

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: June 29, 2017

-----X

IN RE: 650 FIFTH AVENUE AND
RELATED PROPERTIES

08 Civ. 10934 (KBF)

ORDER

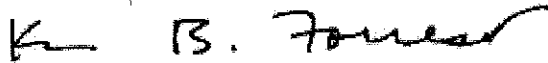
-----X

KATHERINE B. FORREST, District Judge:

The Court attaches to this order a copy of the signed verdict form that was returned by the Jury.

SO ORDERED.

Dated: New York, New York
June 29, 2017



KATHERINE B. FORREST
United States District Judge

-----X

In re: 650 Fifth Avenue and Related Properties

08-cv-10934 (KBF)

-----X

NOTE FROM JURY

PLEASE PRINT

Message: THE JURY HAS REACHED
A VERDICT

Print Name: MICHAEL FINN

Sign Name: 

Date: 6/29/17

Time: 11:30

THE SECTION BELOW IS FOR COURT USE ONLY

COURT EXHIBIT# _____

RECEIVED ON: June, 29, 2017

TIME RECEIVED: 11:35 [] a.m. / [] p.m.

FINAL—AS DELIVERED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
:
:
IN RE: 650 FIFTH AVENUE AND
RELATED PROPERTIES
:
:
:
-----X

08 Civ. 10934 (KBF)

VERDICT FORM

**PLEASE FOLLOW ALL INSTRUCTIONS AND CHECK (✓) YOUR
ANSWERS**

All Answers Must Be Unanimous

I. Forfeitability: Proceeds of IEEPA Violations

Question 1: Do you find that the Government has proven a violation of the International Emergency Economic Powers Act (“IEEPA”)?

YES	NO
✓	

If you checked “Yes” above, please complete the remaining questions. If you checked “No,” you do not need to complete any of the remaining questions and you should sign and date the form (on the last page) and tell the marshal that the jury has reached a verdict.

Question 2: With respect to each of the defendant properties below, do you find that the Government has proven that the property constitutes or is derived from proceeds traceable to a violation of the International Emergency Economic Powers Act (“IEEPA”)?

PARTNERSHIP INTEREST IN:	YES	NO
The Alavi Foundation’s partnership interest in the 650 Fifth Avenue Company (the “Partnership”)	✓	
REAL PROPERTY LOCATED AT:	YES	NO
650 Fifth Avenue, New York, NY (the “Building”)	✓	
2313 South Voss Road, Houston, TX 77057	✓	
55-11 Queens Boulevard, Queens, NY 11377	✓	
4836 Marconi Avenue, Carmichael, CA 95608	✓	
4204 Aldie Road, Catharpin, VA 20143		✓
4300 Aldie Road, Catharpin, VA 20143		✓
7917 Montrose Road, Rockville, MD 20854	✓	
8100 Jeb Stuart Road, Rockville, MD 20854	✓	
ALL FUNDS ON DEPOSIT AT:	YES	NO
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto	✓	
Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto	✓	
Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto	✓	

Question 3: For each of the defendant properties below with respect to which you answered “Yes” in Question 2, what percentage or amount of the defendant property has the Government proven constitutes or is derived from proceeds traceable to a violation of the IEEPA?

