



**AND WHEREAS** on or about October 16, 2009, the United States seized the sum of \$725,328.70 from Qualified Escrow Account No. 75-0524-01-9 held in the name of C.L.P., Inc., at First Citizens Bank & Trust Company, comprised of various sub-accounts;

**AND WHEREAS**, the United States has provided notice of the forfeiture and its intent to dispose of the property in accordance with the law, thereby notifying all third parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged legal interest in the assets;

**AND WHEREAS**, on or about the following dates, the United States received the following Petitions with respect to the sub-accounts in the names of the above-listed states and commonwealth:

- (1) November 16, 2009, filed by David Spencer, Esquire on behalf of the State of South Carolina.
- (2) November 19, 2009, filed by Michael Plumley, Esquire on behalf of the State of Kentucky.
- (3) December 7, 2009, filed by Brent D. Stratton, Esquire on behalf of the State of Illinois.
- (4) December 9, 2009, filed by Robin Ginsburg Cohen, Esquire on behalf of the State of Georgia.
- (5) December 9, 2009, filed by Carley Wismer, Esquire on behalf of the State of Kansas, State of Oklahoma, State of New York, and the Commonwealth of Pennsylvania.
- (6) December 9, 2009, filed by Melissa L. Trippe, Esquire on behalf of the State of North Carolina.
- (7) December 10, 2009, filed by Brian D. Devlin, Esquire on behalf of the State of Michigan.
- (8) December 11, 2009, filed by Sanettria Glasper Pleasant, Esquire on behalf of the State of Louisiana.

(9) December 18, 2009, filed by William F. Soohoo, Esquire on behalf of the State of California.

**AND WHEREAS**, it appears from the record that the deadline for filing petitions expired on January 6, 2010, and with the exception of the Petitions so noted, no other petitions have been received by the United States as to the sub-accounts of the above-listed entities;

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

(A) Per the terms of the Settlement between the United States and the Petitioners listed above, the First Amended Order of Forfeiture entered herein on September 30, 2009, is amended to provide for the forfeiture to the United States of the amount listed below from each sub-account. Furthermore, the Petitioner for each sub-account shall receive the amount so listed below:

<b>Sub-Account</b>	<b>Amount Seized</b>	<b>Petitioner Share</b>	<b>U.S. Share</b>	<b>CATS #</b>
7223015711 California	\$16,107.04	\$12,885.63	\$3,221.41	10-ATF-000583
7223015690 Georgia	\$9,114.10	\$7,291.28	\$1,822.82	10-ATF-000582
7223016167 Illinois	\$42,055.31	\$33,644.25	\$8,411.06	10-ATF-000610
7223015893 Kansas	\$53,465.44	\$42,772.35	\$10,693.09	10-ATF-000597
7223016159 Kentucky	\$72,779.93	\$58,223.94	\$14,555.99	10-ATF-000609
7223015906 Louisiana	\$2,598.89	\$2,079.11	\$519.78	10-ATF-000598
7223015762 Michigan	\$222,598.27	\$178,078.62	\$44,519.65	10-ATF-000587
7223015703 New York	\$272.93	\$218.34	\$54.59	10-ATF-000581
7228063798 North Carolina	\$62,854.94	\$50,283.95	\$12,570.99	10-ATF-000612
7223015957 Oklahoma	\$5,978.48	\$4,782.78	\$1,195.70	10-ATF-000603
7223015746 Pennsylvania	\$282.53	\$226.02	\$56.51	10-ATF-000585

<b>Sub-Account</b>	<b>Amount Seized</b>	<b>Petitioner Share</b>	<b>U.S. Share</b>	<b>CATS #</b>
7223015682 South Carolina	\$31,164.48	\$24,931.58	\$6,232.90	10-ATF-000580
<b>TOTAL:</b>	\$519,272.34	\$415,417.87	\$103,854.47	

(B) The total sum of \$103,854.47 is hereby forfeited to the United States of America, and no right, title or interest in these funds shall exist in defendants, nor any other person or entity.

(C) The total sum of \$415,417.87 shall be remitted to The National Association of Attorneys General, which is further directed to disperse the sums listed above to each respective entity, as follows:

(1) With respect to the State of Illinois, said disbursement is to be made to the Illinois Tobacco Settlement Recovery Fund, in accordance with 30 ILCS 105/5.540.

(2) With respect to Louisiana, said disbursement is to be made in connection with the Tobacco Settlement Enforcement's Unit's efforts in the Settlement Agreement, paid to the Louisiana Department of Justice Tobacco Settlement Enforcement Fund, which shall be used solely for the purposes of enforcement of the Master Settlement Agreement as defined in LSA-R.S. § 39:99.3, including enforcement efforts and purposes pursuant to LSA-R.S. § 13:5061 *et seq* and 13:5071 *et seq*.

(3) With respect to the other States and Commonwealth, said disbursement represent the reasonable costs of litigation and investigation.

(D) The First Amended Order of Forfeiture entered herein on September 30, 2009, remains unchanged as to any sub-account not addressed herein or in any other order of this Court.

(E) The United States is ORDERED to dispose of the forfeited property according to law, subject only to all expenses attributable to the seizure, maintenance, forfeiture and disposal of this property.

(F) The Clerk is hereby directed to certify copies to all counsel of record.

**ENTERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

\_\_\_\_\_  
**UNITED STATES DISTRICT JUDGE**