

On August 15, 2008, the Claimants filed verified claims for the defendant real properties and Bank of America funds that the Government seized.¹ *See* Verified Claims of Claimants [Dkt. # 6]. On August 18, 2008, Claimants filed an Emergency Motion for Return of Seized Funds and Motion to Dismiss the Complaint. *See* Dkt. # 7. After holding a two-day evidentiary hearing and reviewing the evidence, the Court issued a Memorandum Opinion and Order on November 19, 2008 denying the Emergency Motion for Return of Seized Funds and the Motion to Dismiss, and directing Claimants to file an answer by December 15, 2008. *See* Dkt. ## 35 & 36. The Claimants filed their Answer on December 15, 2008. *See* Dkt. # 37. Then, on January 13, 2009, Claimants filed a Motion for Leave to Withdraw their Claims to the Seized Property and Consent to Forfeiture. *See* Dkt. # 39. In this Motion, Claimants seek leave to (1) withdraw and release with prejudice the verified claims they filed in this civil forfeiture action; and (2) consent to the forfeiture of the properties for which they have asserted claims. *See id.* The Government does not oppose this Motion. *See* Pl.'s Notice of Consent to Cls.' "Mot. to Withdraw Cls. & Consent to Forfeiture" [Dkt. # 40].

Accordingly, it is hereby

ORDERED that Claimants' Motion for Leave to Withdraw Claims, Release of Claims to Seized Property and Consent to Forfeiture [Dkt. # 39] is **GRANTED**; Claimants' claims [Dkt. # 6] are deemed withdrawn; and it is

FURTHER ORDERED that the Initial Scheduling Conference that was set for

Bowdoin/Harris Enterprises, Inc. submitted a ¹ verified claim to the real property in Quincy, Florida; ASD submitted a claim to the funds held in the Bank of America accounts; and Mr. Bowdoin also submitted a claim to the funds held in the Bank of America accounts, declaring that the accounts were opened in his name but were owned by ASD and were treated as corporate assets.

January 30, 2009 is **VACATED.**
SO ORDERED.

Date: January 22, 2009 /s/

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ROSEMARY M. COLLYER
United States District Judge