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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

FIRST AMENDED VERIFIED

COMPLAINT FOR FORFEITURE IN REM

VS.

ONE WHITE CRYSTAL-COVERED "BAD

TOUR" GLOVE AND OTHER MICHAEL

JACKSON MEMORABILIA;

REAL PROPERTY LOCATED ON

SWEETWATER MESA ROAD IN MALIBU,

CALIFORNIA; ONE 2011 FERRARI

599 GTO,

Defendants.

*M. Jackson - 78 - 89
- 98*

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Plaintiff United States of America, by and through its
 undersigned attorneys, in a case of forfeiture *in rem*, alleges
 that:

I.

NATURE OF THE ACTION

1. This is an action *in rem* to forfeit approximately \$32
 million in real and personal property held for the benefit of
 Teodoro Nguema Obiang Mangue, the Minister of Agriculture and
 Forestry of Equatorial Guinea and the son of the President of
 Equatorial Guinea. This action is brought against property that
 was derived from extortion, or from the misappropriation,
 embezzlement, or theft of public funds by or for the benefit of a
 public official, in violation of the law of Equatorial Guinea, and
 property that was involved in acts of money laundering, in
 violation of U.S. law. As property derived from a violation of
 foreign law, the defendants *in rem* are subject to forfeiture
 pursuant to 18 U.S.C. § 981(a)(1)(C), and as property involved in a
 money laundering offense in violation of 18 U.S.C. §§ 1956 or 1957,
 the defendants *in rem* are subject to forfeiture pursuant to 18
 U.S.C. § 981(a)(1)(A). The defendants *in rem*, obtained through the
 abuse of public office and illegally laundered through the abuse of
 financial institutions and businesses in the United States, are
 believed to be currently located within the Central District of
 California.

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¹ Pursuant to Local Rule 79-5.4(e), home addresses have been omitted from this complaint.

apportunances (hereinafter "defendant 2011 Ferrari").

2011 Ferrari 599 GTO, VIN ZFF70RCA6B0176109, its tools and

4. The defendant 2011 Ferrari is described as follows: One

C. 2011 Ferrari

(hereinafter "sweetwater property" or "defendant real property").²

as well as all leases, rents, and profits derived therefrom

includes all appurtenances, improvements, and attachments thereon,

LTC, is located on sweetwater Mesa Road, Malibu, California, and

Attachment B hereto, is titled in the name of Sweetwater Malibu,

3. The defendant real property, as more fully described in

California

B. Real Property Located on Sweetwater Mesa Road, Malibu,

Attachment B hereto.

on Sweetwater Mesa Road, Malibu, California, described below and in

are believed to be located at the defendant real property located

are listed in Attachments A-1, A-2, and A-3 hereto. These items

"defendant memorabilia" or "defendant Michael Jackson memorabilia")

miscellaneous other Michael Jackson memorabilia (hereinafter

2. The defendant white Crystal-Covered "Bad Tour" glove and

Jackson Memorabilia

A. One White Crystal-Covered "Bad Tour" Glove and Other Michael

THE DEFENDANTS IN REM

II.

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1 The defendant 2011 Ferrarri is titled in the name of
 2 Teodoro Nguema Obiang and is believed to be located at the
 3 Sweetwater property.
 4 6. The following may have interests in the defendants in rem:
 5 Teodoro Nguema Obiang Mangue;
 6 7. The defendant Michael Jackson memorabilia, Sweetwater
 7 property, and 2011 Ferrarri are collectively referred to as "the
 8 defendant assets."
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 13 8. Plaintiff brings this action in rem in its own right to
 14 forfeit and condemn the defendant assets. This Court has
 15 jurisdiction over an action commenced by the United States under 28
 16 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. §
 17 1355(a).
 18 9. This Court has in rem jurisdiction over the defendant
 19 assets under 28 U.S.C. § 1355(b).
 20 10. Venue is proper in this district pursuant to 28 U.S.C. §
 21 1355(b) (1) because the acts or omissions giving rise to the
 22 forfeiture occurred in this district, and pursuant to 28 U.S.C. §
 23 1395 because the defendant assets are located in this district.
 24 11. The defendant real property has not been seized but is
 25 located within this district and within the jurisdiction of this
 26 Court. The United States does not request authority from the Court
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1 to seize the defendant real property at this time. The United

2 States will, as provided by 18 U.S.C. §§ 985(b)(1) and (c)(1):

3 • Post notice of this action and a copy of the Amended

4 Complaint on the defendant real property;

5 • Serve notice of this action on the defendant real

6 property's owner, and send such a notice to any other

7 person or entity who may claim an interest in the

8 defendant real property, along with a copy of this

9 Amended Complaint;

10 • If necessary, request and execute a writ of entry for

11 purposes of conducting an inspection and inventory of the

12 defendant real property.

13 IV.

14 BASIS FOR FORFEITURE

15 12. The defendant assets are subject to forfeiture pursuant

16 to 18 U.S.C. § 981(a)(1)(C) because they are property constituting

17 or derived from proceeds traceable to an offense constituting

18 "specified unlawful activity." Specified unlawful activities are

19 defined by 18 U.S.C. § 1956(c)(7) and include foreign offenses

20 involving "extortion," or "the misappropriation, theft, or

21 embezzlement of public funds by or for the benefit of a public

22 official."

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13. The defendant assets are also subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) because they constitute property involved in a transaction or an attempted violation of section 1957 of Title 18, United States Code, or are property traceable to such assets. Section 1957 prohibits the conducting of a monetary transaction with property known to be the proceeds of unlawful activity with a value greater than \$10,000, i.e., the proceeds of a foreign offense involving extortion, or the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official. See 18 U.S.C. § 1956(c)(7)(B)(ii), (iv).

14. The defendant real property and memorabilia are also subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) because they constitute property involved in a transaction or an attempted transaction in violation of section 1956 of Title 18, United States Code, or are property traceable to such assets. Section 1956(a)(1)(B) prohibits the conducting of a financial transaction with property known to be the proceeds of unlawful activity with the intent to conceal the nature, location, source, ownership, or control of proceeds of a specified unlawful activity, i.e., a foreign offense involving extortion, or the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official. See 18 U.S.C. § 1956(c)(7)(B)(ii), (iv).

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15. The offenses listed above are criminalized under the law of Equatorial Guinea (hereinafter Equatorial Guinea or "E.G.") by the following provisions of the Spanish Penal Code of 1968, which is the current body of criminal law in E.G.: Article 196 (expropriation of assets by a public official); Article 198 (taking advantage of official position to exercise a profession directly related to scope of official duties); Article 385 (public official who demands or accepts a bribe to perform a crime); Article 386 (public official who demands or accepts a bribe to perform an unjust act); Article 390 (public official who receives improper gifts), Article 394 (public official who steals public funds); Article 396 (public official who embezzles funds under his care); Article 401 (public official who has a financial stake in any business regulated by his office); and Article 514 (theft).

V.

FACTS

16. On information and belief, plaintiff alleges the following facts.

A. Relevant Names, Entities, and Terms

17. The following individuals, entities, and terms are relevant to this Complaint.

Teodoro Nguema Obiang Mangue is the beneficial owner of the defendant assets, son of the President of E.G., and Minister of Forestry and Agriculture in E.G.

Teodoro Nguema Obiang Mbasogo is the President of E.G.

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1 Inner Circle: A small number of individuals who hold critical positions of political and economic power in E.G.

2 Senate Permanent Subcommittee on Investigations Report ("PSI Report"): Report issued in July 2004 by the United States Senate Permanent Subcommittee on Investigations on money laundering and foreign corruption, which focused in part on money brought to Riggs Bank in the United States from E.G. that was suspected of being proceeds of foreign corruption in E.G.

3 Riggs National Bank is the financial institution in Washington, D.C., where the government of E.G. and members of the Inner Circle maintained depository accounts from 1995 to 2004.

4 B. Background

5 18. Equatorial Guinea is a West African country. The

6 population in 2009 was approximately 680,000, according to data compiled by the World Bank.

7 19. The country was colonized by the Portuguese in the late 1600s and ceded to Spain in 1778; it gained independence in 1968. The first President was Francisco Macias Nguema.

8 20. In 1979, Macias Nguema was overthrown in a coup d'etat. His nephew, Teodoro Obiang Nguema Mbasogo, who was previously the military governor of Bioko Island and Vice-Minister of the Armed Forces, became President of Equatorial Guinea (hereinafter "President Obiang").

9 21. More than three decades after seizing control from his uncle Macias Nguema, President Obiang is still in power.