PARTNERSHIP INTEREST IN:	%	ALL
The Alavi Foundation's partnership interest in the 650 Fifth Avenue Company (the "Partnership")		✓
REAL PROPERTY OWNED BY THE 650 FIFTH AVENUE COMPANY:	%	ALL
(For this property, do not include Assa's 40% interest. In other words, check "ALL" if you mean 60%, the maximum percentage of the Building that is forfeitable here, <u>or</u> fill in a percentage lower than 60% in the "%" column.)		
650 Fifth Avenue, New York, NY (the "Building") (do not include Assa's interest)	11.4%	
REAL PROPERTIES OWNED BY THE ALAVI FOUNDATION:	%	ALL
(For these properties, you may check "ALL" if you mean 100%, the maximum percentage of the properties other than the Building that are forfeitable here, <u>or</u> fill in a percentage lower than 100% in the "%" column.)		
2313 South Voss Road, Houston, TX 77057	15%	
55-11 Queens Boulevard, Queens, NY 11377	44%	
4836 Marconi Avenue, Carmichael, CA 95608	7%	
4204 Aldie Road, Catharpin, VA 20143	0%	
4300 Aldie Road, Catharpin, VA 20143	0%	
7917 Montrose Road, Rockville, MD 20854	17%	
8100 Jeb Stuart Road, Rockville, MD 20854	17%	
ALL FUNDS ON DEPOSIT AT:	AMOUNT	ALL
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto		✓

FINAL—AS DELIVERED

Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto		✓
Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto		✓

II. Forfeitability: Property Involved in or Traceable to Money Laundering

Question 4: Do you find that the Government has proven a money laundering transaction?

YES	NO
✓	

If you checked “Yes” above, please complete Questions 5-7. If you checked “No,” please skip Questions 5-7 and proceed to Questions 8 and 9.

Question 5: For each of the defendant properties below, do you find that the Government has proven that the property was **involved in** a money laundering transaction.

PARTNERSHIP INTEREST IN:	YES	NO
The Alavi Foundation's partnership interest in the 650 Fifth Avenue Company (the "Partnership")	✓	
REAL PROPERTY LOCATED AT:	YES	NO
650 Fifth Avenue, New York, NY (the "Building")	✓	
2313 South Voss Road, Houston, TX 77057		✓
55-11 Queens Boulevard, Queens, NY 11377		✓
4836 Marconi Avenue, Carmichael, CA 95608		✓
4204 Aldie Road, Catharpin, VA 20143		✓
4300 Aldie Road, Catharpin, VA 20143		✓
7917 Montrose Road, Rockville, MD 20854		✓
8100 Jeb Stuart Road, Rockville, MD 20854		✓
ALL FUNDS ON DEPOSIT AT:	YES	NO
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto		✓
Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto		✓
Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto		✓

If you checked "Yes" for any of the defendant properties above, you may skip to Question 8 with regards to that property. If you checked "No" for any of the defendant properties above, you must answer Question 6 with regards to that property.

Question 6: For each of the defendant properties below, do you find that the Government has proven that the property was traceable to property involved in a money laundering transaction?

PARTNERSHIP INTEREST IN:	YES	NO
The Alavi Foundation's partnership interest in the 650 Fifth Avenue Company (the "Partnership")	✓	
REAL PROPERTY LOCATED AT:	YES	NO
650 Fifth Avenue, New York, NY (the "Building")	✓	
2313 South Voss Road, Houston, TX 77057	✓	
55-11 Queens Boulevard, Queens, NY 11377	✓	
4836 Marconi Avenue, Carmichael, CA 95608	✓	
4204 Aldie Road, Catharpin, VA 20143		✓
4300 Aldie Road, Catharpin, VA 20143		✓
7917 Montrose Road, Rockville, MD 20854	✓	
8100 Jeb Stuart Road, Rockville, MD 20854	✓	
ALL FUNDS ON DEPOSIT AT:	YES	NO
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto	✓	
Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto	✓	
Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto	✓	

If you checked "Yes" for any of the properties above, please proceed to Question 7. If you checked "No" for all of the properties above, please skip Question 7 and proceed to Questions 8 and 9.

Question 7: For each of the defendant properties below with respect to which you answered “Yes” in Question 6, what percentage or amount of the defendant property is traceable to property involved in a money laundering transaction involving the proceeds of an IEEPA violation?

