

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA,

v.

CASE NO. 2:10-cr-39-FtM-36SPC

MICHAEL OLAF SCHÜTT aka  
MICHAEL OLAF SCHUETT aka  
OLAF BRAND.

**DECLARATION OF PUBLICATION**

The United States of America, by and through the undersigned Assistant United States Attorney, hereby declares under penalty of perjury that notice of this criminal forfeiture was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on November 6, 2010. Federal Rules of Criminal Procedure 32.2(b)(6)(C) incorporates the provisions of Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, as the means of publication in a criminal forfeiture case, as evidenced by Attachment 1.

Executed on February 8, 2011.

Respectfully submitted,

ROBERT E. O'NEILL  
United States Attorney

By: s/Yolande G. Viacava  
Yolande G. Viacava  
Assistant United States Attorney  
Fla. Bar No. 0110310  
2110 First Street, Suite 3-137  
Fort Myers, Florida 33901  
Telephone: (239) 461-2200  
Facsimile: (239) 461-2219  
E-Mail: [yolande.viacava@usdoj.gov](mailto:yolande.viacava@usdoj.gov)

Attachment 1

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA, FORT MYERS DIVISION  
COURT CASE NUMBER: 2:10-CR-39-FTM-36SPC; NOTICE OF FORFEITURE**

Notice is hereby given that on November 05, 2010, in the case of U.S. v. Michael Olaf Schutt a/k/a Michael Olaf Schuett or Olaf Brand, Court Case Number 2:10-CR-39-FTM-36SPC, the United States District Court for the Middle District of Florida entered an Order condemning and forfeiting the following property to the United States of America:

\$5,680.67 seized from Bank Of America account no 898006923940 in the name of Michael Schuett (10-USS-000321) which was seized from Bank of America on February 18, 2010 at 2400 1st Street, located in Fort Myers, FL

\$142,679.86 USC seized from Bank of America account no. 898041299613 in the name of MCM Capital Management Corp. (10-USS-000322) which was seized from Bank of America on February 18, 2010 at 2400 1st Street, located in Fort Myers, FL

\$635,097.55 in USC seized from the content of Bank of America account no. 898002949054 in the name of MI Global Inc. (10-USS-000323) which was seized from Bank of America on February 18, 2010 at 2400 1st Street, located in Fort Myers, FL

\$664,901.28 in USC seized from Ironstone Bank account no. 9061985422 in the name of South Naples Escrow Co. (10-USS-000324) which was seized from Iron Stone Bank on February 18, 2010 at 2127 Del Prado Blvd, South, located in Cape Coral, FL

\$288,270.02 in USC seized from SunTrust Bank account no 1000105946031 in the name of Southwest Florida Payroll Co. (10-USS-000325) which was seized from SunTrust Bank on February 18, 2010 at 3315 Davis Blvd, located in Naples, FL

\$297,651.01 in USC seized from Regions Bank account no. 107779070 in the name of Woodhouse Systems (10-USS-000326) which was seized from Regions Bank on February 18, 2010 at 7405 Devonshire Blvd, located in Naples, FL

\$5,345.00 in USC seized from BB&T Bank account no. 8055925997 in the name of Mathews Trade Corp. (10-USS-000327) which was seized from BB&T Bank on February 18, 2010 at 7379 E. Davis Blvd, located in Naples, FL

\$74,891.85 in USC seized from Iberia Bank account no. 8300076281 in the name of South Florida Payroll Company (10-USS-000328) which was seized from Iberia Bank on February 18, 2010 at 775 Airport Road North, located in Naples, FL

\$103,050.00 in USC seized from Fifth Third Bank account no. 7432596059 in the name of Michael Schuett and Jennifer Sherman (10-USS-000329) which was seized from Fifth Third Bank on February 18, 2010 at 5636 Tavilla Circle, located in Naples, FL