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oil reserves beginning in the mid-1990s, E.G. has become a major oil and gas producer. By 2004, it was the third-largest oil and gas producer in Sub-Saharan Africa. Over the last several years, 26. Since the commencement of large-scale extraction of its

Ley No 1/1997, Sobre El Uso Y Manejo De Los Bosques.) exclusive economic extraction and development by the State. (See the public domain, and that the National Forests are reserved for National Forestry Reserve is permanent, inalienable, and part of

Guinea Ecuatorial.) Similarly, Ecuatoguinean law provides that the 8/2006, de fecha 3 de noviembre de Hidrocarburos de la Republica de hydrocarbons belong to the public, not to individuals. (See Ley No 25. Under E.G. law, the nation's mineral resources and

C. Embezzlement and Misappropriation of E.G.'s Natural Resources

variety of corrupt schemes. of the inner circle have amassed extraordinary wealth through a

24. During President Obiang's more than 30-year rule, members Nguema is the beneficial owner of the defendant assets. has been appointed by his father to various ministerial positions.

Mangué (hereinafter "Nguema"), President Obiang's eldest son, who 23. One member of the inner circle is Teodoro Nguema Obiang and economic power in E.G. are held by the inner circle.

Government of Ecuatorial Guinea. Nearly all positions of political 22. President Obiang exercises plenary control over the

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oil and gas exports have resulted in billions of dollars in annual revenue. 27. Equatorial Guinea also derives income from natural resources other than oil and gas, primarily timber, its second major export commodity.

28. As of 2006, the Equatoguinean economy had grown 20 times larger than it was in the mid-1990s, reflecting the massive E.G. revenues derived primarily from oil and gas production.

29. Despite E.G. laws regarding public ownership of its natural resources, and despite an extraordinary expansion in the economy of Equatorial Guinea, living standards of the general population remain at a subsistence level.

30. At the same time, over at least the past two decades, members of the Inner Circle have gained enormous wealth through violations of E.G. law, using a variety of methods. These include extortion and misappropriation, theft, and embezzlement of public funds. Details concerning these methods of corruption are set forth below at paragraphs 50-75.

31. Corruption in E.G. began receiving public scrutiny in the United States in the mid-2000s, following an investigation conducted by the U.S. Senate's Permanent Subcommittee on Investigations. The 2004 PSI Report revealed that, from at least 1995 to 2004, the Government of E.G. directed that payments from oil companies be made into accounts at Riggs National Bank in

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Washington, D.C. According to the PSI Report, aggregate deposits to E.G. government accounts totaled hundreds of millions of dollars at a time and were so large that by 2003, the E.G. portfolio had become the bank's largest single customer relationship, with balances and outstanding loans that together approached \$700 million. The PSI Report concluded that Riggs Bank "turned a blind eye to evidence [,] suggesting the bank was handling the proceeds of foreign corruption." Riggs Bank closed the E.G. accounts in 2004, and subsequently pleaded guilty to failure to report suspicious monetary transactions by high-risk customers, in violation of Title 31, United States Code, Sections 5322 and 5318(g), and agreed to pay a \$16 million fine, in addition to a \$25 million civil penalty, for its handling of the E.G. and other accounts.

32. In July 2004, after the PSI Report was issued and Riggs Bank closed the E.G. accounts, much of the money held by the government of E.G. and members of the Inner Circle was removed from the United States. One significant exception was money brought to the United States by Nguema, much of which ultimately was used to purchase the defendant assets.

D. Nguema's Illicit Acquisition and Misuse of Funds

33. In 1991, at the age of 23, Nguema came to the United States to study English as a Second Language at Pepperdine University in Malibu, California. He did not live on campus;

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28 the national forests.
 27 individuals awarded a concession are permitted to harvest timber in
 26 Minister of forestry without competitive bidding. Companies or
 25 concessions in E.G. are awarded by either the President or the
 24 certain defined areas, for a certain period of time. Forestry
 23 A concession is the exclusive right to engage in logging in

22 88,000 acres of national forest lands, President Obiang then put
 21 Nguema in charge of the E.G. forestry industry. In approximately
 20 1998, at the age of 30, Nguema was appointed by his father to the
 19 35. Having granted his son Nguema the right to cut timber on
 18 additional 11,000 hectares (approximately 27,000 acres).

17 father granted a five-year concession to harvest timber from an
 16 created a forestry company called Sofona in E.G., to which his
 15 subsidiary of a Malaysian company. The following year, Nguema
 14 Nguema was 24 years old. The actual logging was done by a
 13 E.G. (approximately 61,000 acres) by his father, President Obiang.
 12 concession² to harvest timber from 25,000 hectares of rainforest in
 11 inexperience, on January 8, 1993, Nguema was awarded a 20-year
 10 Nguema left the pepperdine program, and despite his youth and
 9 of legitimate business operations. Less than two years after
 8 34. Nguema thereafter began acquiring money under the guise
 7 American oil company operating in E.G.

6 hotel bill and the rental of the house in Malibu) were paid by an
 5 of the program. His tuition and living expenses (including his
 4 and a house he rented in Malibu. After five months, he dropped out
 3 Instead, he shuttled between rooms at the Beverly Wilshire Hotel
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1 newly-created position of "Minister of Forestry and Environment,"
 2 later changed to "Minister of Forestry and Agriculture"
 3 (hereinafter "Minister of Forestry"), for E.G. Nguema continued to
 4 have sole ownership of Sofona as well as a second forestry company
 5 he created in 1998, Somagui Forestal. He used ownership of Sofona
 6 and Somagui Forestal and his status as Minister of Forestry (and
 7 President Obiang's son) to enrich himself through corrupt schemes
 8 in the timber industry, as described below.
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 10 36. As millions of dollars of oil and gas revenues began
 11 flowing into the E.G. government treasury in the late 1990s, the
 12 amount of money available to members of the inner circle, including
 13 Nguema, increased. In March 2001, Nguema bought a new 2001 Bentley
 14 automobile in Beverly Hills, California, paying for it with a
 15 personal check for \$366,000, drawn on his Riggs Bank account. A
 16 few months later, he bought a second 2001 Bentley, from the same
 17 dealership in Beverly Hills, for which he paid \$57,500 in cash and
 18 \$228,000 by personal check drawn on the same account. In 2001, at
 19 the age of 33, he also bought a \$6.5 million house on Antelo Road
 20 in Bel Air.
 21
 22 37. Nguema's level of spending is inconsistent with his salary
 23 as a Minister. His official salary today is approximately \$6,799
 24 per month, or less than \$100,000 per year, according to official
 25 E.G. sources.
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38. In the 2000s, the rapid growth of the oil and gas sector in E.G. led to a boom in construction and other infrastructure-related activities in that country. This provided another opportunity for the Inner Circle, including Nguema, to obtain money corruptly, as the government began awarding large construction contracts to companies owned by the Inner Circle.

39. From 2003-2004, President Obiang changed the title of Nguema's position to "Minister of Forests and Infrastructure," and Nguema's companies began receiving funds for alleged construction activities. One of Nguema's forestry businesses in E.G., Somagui Forestal, received two multi-million dollar government contracts for road construction in 2003 and 2004. Nguema also claimed that approximately \$8 million he spent in 2004 to buy two luxury homes in Cape Town, South Africa, came from profits from another construction company he owned in E.G. called Sociedad de Carreteras de Guinea Ecuatorial ("Highway Society of Equatorial Guinea"), or SOGAGE.

40. Whether as "Minister of Forestry and Agriculture" or "Minister of Forests and Infrastructure," Nguema continued to misappropriate the wealth of his country through various corrupt means, described below, and continued his personal spending in the United States and abroad greatly in excess of his official government salary. For example, he spent millions of dollars to buy dozens of sports cars and luxury vehicles. These included,

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among others, 24 cars with a total declared value of \$9.68 million that he stored at the Petersen Automotive Museum in Los Angeles until November 2010, when he shipped them, along with \$400,000 worth of motorcycles, to France. These cars included a \$2 million Maserati, two Bugatti Veyron sports cars for which he paid \$2 million and \$1.3 million respectively, eight Ferraris (including the defendant 2011 Ferrari), seven Rolls Royces, five Bentleys, four Mercedes, a Porsche, two Lamborghinis, and an Aston Martin. On September 28, 2011, law enforcement authorities in France seized several high-end vehicles belonging to Nguema in that country in connection with a French criminal investigation involving Nguema.

42. In June 2005, Nguema purchased two 50-foot, high-performance racing boats in Ft. Myers, Florida, for a total of over \$2 million. Nguema initially kept both boats in California but then had one shipped to Maui, Hawaii, so he could use it during one of his visits there. The Maui boat sank due to operator error and had to be salvaged and repaired, at a cost of approximately \$400,000. Nguema had both of these boats shipped to E.G. in 2010.

43. Between April and June 2006, Nguema's luxury expenditures included a combined total of \$68 million on just two assets: the defendant Malibu mansion, for which the purchase price was \$30 million, and a Gulfstream G-V private jet, which cost over \$38 million. Nguema caused the \$68 million used to purchase these two

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assets to be wire-transferred directly to the sellers, with no financing or use of borrowed funds.

