

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
 :
Plaintiff, :
 :
- v. - :
 :

1-11-16

ANY AND ALL ASSETS HELD IN ACCOUNT :
NUMBERS 102162418400, 102162418260, AND :
102162419780 AT BANK OF NEW YORK MELLON :
SA/NV, BRUSSELS, BELGIUM, ON BEHALF OF :
FIRST GLOBAL INVESTMENTS SPC LIMITED'S :
"AAA RATED FIXED INCOME OF DEVELOPED :
ECONOMIES SEGREGATED PORTFOLIO," FUND :
ID AAARATEDFIX01, GENERAL ACCOUNT :
NUMBER 216241, AND ANY PROPERTY :
TRACEABLE THERETO, et al.

No. 15-CV-05063

Defendants *in rem*.

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PARTIAL DEFAULT JUDGMENT AND ORDER OF FORFEITURE

WHEREAS, on June 29, 2015, the United States commenced this action for forfeiture of the Defendants *in rem* (the "Defendant Property") by filing a Verified Complaint for Forfeiture *In Rem* (the "Verified Complaint");

WHEREAS, the Defendant Property is identified in the Verified Complaint as:

- a. Any and all assets held in account numbers 102162418400, 102162418260, and 102162419780 at Bank of New York Mellon SA/NV, Brussels, Belgium, on behalf of First Global Investments SPC Limited's "AAA Rated Fixed Income of Developed Economies Segregated Portfolio," Fund ID AAARATEDFIX01, General Account Number 216241, and any property traceable thereto,
- b. Any and all assets held in account numbers 102165527100, 102165528400, and 102165529780 at Bank of New York Mellon SA/NV, Brussels, Belgium, on behalf of First Global Investments SPC Limited's "Single Funds Segregated Portfolio," Fund ID FGISINGLE01, CID number 3178750045, and any property traceable thereto,
- c. Any and all assets held in account numbers 102165517100, 102165518400, and 102165519780 at Bank of New York Mellon SA/NV, Brussels, Belgium, on behalf of

First Global Investments SPC Limited's "Hedge Fund of Funds Segregated Portfolio," Fund ID HEDGEFOFS01, CID number 3178750029, and any property traceable thereto,

- d. Any and all shares of First Global Investments SPC Limited's "AAA Rated Fixed Income of Developed Economies Segregated Portfolio," "Single Funds Segregated Portfolio," and "Hedge Fund of Funds Segregated Portfolio" held by or for the benefit of SWISDORN LIMITED in account number 11333701 at Bank of New York Mellon Investment Servicing (International) Limited in Ireland,
- e. Any and all shares of First Global Investments SPC Limited's "Single Funds Segregated Portfolio" and "Hedge Fund of Funds Segregated Portfolio" held by or for the benefit of TAKILANT LIMITED in account number 11243201 at Bank of New York Mellon Investment Servicing (International) Limited in Ireland,
- f. Any and all shares of First Global Investments SPC Limited's "Single Funds Segregated Portfolio" and "Hedge Fund of Funds Segregated Portfolio" held by or for the benefit of EXPOLINE LIMITED in account number 11333801 at Bank of New York Mellon Investment Servicing (International) Limited in Ireland,
- g. Any and all assets underlying the shares of First Global Investments SPC Limited's "AAA Rated Fixed Income of Developed Economies Segregated Portfolio," Fund ID AAARATEDFIX01, held in the custody of Bank of New York Mellon Trust Co. (Ireland) Limited, and any property traceable thereto,
- h. Any and all assets underlying the shares of First Global Investments SPC Limited's "Single Funds Segregated Portfolio," Fund ID FGISINGLE01, held in the custody of Bank of New York Mellon Trust Co. (Ireland) Limited, and any property traceable thereto,
- i. Any and all assets underlying the shares of First Global Investments SPC Limited's "Hedge Fund of Funds Segregated Portfolio," Fund ID HEDGEFOFS01, held in the custody of Bank of New York Mellon Trust Co. (Ireland) Limited, and any property traceable thereto,
- j. Any and all assets underlying the shares of First Global Investments SPC Limited's "Single Funds Segregated Portfolio," account ID BNY MIS/BNY AIS NOM.-FGI SPC S.FDS, held in account number 16780 at Clearstream Banking, S.A., Luxembourg, and any property traceable thereto, and
- k. Any and all assets underlying the shares of First Global Investments SPC Limited's "Hedge Fund of Funds Segregated Portfolio," account ID BNY/B. AIS N. AC F G IN SPC H FD FD, held in account number 16747 at Clearstream Banking, S.A., Luxembourg, and any property traceable thereto.

plus any accrued interest and proceeds traceable thereto.

