

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :
 :
 v. :
 :
 RONALD E. FERGUSON, :
 CHRISTOPHER P. GARAND, : CRIMINAL NO. 3:06CR137(CFD)
 ROBERT D. GRAHAM, :
 CHRISTIAN M. MILTON, and :
 ELIZABETH A. MONRAD, :
 :
 Defendants. :

FINAL ORDER OF FORFEITURE

WHEREAS, on February 25, 2008, the jury returned verdicts finding defendants Ronald E. Ferguson, Christopher P. Garand, Robert D. Graham, Christian M. Milton and Elizabeth A. Monrad (the “Defendants”) guilty of, among other charges, the offenses alleged in Counts 8-10 of the Superseding Indictment (securities fraud), and the offenses alleged in Counts 14-16 of the Superseding Indictment (mail fraud).

WHEREAS, the Superseding Indictment gave notice to the Defendants that, in the event of their convictions on the above-listed counts, they would be required to forfeit to the United States a money judgment in the amount of \$5,000,000, representing a fraudulent fee received by co-conspirator and co-schemer Gen Re, for which amount each convicted defendant shall be jointly and severally liable.

WHEREAS, on March 20, 2008, all five Defendants entered into a joint Stipulation Regarding Forfeiture Allegation (“Forfeiture Stipulation”) with the United States, in which the parties agreed that: (1) a \$5,000,000 money judgment would be entered against all Defendants, for

which all Defendants would be jointly and severally liable; and (2) co-conspirator and co-schemer Gen Re would pay \$5,000,000 to the United States, in the form of a check payable to the U.S. Marshal Service, which payment would represent the fraudulent fee referred to in the forfeiture allegation of the Superseding Indictment, and which payment would satisfy in full the \$5,000,000 forfeiture money judgment to be entered against all five Defendants.

WHEREAS, the United States has filed a Motion for Entry of Final Order of Forfeiture which would consist of a personal money judgment against the Defendant in the amount of \$5,000,000, representing the total amount of forfeitable money derived from the illegal conduct charged in the counts for which the Defendants were found guilty.

WHEREAS, on April 15, 2008, the U.S. Marshal Service received a \$5,000,000 cashier's check from Gen Re, as full satisfaction of the agreed-upon \$5,000,000 forfeiture money judgment.

WHEREAS, Rule 32.2(c)(1) provides that "no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment."

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendants shall forfeit to the United States the sum of \$5,000,000, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), which money judgment has already been satisfied in full; and

IT IS FURTHER ORDERED that pursuant to 21 U.S.C. § 853(n)(7), the right, title, and interest to the \$5,000,000 conveyed by Gen Re is hereby condemned, forfeited, and vested in the United States of America and that no right, title, or interest to the property shall exist in any other party; and

IT IS FURTHER ORDERED that pursuant to 21 U.S.C. §§ 853(g)-(i), the United States may dispose of this property according to law; and

IT IS FURTHER ORDERED that pursuant to Rule 32.2(b)(3), this Order of Forfeiture shall become final as to the Defendant at the time of sentencing, and shall be made part of the sentence and included in the judgment; and

IT IS FURTHER ORDERED that the Clerk of Court is directed to send two (2) certified copies of this Final Order of Forfeiture to Eric J. Glover, Assistant United States Attorney, 157 Church Street, 23d Floor, New Haven, Connecticut 06510, as well as copies of this order to all counsel or parties of record.

SO ORDERED this 31st day of December, 2008, at Hartford, Connecticut.

/s/ Christopher F. Droney
HONORABLE CHRISTOPHER F. DRONEY
UNITED STATES DISTRICT JUDGE