44. Nguema spent large sums on designer clothing and expensive vacations. In a single month in 2004, for example, he spent over \$80,000 at Gucci and over \$50,000 at Dolce and Gabbana in a shopping spree in the United States. He also spent over \$100,000 at the Grand Wailea Resort in Hawaii in August-September 2005.

45. From June 2010 through June 2011, Nguema spent a total of approximately \$3.2 million on various items of Michael Jackson memorabilia, including \$275,000 for the defendant "Bad Tour" glove, \$80,000 for a pair of crystal-covered socks, \$140,000 for a jacket and shirt, and \$245,000 for a basketball signed by Michael Jackson and basketball star Michael Jordan.

46. Nguema has frequently chartered yachts for pleasure cruises, at a cost of many hundreds of thousands of dollars. Between December 24, 2005 and January 1, 2006, Nguema paid more than \$1 million to a Monte Carlo yacht broker to rent a luxury yacht in St. Barthelémy for a period of days. Nguema paid for this lease via wire transfer from an account in F.G. in the name of his timber company, Somagut Forestal.

47. Nguema eventually took steps toward purchasing his own yacht. In June 2008, a broker acting on behalf of Nguema contacted a German yacht-building company that is described on its website as

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1 being "famous worldwide for high-end and quality yachts," and as
 2 engaging in the design and construction of "mega-yachts," to
 3 discuss having a yacht built for him. Nguema paid the German
 4 company approximately \$290,000 for the pre-design of a mega-yacht;
 5 the sale price of the yacht itself was reported to be approximately
 6 \$380 million. After Nguema's payment for the pre-design became
 7 public, official sources within B.G. announced that he was not
 8 purchasing the yacht.
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 10 48. These assets and expenditures, including the defendant
 11 Malibu mansion, the Gulfstream jet, the luxury vehicles, and the
 12 celebrity memorabilia (but not including the proposed mega-yacht),
 13 add up to over \$100 million
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 15 49. When opening accounts at financial institutions in the
 16 United States, Nguema provided various explanations for his source
 17 of funds. For example, in March 2007, when opening a bank account
 18 at Comerica Bank in California, Nguema claimed that he acquired
 19 money from a "family inheritance" and from "trading expensive and
 20 custom automobiles." In September 2006, when opening a bank
 21 account at Pacific Mercantile Bank in California, Nguema claimed to
 22 be self-employed as an "investor," in addition to serving as
 23 Minister of Agriculture and Forestry. In fact, as a member of the
 24 Inner Circle, Nguema derived his funds from a variety of corrupt
 25 schemes.
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B. Illegal corrupt schemes used by Ngumema and the Inner Circle to Enrich Themselves

50. The criminal code that was in force in Spain in 1968,

when E.G. won its independence, continues to be the law in E.G. to this day. This code prohibits various forms of corruption such as extortion and misappropriation of funds by public officials.

51. Ngumema and other members of the Inner Circle have engaged

in various corrupt schemes to enrich themselves. Ngumema uses these

corrupt schemes to supplement his legitimate income, which is his

official government salary. These schemes are illegal under the

laws of E.G., but the applicable anti-corruption laws are not

enforced against the Inner Circle; instead, members of the Inner

Circle are allowed to keep funds obtained through corruption and to

take their corruption proceeds abroad. A summary of these schemes,

and the E.G. statutes which prohibit them, are set forth below.

a. Extortion Schemes

52. The simplest extortion scheme involves members of the

Inner Circle, such as Ngumema, demanding payments from companies

doing business in E.G., in exchange for the performance of official

acts. For example, Ngumema, as Minister of Forestry, is responsible

for approving the export of timber logged in E.G., and refuses to

sign such approvals until the exporter first pays a "tax" for

Ngumema's personal benefit.

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1 53. Similarly, in order to engage in logging in E.G.'s
 2 National forests, timber companies must first receive a logging
 3 concession from Ngwema. Ngwema demands that timber companies
 4 seeking to obtain such concessions first pay him a personal fee.
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 6 54. Members of the Inner Circle, including Ngwema, also
 7 demand that foreign companies operating in E.G. provide them with
 8 gifts and free services. For instance, a major international civil
 9 engineering firm in E.G., which had obtained several substantial
 10 infrastructure contracts from the Government of E.G., built a
 11 mansion for Ngwema in Malabo, E.G., at his request and direction.
 12 Upon completion of that project, however, Ngwema refused to pay
 13 this firm for its work.
 14
 15 55. Similarly, members of the Inner Circle demanded that a
 16 South African civil engineering firm, which was awarded a
 17 government contract to construct an airfield in E.G., permit
 18 members of the Inner Circle to use - without any compensation - the
 19 firm's equipment, heavy machinery, personnel, aircraft and vehicles
 20 for their personal benefit. When the firm complained, the
 21 government of E.G. refused to provide the firm with any further
 22 payments for its work and even detained some of the firm's
 23 personnel in an E.G. jail.
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 25 56. In another variation of this scheme, the Inner Circle
 26 routinely demands that companies operating in E.G. contribute money
 27 to what are disguised as public service campaigns. For example,
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1 Nguma currently is operating a program to generate funds
 2 purportedly to improve the housing conditions of the poor by
 3 changing palm roofs to metal ones. Although advertisements
 4 promoting this campaign and others claim that contributions to
 5 these programs are voluntary, companies that do not contribute face
 6 retaliation. Moreover, the contributions are not used for their
 7 alleged purpose, but instead are largely taken by members of the
 8 inner circle, including Nguma, for their personal benefit.
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 10 57. In another extortion scheme, a businessman in E.G. who
 11 owned a construction company was forced to share 50 percent of his
 12 profits with a senior E.G. public official, and to provide the
 13 official with 50 percent of the equity in the company, in order to
 14 continue to secure government contracts in E.G. Ultimately, the
 15 businessman was forced to leave E.G. against his will, and the
 16 senior public official took over 100 percent of his company.
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 18 58. Extortion is illegal under E.G. law. The 1968 Criminal
 19 Code of Spain, currently in effect in E.G., contains the following
 20 provisions, among others, which prohibit extortion: Article 196
 21 (expropriation of assets by a public official); Article 198
 22 (prohibiting public officials from taking advantage of their
 23 positions to involve themselves directly or indirectly in private
 24 associations or companies with the intent to profit); Article 385
 25 (prohibiting public officials from soliciting or receiving gifts or
 26 contributions for performing their official duties); Article 386

(prohibiting public officials from soliciting or receiving gifts or contributions for carrying out an unjust act related to the duties of their position); and Article 390 (public official who receives improper gifts).

59. The above-described corrupt schemes of obtaining extortionate payments from businesses operating in E.G., through the wrongful use of actual or threatened force, violence, or fear, or under color of official right, violate E.G.'s laws prohibiting public officials from using their position for self-enrichment, or to solicit or receive extortion payments.

b. Schemes to Obtain Government Funds Through Misappropriation, Embezzlement, and Theft

60. Another way in which members of the inner circle such as Nguma enrich themselves through corruption is by taking government funds through misappropriation, embezzlement, and theft. This is accomplished either through direct diversion of funds from government bank accounts, or through schemes such as submitting inflated "bids" for government contracts, in which corruption payments are built into the contract. This type of corruption also is in violation of the laws of E.G.

f. Direct Misappropriation of Funds

61. Riggs Bank records show that money paid by oil companies to the government of E.G. were misappropriated by E.G. government officials and their family members.

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62. The government of E.G., as well as members of the Inner Circle, held bank accounts at Riggs Bank in Washington, D.C., beginning in 1995. One such account, in the name of the Republic of Equatorial Guinea General Treasury, was known as the E.G. Oil Account, because virtually all of the deposits into this account were payments from foreign oil companies doing business in E.G.

63. A withdrawal of funds from the Oil Account, according to Riggs Bank records, required only the signature of President Obiang and a second by either his son Gabriel Obiang Lima (then Deputy Mines and Hydrocarbons Minister) or his nephew Melchor Esono Edjo (Secretary of State for the Treasury).

64. Riggs Bank records show that nearly \$500,000 was sent from the Oil Account to the personal bank account of Melchor Edjo. The records, according to the PSI Report, also show that President Obiang approved the wire transfer of nearly \$35 million from the E.G. Oil Account to two companies that appeared to be connected to President Obiang, were unknown to the bank, and had accounts in jurisdictions with bank secrecy laws. When Riggs Bank tried to obtain information about the beneficial owners of these two companies, neither the banks holding the accounts nor E.G. officials would provide information, according to the PSI Report.

