The defendants *in rem* comprising funds seized from the ten Bowdoin-ASD accounts are:

- (a) All funds in account #xxxxxxx3650 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$13,286.89, when seized on August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-464-AK;
- (b) All funds in account #xxxxxxx3016 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$31,674,039.13, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-465-AK;
- (c) All funds in account #xxxxxxx3553 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$937,470.18, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-466-AK;
- (d) All funds in account #xxxxxxx3605 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$1,088,246.48, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-467-AK;
- (e) All funds in account #xxxxxxx3634 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$403,791.04, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-468-AK;
- (f) All funds in account #xxxxxxx5949 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$4,999,893.00, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-469-AK;
- (g) All funds in account #xxxxxxx6896 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$23,721,256.25, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-470-AK;
- (h) All funds in account #xxxxxxxx6961 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$1,000,338.91,

when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-471-AK;

- (i) All funds in account #xxxxxxxx7038 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$1,000,338.91, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-472-AK;
- (j) All funds in account #xxxxxxxx7070 at Bank of America, in the name of Thomas A. Bowdoin, Jr., Sole Proprietor, DBA AdSurfDaily, which totalled \$1,000,338.91, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-473-AK.¹

On November 13, 2009, the government filed an affidavit of default, and the Clerk of the

¹ Rather than reprinting it here, the lengthy legal description of the Gilcrease Lane property in the government's motion for default judgment is incorporated into this order by reference. The Court also notes that on July 24, 2009, the Court granted the United States government's motion for a partial default judgment against the funds from the five Golden Panda accounts and entered an order forfeiting the money to the United States. The total amount seized from these five "Golden Panda" accounts was \$14,048,598.17. The specific accounts and seizures were:

(a) Funds in account #xxxxxxx30192, which totalled \$2,282,999.72, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-474-AK;

(b) Funds in account #xxxxxxx30200, which totalled \$1,112,978.42, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-475-AK;

(c) Funds in account #xxxxxxx65704, which totalled \$1,642,039.08, when seized August 1, 2008, pursuant to a warrant issued by the United States District Court for the District of Columbia in case number 1:08-mj-476-AK;

(d) Funds in account #xxxxxxxx01039 at Bank of America, which totalled \$6,005,166.87; and,

(e) Funds in account #xxxxxxxx04188 at Bank of America, which totalled \$3,007,580.85.

Thus, this civil action already has been resolved as to these five defendants *in rem*. On November 16, 2009, the government moved to dismiss from this forfeiture action another defendant property, identified as One Condo Located On North Ocean Boulevard In Myrtle Beach, South Carolina, and the Court hereby grants that motion. Dismissing the defendant Myrtle Beach condo from this action leaves before the Court as defendants *in rem* only the Gilcrease Lane real property and the funds seized from the ten Bowden-ASD accounts. This order decreeing forfeiture of the eleven remaining defendants *in rem* resolves all remaining issues and this forfeiture action in its entirety.

Court entered a default on November 16, 2009. The government filed its Motion For Entry Of A Default Judgment And For Final Order Of Forfeiture on November 17, 2009. Based upon the statements in the default affidavit, the reasons set forth in the government's motion, and facts in the entire record herein, the Court finds that:

- (1) Process was fully issued in this action with respect to the remaining defendants *in rem*, that is, the real property at 8 Gilcrease Lane, Quincy, Florida, and the funds seized from the ten ASD-Bowdoin accounts, and was returned according to law;
- (2) Pursuant to a warrant of arrest *in Rem* issued by this Court, the remaining defendants *in rem* were served at various dates through April 20, 2009; further, all notice by publication and to known potential claimants was properly given, as required by law;
- (3) On November 16, 2009, the Clerk of this Court entered a default for failure to file a claim with respect to the remaining defendants *in rem* within the time permitted by 18 U.S.C. § 983(a)(4)(A); and
- (4) No defense to the forfeiture of these remaining defendants *in rem* remains interposed, and that a basis for their forfeiture exists as set forth in the complaint and has been established before the Court since the filing of the complaint.

Now, therefore, on the motion of plaintiff, the United States of America, for Entry Of A Default Judgment And For Final Order Of Forfeiture, based upon these findings, the applicable law, and the entire record herein, it is by the Court

ORDERED, adjudged, and decreed that the default of all persons interested in the eleven remaining defendants *in rem*, described above be entered; and it is further

ORDERED, that judgment in favor of plaintiff is hereby decreed and shall be entered by the Clerk of the Court; and it is further

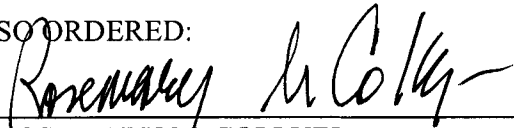
ORDERED, ADJUDGED, AND DECREED that the remaining defendants *in rem*, that is, the real property at 8 Gilcrease Lane, Quincy, Florida, and the funds seized from the ten ASD-Bowdoin accounts, which total \$65,838,999.70, be and **HEREBY ARE DECLARED**

FORFEITED TO THE UNITED STATES OF AMERICA, and title to the defendant properties is vested in the United States, to be disposed of in accordance with law; and that no right, title, or interest in the defendant properties shall exist in any other party.

The Clerk of the Court is hereby directed to send four certified copies of this Default Judgment And Judgment of Forfeiture to plaintiff's counsel of record.

Dated this 4 day of ~~November~~ *January* 2010.

SO ORDERED:



ROSEMARY M. COLLYER
UNITED STATES DISTRICT JUDGE