

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Civil Action # 05-10192 WGY
)
ONE STAR CLASS SLOOP SAILBOAT)
BUILT IN 1930 WITH HULL NUMBER)
721, NAMED "FLASH II",)
Defendant.)

UNITED STATES' SUPPLEMENTAL RESPONSES TO INTERROGATORIES

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, provides the following responses to the interrogatories propounded by Kerry Scott Lane, M.D. (the "Interrogatories"), pursuant to Federal Rules of Civil Procedure 26 and 33.

GENERAL RESPONSES AND OBJECTIONS TO INTERROGATORIES

The General Objections are re-incorporated herein by reference.

SPECIFIC RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 15

Identify the provenance or other documentation of ownership the government provided to the Guernseys auction house to establish that the U.S. owned the sailboat when placing the item up for auction.

ANSWER TO INTERROGATORY NO. 15

No supplementation is required.

INTERROGATORY NO. 16

State whether the United States informed Guernseys that the forfeiture litigation was still pending. If so,

- a. state with particularity what you told Guernseys regarding the status of Dr. Lane's attempt to vacate the default judgment to defend his interest in the property;

- b. identify the government agents and Guernseys employees who participated in each of the conversations mentioned in subsection 14a;
- c. identify any documents given Guernseys regarding Dr. Lane's attempt to vacate the default judgment to defend his interest in the property;
- d. state with particularity what you told Guernseys about Dr. Lane's request to set a minimum reserve.

ANSWER TO INTERROGATORY NO. 16

No agent of the United States informed Guernseys that the forfeiture litigation was still pending.

INTERROGATORY NO. 17

State how the United States and Guernseys arrived at the following figures regarding the value and sale of the sailboat:

- a. the estimated value;
- b. the starting bid; and
- c. the minimum reserve; and
- d. identify any documents provided to Guernseys to document the estimated value, or relating in any way to the matters in subsection a through c.

ANSWER TO INTERROGATORY NO. 17

Guernseys provided the information regarding the estimated value to DEA at the time of the initial seizure. Guernseys set the starting bid in keeping with their usual procedures. The United States did not seek a minimum reserve. No documents were provided to Guernseys in relation to items a through c.

INTERROGATORY NO. 18

With regard to the Guernseys auction state the following:

- a. the name and address of the person or entity who purchased the sailboat;
- b. the price paid;
- c. how many bids there were, and the amount of those losing bids; and
- d. state whether the successful bidder is related – either by blood, by marriage, or through a business partnership, agency or other business relationship – to any party in this case, including government agents on the case, the Confidential Informant, and Harry E. Crosby.

ANSWER TO INTERROGATORY NO. 18

- a. Frank L. Harvey, 8733 Banzer, Houston, Texas.
- b. \$100,000.00.
- c. Unknown.
- d. The government has no information to indicate that the buyer was related to any

of these persons.

INTERROGATORY NO. 19

Identify any and all documents in your possession documenting the matters in interrogatory 16.

ANSWER TO INTERROGATORY NO. 19

No supplementation is required.

Signed under the pains and penalties of perjury this 19th day of March 2007.

/s/ Mary Magno by NBR_
per telephone authority
Mary Magno
Property Mgmt. Specialist

Objections made by:

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Nancy Rue _____
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing interrogatory responses were served upon Brenda Grantland, Esq., by email, this 19th day of March 2007.

/s/ Nancy Rue _____
NANCY RUE