65. In addition to direct transfers of money from the E.G. Oil Account, the Riggs Bank records show deposits of large amounts of cash into accounts controlled by E.G. public officials and their

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1 families. In 1999, Riggs Bank records show that President Obiang
 2 opened a money-market account at Riggs Bank in the name of a
 3 Bahamas-registered corporation in 1999. From 2000 to 2002, \$11.5
 4 million in cash was deposited into this account. President
 5 Obiang's wife, according to the PSI Report, also maintained
 6 personal accounts at Riggs Bank, into which over \$1.4 million in
 7 cash was deposited from 2000 to 2002.
 8
 9 66. Some of the money obtained by other members of the Inner
 10 Circle has made its way to Nguema; for example, on October 21,
 11 2002, \$200,000 was transferred from a personal account at Riggs
 12 Bank belonging to a member of the Inner Circle to Nguema's personal
 13 bank account.
 14
 15 67. Like other members of the Inner Circle, Nguema has also
 16 diverted E.G. public resources and monies for his personal use.
 17 On one occasion in 2005, Nguema, who was attempting to purchase a
 18 \$40 million luxury aircraft for his personal use, advised the
 19 manufacturer that he could have a United States oil company
 20 operating in E.G. assume responsibility for making the payments for
 21 his personal jet. These payments would then be credited against
 22 balances owed by the oil company to the government of E.G. In this
 23 roundabout manner, government funds would be used to buy the plane
 24 for Nguema without appearing to come from the E.G. government. In
 25 this instance, however, the oil company refused to go along with
 26 Nguema's scheme.

11. Inflated Bids

68. A more elaborate method by which members of the Inner Circle are able to divert government funds for their personal use is by submitting inflated bids for government contracts. The Inner Circle is able to manipulate the contracting process for the personal benefit of its members, while creating an apparently legitimate cover for its misappropriation of government funds. 69. Because government contracts are awarded to companies owned by or associated with members of the Inner Circle without true competition, those companies are able to charge the E.G. Government fees that bear little, if any, rational relationship to the actual economic value of the services or products tendered to the E.G. Government. The bids from such companies include built-in mark-ups of from 50 percent to 400 percent or more, so that members of the Inner Circle can obtain the difference. 70. Nguema has admitted that, as a cabinet minister, he takes for himself a "sizeable part" of government contracts. In a sworn affidavit filed with a court in South Africa, Nguema stated under oath:

Cabinet Ministers and public servants in Guatatoria Guinea are by law allowed to owe [sic] companies that, in consortium with a foreign company, can bid for government contracts and should the company be successful, then what percentage of the total cost of the contract the company gets, will depend on the terms negotiated between the parties. But, in any event, it means that a cabinet minister ends up with a sizeable part of the contract price in his bank account.

Contrary to Nguema's recitation of the law, such self-dealing by a public official is illegal under E.G. law. These inflated contracts are another means by which members of the Inner Circle misappropriate funds from the public treasury for their own enrichment.

iii. Schemes to Misappropriate State-Owned Land

71. Following E.G.'s independence from Spain in 1968, land formerly owned by Spanish nationals became state-owned properties. The land registration system previously used by Spain fell into disuse and for many years, there was little to no registration activity. However, in the early 1990s, members of the Inner Circle began to transfer and register large amounts of state-owned land into their own names.

72. At the same time, the foreign oil companies that were becoming active in E.G. in the 1990s needed to lease land for their operations. Because the lands formerly owned by the state now were owned in the name of members of the Inner Circle, the oil companies' lease payments went to benefit the Inner Circle rather than the state.

73. According to a letter to the PSI from Company A, a foreign company operating in E.G., Company A's E.G. subsidiary paid President Obiang's wife approximately \$365,000 as rental payments in 1998-2000 to lease a 50-acre compound of offices and employee-living facilities that she claimed she owned. In another letter to

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1 the PSI, Company B informed the Subcommittee that as of April 2004,
 2 it had paid members of the Inner Circle a total of nearly \$1
 3 million in building lease payments. In fact, according to the PSI
 4 Report, "of the 28 leases [Company B] identified for rentals in
 5 Malabo, E.G., 18 were leased from persons connected to the [E.G.]
 6 government or the Obiang family."
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 8 74. The Criminal Code in effect in E.G. prohibits
 9 misappropriation, theft, and embezzlement of government funds by
 10 government officials. See, e.g., Article 394 (prohibiting public
 11 officials from stealing public funds under their control by virtue
 12 of their duties); Article 396 (prohibiting public officials from
 13 using public funds under their control for personal use); Article
 14 401 (public official who has a financial stake in any business
 15 regulated by his office); and Article 514 (prohibiting persons from
 16 taking property, with the intent to enrich themselves, without the
 17 consent of the owner).
 18
 19 75. The above-described corrupt schemes -- achieved through
 20 the direct misappropriation of funds or lands and by submitting
 21 inflated "bids" for government contracts -- violate E.G.'s laws
 22 prohibiting public officials from stealing or misappropriating
 23 public assets.
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c. Ngumema's Efforts to Conceal the Source and Ownership of His Funds

76. Following the issuance of the PSI report in 2004, Ngumema had difficulty finding U.S. financial institutions willing to deal with him directly because of concerns that his funds were derived from corruption in Equatorial Guinea. In order to conceal the source and ownership of some of the funds he brought into the United States, Ngumema created companies in various names, including "Beautiful Vision, Inc." and "Unlimited Horizon, Inc.," and opened bank accounts in the United States in the names of those companies. Ngumema also wire transferred funds to bank accounts controlled by intermediaries, who then used the money to pay his personal expenses, or transferred money from those accounts to accounts in the names of the corporations he formed, and then used the corporate accounts to pay his personal expenses.

77. The steps Ngumema took after the negative publicity from the PSI Report to continue to make large purchases, and his concomitant efforts to conceal the source of his funds, are illustrated by his efforts to buy a Gulfstream jet. In brief, Ngumema's initial effort to buy a new Gulfstream jet directly from the manufacturer was terminated by Gulfstream after the PSI Report was issued. The lawyers on both sides of the transaction were so concerned about possible civil or criminal liability as a result of their involvement in handling Ngumema's money that they attempted to

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1 obtain assurances from the U.S. Department of Justice. Ngwema then
 2 tried to buy a used Gulfstream jet from a private party, but that
 3 transaction fell through when the escrow company insisted on
 4 knowing the source of the funds being used to buy the jet, which
 5 Ngwema refused to provide. Finally, Ngwema was able to complete
 6 the transaction by using a different escrow company that did not
 7 require information about the source of his funds.
 8

9 g. Purchase of the Defendants in Rem

10 a. Purchase of the Defendant White Crystal-Covered
"Bad Tour" Glove and Other Michael Jackson
Memorabilia

11 78. In August 2010, an intermediary registered Ngwema to bid
 12 in a live auction of celebrity memorabilia (called the "Legends"
 13 auction) taking place on October 9, 2010, in Macau, China (October
 14 8, 2010, in California). The intermediary advised the auction
 15 house by email to "Please make sure that [Ngwema's] name does not
 16 appear anywhere, he should be invisible," and to "please make sure
 17 that where a name needs to be, my name is there. This is very
 18 important."
 19

20 79. At the "Legends" auction, the intermediary bid on various
 21 auction items by telephone from Los Angeles, for Ngwema, and was
 22 the winning bidder on numerous items of Michael Jackson
 23 memorabilia. The auction house prepared two invoices in the name
 24 of the intermediary, totaling \$1,398,062.50, using the address of
 25 the Sweetwater property.
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1 80. When one of Nguema's assistants received the invoices,
2 she instructed the auction house to revise the invoices to indicate
3 that the purchases were being billed to "Amadeo Olay, Malabo,
4 Guinea Equatorial." These items were shipped to E.G.
5
6 81. In December 2010, another auction of celebrity
7 memorabilia was held by the same auction house, this time in
8 Beverly Hills, California. An intermediary came to the auction on
9 Nguema's behalf and successfully bid on the defendant white
10 crystal-covered "Bad Tour" glove and other defendant items listed
11 in Attachment A-1, attached hereto. The total cost of these items
12 was \$872,125.00.
13
14 82. In accordance with the instructions it had previously
15 received, the auction house prepared invoices that did not list the
16 buyer as Nguema, but instead used another name, with the address
17 Sweetwater, Malabo, Guinea Equatorial.
18
19 83. On January 31, 2011, Nguema caused \$872,112.00 to be wire
20 transferred from an account in the name of Bloba Construcion,
21 S.A., in Equatorial Guinea to an account at American Business Bank
22 in Los Angeles in the name of the auction house, Julien
23 Entertainment, to pay for the items purchased at the December 2010
24 auction. These items were subsequently packed for shipment and
25 delivered to the defendant Sweetwater property.
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27 84. In March 2011, the auction house held another auction,
28 called "Rock & Roll." Again, an intermediary bid on items on