PARTNERSHIP INTEREST IN:	%	ALL
The Alavi Foundation's partnership interest in the 650 Fifth Avenue Company (the "Partnership")		✓
REAL PROPERTY OWNED BY THE 650 FIFTH AVENUE COMPANY: (For this property, do not include Assa's 40% interest. In other words, check "ALL" if you mean 60%, the maximum percentage of the Building that is forfeitable here, <u>or</u> fill in a percentage lower than 60% in the "%" column.)	%	ALL
650 Fifth Avenue, New York, NY (the "Building") (do not include Assa's interest)		✓
REAL PROPERTIES OWNED BY THE ALAVI FOUNDATION: (For these properties, you may check "ALL" if you mean 100%, the maximum percentage of the properties other than the Building that are forfeitable here, <u>or</u> fill in a percentage lower than 100% in the "%" column.)	%	ALL
2313 South Voss Road, Houston, TX 77057	15%	
55-11 Queens Boulevard, Queens, NY 11377	44%	
4836 Marconi Avenue, Carmichael, CA 95608	7%	
4204 Aldie Road, Catharpin, VA 20143	0%	
4300 Aldie Road, Catharpin, VA 20143	0%	
7917 Montrose Road, Rockville, MD 20854	17%	
8100 Jeb Stuart Road, Rockville, MD 20854	17%	
ALL FUNDS ON DEPOSIT AT:	AMOUNT	ALL
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto		✓

FINAL—AS DELIVERED

Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto		✓
Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto		✓

III. Innocent Ownership: The 650 Fifth Avenue Company (the “Partnership”)

Question 8: With respect to the properties for which you answered “Yes” to Question 2 (Proceeds of IEEPA Violations), Question 5 (Property Involved in Money Laundering), or Question 6 (Property Traceable to Money Laundering), do you find that the 650 Fifth Avenue Company (the “Partnership”) has proven that it is an innocent owner as to any of those properties?

YES	NO
	✓

If you checked “Yes” above, please check the box for all of the properties as to which you have found that the Partnership is an “innocent owner.”

REAL PROPERTY LOCATED AT:	
650 Fifth Avenue, New York, NY (the “Building”)	

IV. Innocent Ownership: The Alavi Foundation

Question 9: With respect to the properties for which you answered “Yes” to Question 2 (Proceeds of IEEPA Violations), Question 5 (Property Involved in Money Laundering), or Question 6 (Property Traceable to Money Laundering), do you find that the Alavi Foundation has proven that it is an innocent owner as to any of those properties?

YES	NO
	✓

If you checked “Yes” above, please check the box for all of the properties as to which you have found that the Alavi Foundation is an “innocent owner.”

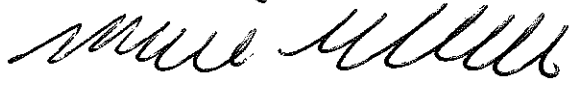
PARTNERSHIP INTEREST IN:	
The Alavi Foundation's partnership interest in the 650 Fifth Avenue Company (the “Partnership”)	
REAL PROPERTY LOCATED AT:	
650 Fifth Avenue, New York, NY (the “Building”)	
2313 South Voss Road, Houston, TX 77057	
55-11 Queens Boulevard, Queens, NY 11377	
4836 Marconi Avenue, Carmichael, CA 95608	
4204 Aldie Road, Catharpin, VA 20143	
4300 Aldie Road, Catharpin, VA 20143	
7917 Montrose Road, Rockville, MD 20854	
8100 Jeb Stuart Road, Rockville, MD 20854	
ALL FUNDS ON DEPOSIT AT:	
Sterling National Bank acct # 3802032216, held in the name of Alavi Foundation, and all funds traceable thereto	
Sterling National Bank acct # 3802032201, held in the name of Alavi Foundation, and all funds traceable thereto	

Sterling National Bank acct # 3852524414, held in the name of Alavi Foundation, and all funds traceable thereto	
---	--

Please sign and date the form (on the next page) and tell the marshal that the jury has reached a verdict.

Dated: New York, New York

June 29, 2017



FOREPERSON