WHEREAS, beginning on July 1, 2015, and for thirty (30) consecutive days thereafter, pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (the “Supplemental Rules”), notice of the Verified Complaint was posted on the official government internet site www.forfeiture.gov and provided that any party claiming a legal interest in the Defendant Property must file a verified Claim within sixty (60) days. Proof of such publication was filed with the Clerk of Court on October 30, 2015;

WHEREAS, pursuant to Rule G(4)(b)(i) of the Supplemental Rules, a Notice of Complaint for Forfeiture, the Verified Complaint, and other pertinent documents were delivered to last known addresses and/or legal representatives for Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Shokrukh Sabirov, Expoline Limited, Swisdorn Limited, Takilant Limited, and First Global Investments;

WHEREAS, the foregoing are the only individuals and entities known by the government to have a potential interest in the Defendant Property, except that on or about January 4, 2016, the United States asserts that it was contacted by email and phone by Richard J. Holwell, Esq., who stated he represents the Republic of Uzbekistan and would seek an adjournment to file a claim on its behalf;

WHEREAS, no claims or answers have been filed or made in this action, and the statutory time periods for doing so, as set forth in Supplemental Rule G(5)(a)(ii) have expired;

WHEREAS, on November 24 and 25, 2016, the United States mailed or caused to be mailed copies of the Court’s Order to Show Cause, its Motion for Default Judgment, and supporting documents to last known addresses and/or legal representatives for Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Shokrukh Sabirov, Expoline Limited, Swisdorn Limited, Takilant Limited, and First Global

Investments, instructing the parties to file an affidavit or memorandum of law contesting entry of default judgment on or before December 21, 2015 and to appear before this Court on January 7, 2016 at 3:00 p.m.;

WHEREAS, no individual or entity has filed an affidavit or memorandum of law contesting entry of default judgment on or before the December 21, 2015 deadline, except that counsel for the Republic of Uzbekistan indicated on or about January 4, 2016 that the Republic of Uzbekistan may file a claim in this action;

WHEREAS, the United States entered into a stipulated motion with counsel for the Republic of Uzbekistan, that the January 7, 2016 order to show cause hearing proceed as to all potential claimants, defendants, and other parties, but such hearing shall not proceed as to the Republic of Uzbekistan, so that the Republic of Uzbekistan may file notice of a claim to the Defendant Property;

NOW THEREFORE, on the motion of Marie Dalton, Trial Attorney for the United States Department of Justice, Asset Forfeiture and Money Laundering Section;

IT IS HEREBY ORDERED that

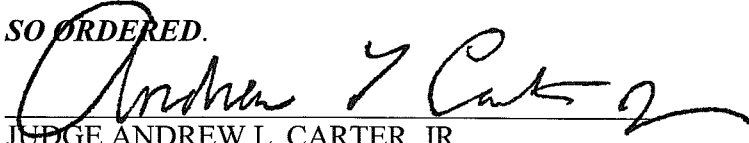
1. Plaintiff United States of America shall have judgment by default against Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Shokrukh Sabirov, Expoline Limited, Swisdorn Limited, Takilant Limited, First Global Investments, and all potential claimants, other than the Republic of Uzbekistan, who have not otherwise filed a claim to the Defendant Property.

2. Consistent with this Order, Gulnara Karimova, Bekhzod Akhmedov, Alisher Ergashev, Rustam Madumarov, Gayane Avakyan, Shokrukh Sabirov, Expoline Limited, Swisdorn Limited, Takilant Limited, First Global Investments, and all potential claimants, other

than the Republic of Uzbekistan, who have not otherwise filed a claim to the Defendant Property are time-barred from contesting the forfeiture of the Defendant Property.

3. Nothing in this order shall be construed to be inconsistent with or otherwise limit the stipulated motion filed by counsel for the Republic of Uzbekistan and the United States on January 6, 2016.

Dated: New York, New York
January 11, 2016

SO ORDERED.


JUDGE ANDREW L. CARTER, JR.
DISTRICT COURT JUDGE
UNITED STATES DISTRICT COURT FOR THE *SM*
SOUTHERN DISTRICT OF NEW YORK