1 Nguema's behalf. Through the intermediary, Nguema purchased the
 2 items listed in Attachment A-2, attached hereto, for a total
 3 purchase price of \$115,000.
 4 85. On March 29, 2011, an employee of the auction house sent
 5 her employer an email regarding the invoices for the items
 6 purchased on behalf of Nguema, asking,
 7 I assume I need to rewrite the invoices in the same
 8 fashion as I've done in prior sales? (putting all lots on
 9 one page, adding catalog page numbers and changing the
 10 Buyer's name)
 11 86. The invoices were prepared listing the intermediary,
 12 rather than Nguema, as the buyer.
 13 87. On April 15, 2011, Nguema caused a net total of
 14 \$119,974.00 to be wire transferred from his account in the name of
 15 "Eloba Construction S.A." in E.G. to the bank account of the
 16 auction house at American Business Bank in Los Angeles, California,
 17 to pay for the items purchased at the March 2011 auction.
 18 88. The items listed in Attachment A-2 were transported to
 19 the defendant Sweetwater property on or about September 8, 2011.
 20 89. In June 2011, Nguema again used an intermediary to bid on
 21 more Michael Jackson memorabilia at another "Music Icons" auction.
 22 The intermediary successfully bid on items costing a total of
 23 \$379,700.00. On or about August 22, 2011, Nguema paid for the
 24 items through a wire transfer in the amount of \$379,692.00 sent by
 25 "Oluy Amadeo" in Equatorial Guinea to the bank account of the
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the defendant real property to "Sweetwater Malibu, LLC" on February 93. A grant deed was recorded indicating that the seller sold

the defendant real property. Sweetwater Malibu, LLC with all necessary funds to take title to the sole owner of the corporation at all times, and provided

purpose of taking title to the defendant real property. Nguema was formation of a corporation called Sweetwater Malibu, LLC, for the his own name. On or about February 8, 2006, Nguema caused the

92. Nguema did not purchase the defendant real property in \$30 million.

agreement to purchase the defendant real property for approximately 91. In approximately February 2006, Nguema reached an

putting green, and a tennis court. guest house, two gate houses, a pool overlooking the ocean, a Pacific Ocean, a 15,000-square-foot main house, a 2,500-square-foot

2006 included approximately 12 acres of land overlooking the community in Malibu, California, and at the time of purchase in 90. The defendant real property is located in a gated

b. Purchase of the Defendant Real Property

Sweetwater property on or about September 8, 2011. The items purchased by Nguema at the June 2011 auction are listed in Attachment A-3 hereto and were also delivered to the defendant auction house at American Business Bank in Los Angeles, California.

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27, 2006. However, escrow did not close, and the deed was not recorded, until April 27, 2006.

94. Nguema paid a total of \$30,442,000 into escrow account #LGL-226-1234 at First American Title Company, 520 North Central Avenue, Glendale, California 91203, held at First American Trust FSB in Santa Ana, California, for the purchase of the defendant real property. These payments were made as follows on or about the following dates, according to the records of the PSI.

95. On February 2, 2006, West Coast Escrow, on behalf of Nguema, wire transferred \$900,000 from one of its escrow accounts to First American Title Company's escrow account. These funds had come from Nguema's unsuccessful attempt to buy a private jet directly from Gulfstream Aerospace Corporation in 2005. When it cancelled the sale, Gulfstream released approximately \$20 million plus interest that it had received as partial payment for the plane to Nguema through a United States law firm. Per Nguema's instructions, the law firm transferred \$900,000 of these funds to West Coast Escrow on December 22, 2005, in connection with an earlier attempt by Nguema to purchase the defendant real property. West Coast Escrow, in turn, executed this transfer into the First American Title Company escrow account in California in February 2006.

96. From April 5, 2006 through April 26, 2006, Nguema sent five wire transfers, each in the amount of \$5,908,400, from

Equatorial Guinea to the First American Trust escrow account. The funds originated at Société Générale de Banque en Guinée Equatoriale, where Nguema held a personal account. The total amount of these five wire transfers was \$29,542,000. Added to the \$900,000 initial payment into escrow, the total amount paid into escrow was \$30,442,000.

97. The total purchase price for the defendant real property was paid in full from funds provided by Nguema.

c. Purchase of The Defendant 2011 Ferrari

98. On or about November 11, 2010, Nguema took delivery of the defendant 2011 Ferrari 599 GTO from Ferrari of Beverly Hills. Nguema caused his forestry company, Somagut, to make initial down payments on his behalf by executing wire transfers of approximately \$25,131, \$39,912, and \$14,929.65 to the account of Ferrari of Beverly Hills at Pacific Western Bank in California in November and December of 2009. After a portion of these funds were refunded, Nguema paid the balance of \$493,010.99 via wire transfer to Pacific Western Bank in December 2010. The total recorded purchase price for the vehicle was \$532,984.12. The defendant Ferrari is believed to be located at the Sweetwater property.

CONCLUSION

99. As set forth above, despite a relatively modest government salary, Nguema has acquired vast personal wealth in excess of one hundred million dollars through corrupt schemes.

defendant real property, vehicle, and memorabilia were derived from extortion, or the misappropriation, theft, or embezzlement of

104. As set forth above, the funds used to purchase the

the benefit of a public official."

misappropriation, theft, or embezzlement of public funds by or for

offense against a foreign nation involving "extortion," or the

1956(c)(7)(B)(ii) and (iv) to include, among other things, an

103. "Specified unlawful activity" is defined in 18 U.S.C. §

activity" is subject to forfeiture to the United States.

traceable to . . . any offense constituting specified unlawful

real or personal, which constitutes or is derived from proceeds

102. Pursuant to 18 U.S.C. § 981(a)(1)(C), "[a]ny property,

if fully set forth herein.

101. Paragraphs 1-100 above are incorporated by reference as

(18 U.S.C. § 981(a)(1)(C))

FIRST CLAIM FOR FORFEITURE

official, in violation of the laws of E.G.

embezzlement of public funds by or for the benefit of a public

funds obtained through extortion and/or misappropriation, theft, or

used by Ngema to purchase the defendant assets was derived from

100. On information and belief, the approximately \$32 million

ownership of his funds and assets.

Ngema also has taken significant steps to conceal the source and

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107. Paragraphs 1-100 above are incorporated by reference as if fully set forth herein.

(18 U.S.C. § 981(a) (1) (A))

SECOND CLAIM FOR FORFEITURE

106. Therefore, the defendant assets are subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a) (1) (C), on the grounds that they constitute or are derived from proceeds traceable to a specified unlawful activity.

105. The foreign offenses at issue include violations of the following provisions of the Spanish Penal Code of 1968, which are still the law in E.G.: Article 196 (expropriation of assets by a public official); Article 198 (taking advantage of official position to exercise a profession directly related to scope of official duties); Article 385 (public official who demands or accepts a bribe to perform a crime); Article 386 (public official who demands or accepts a bribe to perform an unjust act); Article 390 (public official who receives improper gifts), Article 394 (public official who steals public funds); Article 396 (public official who embezzles funds under his care); Article 401 (public official who has a financial stake in any business regulated by his office); and Article 514 (theft).

public funds by or for the benefit of a public official, in violation of the laws of E.G.

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1 108. Pursuant to 18 U.S.C. § 981(a) (1) (A), "[a]ny property,

2 real or personal, involved in a transaction or attempted

3 transaction in violation of section . . . 1957 . . . of [title 18,

4 United States Code], or any property traceable to such property,"

5 is subject to forfeiture to the United States.

6 109. 18 U.S.C. § 1957 imposes a criminal penalty on any

7 person who:

8 knowingly engages or attempts to engage in a monetary

9 transaction in criminally derived property of a value

10 greater than \$10,000 and is derived from specified

11 unlawful activity.

12 110. For purposes of Section 1957, the term "specified

13 unlawful activity" has the same meaning as set forth in paragraph

14 103 above.

15 111. As set forth above, the defendants *in rem* were the

16 subject of monetary transactions or attempted transactions

17 involving criminally-derived property of a value greater than

18 \$10,000 and, for the reasons set forth above, the funds involved in

19 those transactions were derived from specified unlawful activity,

20 that is, extortion and/or the misappropriation, theft, or

21 embezzlement of public funds by or for the benefit of a public

22 official, in violation of the laws of E.G.

23 112. The foreign offenses at issue are as set forth in

24 paragraph 105, above.

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113. Therefore, the defendants in rem are subject to

forfeiture to the United States pursuant to 18 U.S.C. §

981(a)(1)(A), on the grounds that they were involved in

transactions or attempted transactions in violation of 18 U.S.C. §

1957, or are traceable to such property.

THIRD CLAIM FOR FORFEITURE

(18 U.S.C. § 981(a)(1)(A))

114. Paragraphs 1-100 above are incorporated by reference as

if fully set forth herein.

115. Pursuant to 18 U.S.C. § 981(a)(1)(A), "[a]ny property,

real or personal, involved in a transaction or attempted

transaction in violation of section 1956 . . . of [title 18, United

States Code], or any property traceable to such property," is

subject to forfeiture to the United States.

116. 18 U.S.C. § 1956(a)(1) imposes a criminal penalty on any

person who:

knowing that the property involved in a

financial transaction represents the

proceeds of some form of unlawful activity,

conducts or attempts to conduct such a

financial transaction which in fact involves

the proceeds of specified unlawful activity-

(B) knowing that the transaction is

designed in whole or in part -

(1) to conceal or disguise the

nature, the location, the source,

the ownership, or the control of

the proceeds of specified unlawful

activity[.]

117. For purposes of Section 1956, the term "specified unlawful activity" has the same meaning as set forth in paragraph 103 above.

118. As set forth above, the defendant real property and memorabilia were the subject of financial transactions or attempted financial transactions and, for the reasons set forth above, the funds involved in those transactions were derived from specified unlawful activity, that is, extortion and/or the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official, in violation of the laws of E.G. The foreign offenses at issue are as set forth in paragraph 105, above.

119. Also, as set forth above, the transactions were designed in whole or in part to conceal or disguise the source, ownership, or control of the proceeds of specified unlawful activity, in that, among other things, the nominal purchaser of the defendant real property was Sweetwater Malibu, LLC, and the invoices for the defendant memorabilia were in the name of Nguema's assistant or a different name, rather than the name of the true owner, Teodoro Nguema Obiang Mangue.

120. Therefore, the defendant real property and the defendant memorabilia are subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A), on the grounds that they were involved in transactions or attempted transactions in violation of 18 U.S.C. § 1956(a)(1)(B)(1), or are traceable to such property.

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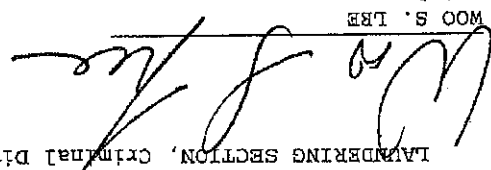
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CLAIM FOR RELIEF

WHEREFORE plaintiff, the United States of America, requests that judgment be entered in its favor and against the defendants in rem, and that process issue to enforce the forfeiture of the defendants in rem, and that all persons having an interest in the defendants in rem be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the defendants in rem to the United States of America for disposition according to law, and that this Court grant the government such further relief as this Court may deem just and proper, together with the costs and disbursements in this action.

DATED: October 13, 2011

JENNIFER SHABRY CALVERTY, CHIEF
LINDA M. SAMUEL, Deputy Chief
DANIEL H. CLAMAN, Assistant Deputy Chief
JANET C. HUDSON, Senior Trial Attorney
ASSET FORFEITURE AND MONEY
LAUNDERING SECTION, Criminal Division



WOO S. LEE

Trial Attorney
Criminal Division
United States Department of
Justice

ANDRE BIROTTE, JR.

United States Attorney

STEVEN WELK

Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

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VERIFICATION

I, Robert Manzanares, hereby verify and declare under penalty of perjury

that I am a Special Agent with Homeland Security Investigations, that I have

read the foregoing Amended Verified Complaint for forfeiture in Rem and know
the contents thereof, and that the matters contained in the Amended Verified

Complaint are true to the best of my knowledge and belief.

The sources of my knowledge and information and the grounds of my belief

are official files and records of the United States, publicly available files

and historical information, files and records compiled by the Senate Permanent

Subcommittee on Investigations, information supplied to me by other law

enforcement officers, experts, and other witnesses, as well as my

investigation in this case, together with others, as a Special Agent of

Homeland Security Investigations.

I hereby declare under penalty of perjury that the foregoing is true and

correct.

Executed this 13 day of October, 2011, at 4:11 pm

ROBERT MANZANARES
Special Agent
Homeland Security Investigations

ICONS AND IDOLS

| Lot | Description | Price |
|-------------------------|---|------------|
| 586 | MICHAEL JACKSON BAD TOUR GLOVE | 275,000.00 |
| 573 | "WE ARE THE WORLD" MTV VIDEO MUSIC AWARD | 60,000.00 |
| 585 | MICHAEL JACKSON STAGE WORN FEDORA | 60,000.00 |
| 621 | MICHAEL JACKSON STAGE WORN FEDORA | 60,000.00 |
| 553 | MICHAEL JACKSON SIGNED FEDORA | 42,500.00 |
| 549 | MICHAEL JACKSON SIGNED THRILLER JACKET | 40,000.00 |
| 650B | M.J. STAGE WORN SIGNED GOLD FENCING SHIRT | 30,000.00 |
| 606 | MICHAEL JACKSON WORN FEDORA | 25,000.00 |
| 556 | MICHAEL JACKSON "GOLD" RECORD AWARD | 10,000.00 |
| 576 | "WE ARE THE WORLD" SIGNED DOCUMENT ARCHIVE | 10,000.00 |
| 575 | "WE ARE THE WORLD" SIGNED ALBUM | 8,000.00 |
| 650 | M.J. NEVERLAND RANCH GOLD & COUNTRY BY | 7,000.00 |
| 580 | MICHAEL JACKSON SIGNED SHEET MUSIC | 6,500.00 |
| 617 | MICHAEL JACKSON SIGNED PHOTOGRAPH | 5,250.00 |
| 624 | MICHAEL JACKSON KATHERINE BAUMANN BAG | 5,000.00 |
| 557 | MICHAEL JACKSON "THRILLER" RECORD AWARD | 4,500.00 |
| 589 | MICHAEL JACKSON SIGNED BAD ERA POSTER | 4,000.00 |
| 635a | M. JACKSON AND TROY AIKMAN SIGNED FOOTBALL | 4,000.00 |
| 579 | MICHAEL JACKSON "PLATINUM" RECORD AWARD | 3,500.00 |
| 588 | MICHAEL JACKSON SIGNED PHOTO | 3,250.00 |
| 558 | M. JACKSON SIGNED "THRILLER" 12-INCH SINGLE | 3,000.00 |
| 584 | M. JACKSON AND PAUL MCCARTNEY SIGNED BAG | 3,000.00 |
| 540 | JACKSON 5 "GOLD" SINGLE AWARD | 2,500.00 |
| 614 | MICHAEL JACKSON SIGNED BANNER | 2,400.00 |
| 616 | MICHAEL JACKSON SIGNED POSTER | 2,400.00 |
| 550 | M. JACKSON SIGNED PHOTOGRAPH FROM DISNEYLAND | 2,250.00 |
| 647 | M. JACKSON NEVERLAND RANCH LIFE SIZE FIGURE O | 2,250.00 |
| 645 | M. JACKSON NEVERLAND RANCH LIFE SIZED SEATED | 2,000.00 |
| 646 | M. JACKSON NEVERLAND RANCH LIFE SIZE INDIAN F | 2,000.00 |
| 648 | M. JACKSON NEVERLAND RANCH LIFE SIZE FIGURE Y | 2,000.00 |
| 539 | JACKSON 5 "GOLD" RECORD AWARD | 1,500.00 |
| 650C | M. JACKSON SIGNED "LIVE AND DANGEROUS" BOOK | 1,500.00 |
| 555 | M. JACKSON "THRILLER" COMMEMORATIVE STATUE | 1,400.00 |
| 623 | M. JACKSON KATHARINE BAUMANN FOOTBALL BAG | 1,400.00 |
| 610 | M. JACKSON SIGNED HISTORY MAGAZINE CUTOUT | 1,300.00 |
| 643 | M. JACKSON NEVERLAND RANCH LIFE SIZE FIGURE O | 1,300.00 |
| 642 | M. JACKSON NEVERLAND RANCH LIFE SIZE FIGURE O | 700.00 |
| 644 | M. JACKSON NEVERLAND RANCH LIFE SIZE WESTERN | 700.00 |
| 603 | MICHAEL JACKSON STATUETTE | 600.00 |
| SUBTOTAL | | 697,700.00 |
| PLUS 25% BUYERS PREMIUM | | 174,425.00 |
| TOTAL | | 872,125.00 |

ROCK N ROLL

| Lot | Description | Price |
|-----|---|------------|
| 180 | MICHAEL JACKSON'S PERSONAL MTV MOONMAN PLUS 20% BUYER'S PREMIUM | 50,000.00 |
| | TOTAL | 10,000.00 |
| 152 | M. JACKSON "GOLD" RECORD AWARD FOR "BEAT IT" | 10,000.00 |
| 139 | JACKSON 5 "GOLD" RECORD AWARD | 6,500.00 |
| 164 | M. JACKSON ARTIST OF THE DECADE LIMITED EDITION | 6,500.00 |
| 148 | MICHAEL JACKSON SIGNED THRILLER DISPLAY | 6,000.00 |
| 153 | MICHAEL JACKSON THRILLER RECORD AWARD | 4,500.00 |
| 154 | MICHAEL JACKSON THRILLER DISPLAY | 4,500.00 |
| 147 | M. JACKSON THRILLER COMMEMORATIVE AWARD | 3,000.00 |
| 186 | M. JACKSON CARLITTA COLLECTION FIGURINES | 1,600.00 |
| 185 | M. JACKSON PORCELAIN HISTORY FIGURINE | 600.00 |
| 183 | M. JACKSON CARLITTA COLLECTION FIGURINE | 400.00 |
| 184 | MICHAEL JACKSON WHITE HISTORY FIGURINE | 400.00 |
| | SUBTOTAL | 44,000.00 |
| | PLUS 25% BUYER'S PREMIUM | 11,000.00 |
| | TOTAL | 55,000.00 |
| | GRAND TOTAL | 115,000.00 |

ATTACHMENT A-3

| Lot # | Item | Price |
|-------|--|------------|
| 565 | MICHAEL JACKSON "CREAM" SHIRT | 60,000.00 |
| 606 | MICHAEL JACKSON WIG | 60,000.00 |
| 467 | MICHAEL JACKSON MOTOWN PERF. SHIRT | 51,000.00 |
| | 20% BUYER'S PREMIUM | 34,200.00 |
| | TOTAL | 25,000.00 |
| 585 | MICHAEL JACKSON MILITARY STYLE JACKET | 16,000.00 |
| 481 | MICHAEL JACKSON "PLATINUM" RECORD AWARD | 15,000.00 |
| 479 | MICHAEL JACKSON "GOLD" RECORD AWARD | 9,500.00 |
| 525 | MICHAEL JACKSON IN-HOUSE RECORD AWARD | 8,500.00 |
| 509 | MICHAEL JACKSON "GOLD" RECORD AWARD | 7,250.00 |
| 484 | MICHAEL JACKSON SIGNED THRILLER NOTE | 6,500.00 |
| 446 | EMMY AWARD FOR THE JACKSONS: AMER. DR. EPIC PRESENTATION AWARD | 6,000.00 |
| 486 | M. JACKSON SIGNED PRESENTATION AWARD | 5,000.00 |
| 488 | MICHAEL JACKSON "GOLD" RECORD AWARD | 4,500.00 |
| 444 | MICHAEL JACKSON PLATINUM RECORD AWARD | 4,500.00 |
| 469 | M. JACKSON & P. MCCARTNEY SIGNED PHOTO | 4,500.00 |
| 474 | MICHAEL JACKSON LIFE MASK | 4,500.00 |
| 592 | RIAA "PLATINUM" RECORD AWARD | 4,250.00 |
| 490 | MICHAEL JACKSON IN-HOUSE RECORD AWARD | 3,500.00 |
| 405 | MOTOWN PRESENTATION RECORD | 3,250.00 |
| 443 | MICHAEL JACKSON "GOLD" RECORD AWARD | 2,750.00 |
| 449 | THE JACKSONS "PLATINUM" RECORD AWARD | 1,600.00 |
| 569 | MICHAEL JACKSON PORCELAIN STATUETTE | 1,000.00 |
| 403 | MOTOWN RECORD AWARD | 139,600.00 |
| | SUBTOTAL | 34,900.00 |
| | 25% BUYER'S PREMIUM | 174,500.00 |
| | TOTAL | 379,700.00 |
| | GRAND TOTAL | 174,500.00 |

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EXCEPT ALL RIPARIAN RIGHTS OF SAID LANDS AND ALL MINERALS, OIL, PETROLEUM, ASPHALTUM, GAS, COAL AND OTHER HYDROCARBON SUBSTANCES IN, ON, WITHIN AND UNDER SAID LANDS BUT WITHOUT SURFACE RIGHT TO GO UPON SAID LANDS TO EXTRACT SAID SUBSTANCES AS CONTAINED IN DEED FROM MARBLEHEAD LAND COMPANY, A

DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 16845 PAGE 253, OFFICIAL RECORDS, SAID POINT OF BEGINNING BEING NORTH 46° 08' 15" WEST 60 FEET FROM ENGINEERS' CENTER LINE STATION 936 PLUS 62.94 AT THE WESTERLY EXTREMITY OF THAT CERTAIN CENTER LINE COURSE DESCRIBED AS NORTH 43° 51' 45" EAST 362.63 FEET IN THE DEED OF THE 80 FOOT STRIP OF LAND FROM T. R. CADWALADER, ET AL., TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OFFICIAL RECORDS, THENCE NORTH 43° 51' 45" EAST 189.63 FEET ALONG THE NORTHERLY LINE OF SAID FIRST MENTIONED STRIP, THENCE NORTH 46° 08' 15" WEST 192.92 FEET, THENCE NORTH 31° 32' 55" EAST 214.93 FEET, THENCE NORTH 42° 01' 59" EAST 186.06 FEET, THENCE NORTH 54° 23' 15" EAST 77.65 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO CHESTER A. VOUGHT AND WIFE RECORDED IN BOOK 20254 PAGE 69, OFFICIAL RECORDS, THENCE NORTH 53° 17' 55" EAST 152.26 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL TO THE NORTHEASTERLY CORNER THEREOF, THENCE NORTH 32° 19' 55" WEST 119.27 FEET, THENCE NORTH 46° 58' 55" EAST 28.96 FEET, THENCE 30° 59' 55" WEST 161.73 FEET, THENCE NORTH 62° 09' 00" WEST 123.16 FEET, THENCE SOUTH 60° 48' 00" WEST 21.76 FEET, THENCE SOUTH 29° 12' EAST 75 FEET, THENCE SOUTH 60° 48' WEST 183.01 FEET, THENCE SOUTH 45° 17' 30" WEST 139.76 FEET, THENCE SOUTH 62° 12' 40" WEST 258.81 FEET, THENCE NORTH 44° 07' 05" WEST 158.98 FEET TO THE CENTER LINE DESCRIBED IN THE DEED TO SANGER W. CRUMPACKER ET AL., RECORDED JANUARY 22, 1944 AS INSTRUMENT NO. 973 IN BOOK 20517 PAGE 382, OFFICIAL RECORDS, THENCE ALONG SAID CENTER LINE AS TO THE BEGINNING OF TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 183.32 FEET SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 171.24 FEET, TANGENT SOUTH 01° 48' 25" WEST 256.65 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 253.04 FEET SOUTHERLY ALONG THE ARC OF SAID CURVE 79.24 FEET, TANGENT SOUTH 17° 30' 15", THENCE EAST 104.43 FEET, SOUTH 27° 05' 15" EAST 388.93 FEET AND SOUTH 20° 53' 35" EAST 25.83 FEET, MORE OR LESS, TO A POINT IN THE NORTHERLY LINE OF THE STRIP OF LAND DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA RECORDED IN BOOK 16845 PAGE 253, OFFICIAL RECORDS, SAID LAST MENTIONED POINT BEING ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 1450 FEET AND THE RADIAL BEARING TO SAID POINT BEING SOUTH 22° 47' 36" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 590.71 FEET, THENCE TANGENT NORTH 43° 51' 45" EAST 12.21 FEET TO THE POINT OF BEGINNING.

DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 16845 PAGE 253, OFFICIAL RECORDS, SAID POINT OF BEGINNING BEING NORTH 46° 08' 15" WEST 60 FEET FROM ENGINEERS' CENTER LINE STATION 936 PLUS 62.94 AT THE WESTERLY EXTREMITY OF THAT CERTAIN CENTER LINE COURSE DESCRIBED AS NORTH 43° 51' 45" EAST 362.63 FEET IN THE DEED OF THE 80 FOOT STRIP OF LAND FROM T. R. CADWALADER, ET AL., TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OFFICIAL RECORDS, THENCE NORTH 43° 51' 45" EAST 189.63 FEET ALONG THE NORTHERLY LINE OF SAID FIRST MENTIONED STRIP, THENCE NORTH 46° 08' 15" WEST 192.92 FEET, THENCE NORTH 31° 32' 55" EAST 214.93 FEET, THENCE NORTH 42° 01' 59" EAST 186.06 FEET, THENCE NORTH 54° 23' 15" EAST 77.65 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO CHESTER A. VOUGHT AND WIFE RECORDED IN BOOK 20254 PAGE 69, OFFICIAL RECORDS, THENCE NORTH 53° 17' 55" EAST 152.26 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL TO THE NORTHEASTERLY CORNER THEREOF, THENCE NORTH 32° 19' 55" WEST 119.27 FEET, THENCE NORTH 46° 58' 55" EAST 28.96 FEET, THENCE 30° 59' 55" WEST 161.73 FEET, THENCE NORTH 62° 09' 00" WEST 123.16 FEET, THENCE SOUTH 60° 48' 00" WEST 21.76 FEET, THENCE SOUTH 29° 12' EAST 75 FEET, THENCE SOUTH 60° 48' WEST 183.01 FEET, THENCE SOUTH 45° 17' 30" WEST 139.76 FEET, THENCE SOUTH 62° 12' 40" WEST 258.81 FEET, THENCE NORTH 44° 07' 05" WEST 158.98 FEET TO THE CENTER LINE DESCRIBED IN THE DEED TO SANGER W. CRUMPACKER ET AL., RECORDED JANUARY 22, 1944 AS INSTRUMENT NO. 973 IN BOOK 20517 PAGE 382, OFFICIAL RECORDS, THENCE ALONG SAID CENTER LINE AS TO THE BEGINNING OF TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 183.32 FEET SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 171.24 FEET, TANGENT SOUTH 01° 48' 25" WEST 256.65 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 253.04 FEET SOUTHERLY ALONG THE ARC OF SAID CURVE 79.24 FEET, TANGENT SOUTH 17° 30' 15", THENCE EAST 104.43 FEET, SOUTH 27° 05' 15" EAST 388.93 FEET AND SOUTH 20° 53' 35" EAST 25.83 FEET, MORE OR LESS, TO A POINT IN THE NORTHERLY LINE OF THE STRIP OF LAND DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA RECORDED IN BOOK 16845 PAGE 253, OFFICIAL RECORDS, SAID LAST MENTIONED POINT BEING ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 1450 FEET AND THE RADIAL BEARING TO SAID POINT BEING SOUTH 22° 47' 36" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 590.71 FEET, THENCE TANGENT NORTH 43° 51' 45" EAST 12.21 FEET TO THE POINT OF BEGINNING.

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF RANCHO TOPANGA MALIBU SEQUIT, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGE 407, ET SEQ., OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, PARTICULARLY DESCRIBED AS FOLLOWS:

Real property in the City of Malibu, County of Los Angeles, State of California, described as follows:

LEGAL DESCRIPTION

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BEGINNING AT THE SOUTHWESTERLY EXTREMITY OF THE COURSE DESCRIBED AS NORTH 62° 09' 00" WEST 123.16 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 229.33 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 262.44 FEET; THENCE TANGENT NORTH 03° 25' 05" EAST 36.35 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE WESTERLY WITH A RADIUS OF 136.48 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 129.36 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 91.02 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 138.63 FEET; THENCE TANGENT SOUTH 43° 50' 55" WEST 114.41 FEET, MORE OR LESS TO A POINT IN THE CENTER LINE OF THE EASEMENT FOR ROAD AND HIGHWAY PURPOSES 50 FEET IN WIDTH DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO SANGER W. CRUMPACKER ET AL., RECORDED JANUARY 22, 1944 IN BOOK 20517 PAGE 382, OFFICIAL RECORDS, SAID LAST MENTIONED POINT BEING NORTH 20° 32' 35" EAST 124.79 FEET FROM THE SOUTHWESTERLY EXTREMITY OF THAT

A. AN EASEMENT FOR ROAD PURPOSES TO BE USED IN COMMON WITH OTHERS OVER A STRIP OF LAND 40 FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

PARCEL 3:

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED NOVEMBER 16, 1948 AS INSTRUMENT NO. 2085 IN BOOK 28732 PAGE 310, OFFICIAL RECORDS.

EXCEPT THEREFROM ALL MINERALS, OIL, PETROLEUM, ASPHALTUM, GAS, COAL AND OTHER HYDROCARBON SUBSTANCES IN, ON, WITHIN AND UNDER SAID LANDS AND EVERY PART THEREOF BUT WITHOUT RIGHT OF ENTRY, AS RESERVED BY MARBLEHEAD LAND COMPANY IN DEED RECORDED OCTOBER 17, 1944 IN BOOK 21321 PAGE 347, OFFICIAL RECORDS.

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED NOVEMBER 16, 1948 AS INSTRUMENT NO. 2085 IN BOOK 28732 PAGE 310, OFFICIAL RECORDS.

BEGINNING AT A POINT IN THE NORTHERLY LINE OF THE STRIP OF LAND DESCRIBED IN A DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 16845 PAGE 253, OFFICIAL RECORDS AT THE NORTHEASTERLY EXTREMITY OF THE COURSE DESCRIBED AS "NORTH 43° 51' 45" EAST 189.63 FEET" IN THE DEED TO THE WILES EDWARD CONNOLLY AND WIFE RECORDED IN BOOK 20657 PAGE 146, OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY OF THE LAND DESCRIBED IN SAID DEED TO CONNOLLY AND WIFE, NORTH 46° 00' 15" WEST 192.92 FEET AND NORTH 31° 32' 55" EAST 193.51 FEET; THENCE SOUTH 45° 44' 11" EAST 234.25 FEET TO A POINT IN THE NORTHWESTERLY LINE BEING A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 2060 FEET, THE RADIAL BEARING TO SAID POINT BEING NORTH 45° 44' 11" WEST; THENCE ALONG SAID NORTHWESTERLY LINE SOUTHWESTERLY ALONG SAID CURVE 14.42 FEET AND SOUTH 43° 51' 45" WEST 173.00 FEET TO THE POINT OF BEGINNING.

FOLLOWS:

A PARCEL OF LAND BEING A RANCHO TOPANGA MALIBU SEQUIT, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGE 407 ET SEQ., OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, PARTICULARLY DESCRIBED AS

PARCEL 2:

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA BY A DEED RECORDED NOVEMBER 16, 1948 AS INSTRUMENT NO. 2085 IN BOOK 28732 PAGE 310, OFFICIAL RECORDS.

CORPORATION RECORDED FEBRUARY 14, 1944 IN BOOK 20657 PAGE 140, OFFICIAL RECORDS.

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APN: 4452-017-009 and 4452-019-001

EXCEPT THEREFROM THAT PORTION THEREOF INCLUDED WITHIN THE LINES OF PARCEL 1.

16845 PAGE 253, OFFICIAL RECORDS.
 FROM MARLBHEAD LAND COMPANY TO THE STATE OF CALIFORNIA, RECORDED IN BOOK
 SOUTH 27° 05' 15" EAST 386.93 FEET AND SOUTH 20° 53' 35" EAST 25.83 FEET, MORE OR
 LESS, TO A POINT IN THE NORTHERLY LINE OF THE STRIP OF LAND DESCRIBED IN A DEED
 ALONG THE ARC OF SAID CURVE 79.24 FEET TANGENT SOUTH 17° 30' 35" EAST 104.43 FEET,
 TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 235.04 FEET SOUTHERLY
 CURVE 171.24 FEET TANGENT SOUTH 01° 48' 25" WEST 256.55 FEET TO THE BEGINNING OF
 SOUTHEASTERLY WITH A RADIUS OF 183.32 FEET SOUTHWESTERLY ALONG THE ARC OF SAID
 SOUTH 55° 19' 33" WEST 229.74 FEET TO THE BEGINNING OF TANGENT CURVE CONCAVE
 WEST 158.98 FEET; THENCE ALONG SAID BOUNDARY AS FOLLOWS:
 THE COURSE IN THE BOUNDARY OF THE LAND ABOVE DESCRIBED AS NORTH 44° 07' 06"
 SOUTHWESTERLY ALONG SAID CURVE 221.52 FEET TO THE NORTHWESTERLY TERMINUS OF
 COMPOUND CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 487.46 FEET; THENCE
 SOUTHERLY ALONG SAID CURVE AND CENTER LINE 136.89 FEET TO THE BEGINNING OF A
 REVERSE CURVE CONCAVE WESTERLY HAVING A RADIUS OF 178.67 FEET; THENCE
 SAID CURVE AND SAID CENTER LINE SOUTHERLY 130.93 FEET TO THE BEGINNING OF A
 TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 206.84 FEET; THENCE ALONG
 35° EAST 158.00 FEET; THENCE SOUTH 26° 32' 35" WEST 124.79 FEET TO THE BEGINNING OF
 SOUTHWESTERLY TERMINUS OF THAT COURSE DESCRIBED IN SAID DEED AS NORTH 20° 32'
 RECORDS DISTANT THEREON NORTH 20° 32' 35" EAST 124.79 FEET FROM THE
 CRUMPAKER ET AL., RECORDED JANUARY 22, 1944 IN BOOK 20517 PAGE 382, OFFICIAL
 BEGINNING AT A POINT IN THE CENTER LINE DESCRIBED IN THE DEED TO SANGER W.

B. AN EASEMENT FOR ROAD PURPOSES TO BE USED IN COMMON WITH OTHERS OVER A STRIP
 OF LAND 50 FEET IN WIDTH LYING 25 FEET ON EACH SIDE OF A CENTER LINE DESCRIBED AS
 FOLLOWS:

EXCEPT THEREFROM THAT PORTION THEREOF INCLUDED WITHIN THE LINE OF PARCEL 1.

CERTAIN COURSE DESCRIBED IN SAID DEED AS NORTH 20° 32' 35" EAST 158.00 FEET.

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