\$5,000.00 in USC seized from Cape Coral Title Insurance Agency, Inc being held for the benefit of Michael Schuett and/or Jennifer Sherman (10-USS-000330) which was seized from Cape Coral Title Insurance Agency, Inc. on February 18, 2010 at 1307 Cape Coral Parkway E, located in Cape Coral, FL

2009 Audi Q7 with VIN no. WA1AY74L29D023600 and bearing Florida Tag: USAG24 and is registered to Michael Schuett VIN# WA1AY74L29D023600 (10-USS-000331) which was seized from Michael Schuett on February 18, 2010 at 1378 Chesapeake Avenue, located in Naples, FL

2002 Porsche 911 Carrera with VIN WP0CA29962S653737 bearing Florida tag: 379LYJ

and registered to Michael O. Schuett VIN# WP0CA29962S653737 (10-USS-000332) which was seized from Michael Schuett on February 18, 2010 at 1378 Chesapeake Avenue, located in Naples, FL

\$252,932.30 in USC seized from the Royal Bank of Canada account no. 7520042644 in the name of Internet Payment Services Group, Inc. (10-USS-000333) which was seized from Royal Bank Canada on February 18, 2010 at 4099 Radio Road, located in Naples, FL

One Milgausee Rolex watch, One Black Dial Stainless Steel Daytona model Rolex watch and Two Sea Dweller Rolex watches (10-USS-000334) which was seized from Michael Schuett on February 18, 2010 at 1378 Chesapeake Avenue, located in Naples, FL

\$10,000.00 in USC seized from the residence of Michael O. Schuett on February 18, 2010 (10-USS-000335) which was seized from Michael Schuett on February 18, 2010 at 1378 Chesapeake Avenue, located in Naples, FL

One ladies 14kt w.g. diamond engagement ring consisting of one 2.00 ct G/SI1 Diamond cert number EGL: US89246642D with 12 princess cut side diamonds graded G/SI2 and One ladies 18kt w.g. bank consisting of 10 princess cut diamonds. (10-USS-000336) which was seized from Michael Schuett on February 18, 2010 at 1378 Chesapeake Avenue, located in Naples, FL

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (November 06, 2010) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, U.S. Courthouse and Federal Building, 2110 First Street, Room 2-194, Fort Myers, FL 33901, and a copy served upon Assistant United States Attorney Yolande G. Viacava, 2110 First Street, Suite 3-137, Fort Myers, FL 33901. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between November 6, 2010 and December 5, 2010. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Michael Olaf Schutt a/k/a Michael Olaf Schuett or Olaf Brand

**Court Case No:** 2:10-CR-39-FTM-36SPC  
**For Asset ID(s):** See Attached Advertisement Copy

| Consecutive Calendar Day Count | Date Advertisement Appeared on the Web Site | Total Hours Web Site was Available during Calendar Day | Verification that Advertisement existed on Web Site |
|--------------------------------|---|--|---|
| 1                              | 11/06/2010                                  | 24.0   | Verified  |
| 2                              | 11/07/2010                                  | 24.0   | Verified  |
| 3                              | 11/08/2010                                  | 24.0   | Verified  |
| 4                              | 11/09/2010                                  | 24.0   | Verified  |
| 5                              | 11/10/2010                                  | 24.0   | Verified  |
| 6                              | 11/11/2010                                  | 24.0   | Verified  |
| 7                              | 11/12/2010                                  | 24.0   | Verified  |
| 8                              | 11/13/2010                                  | 24.0   | Verified  |
| 9                              | 11/14/2010                                  | 24.0   | Verified  |
| 10                             | 11/15/2010                                  | 23.9   | Verified  |
| 11                             | 11/16/2010                                  | 23.9   | Verified  |
| 12                             | 11/17/2010                                  | 24.0   | Verified  |
| 13                             | 11/18/2010                                  | 23.9   | Verified  |
| 14                             | 11/19/2010                                  | 24.0   | Verified  |
| 15                             | 11/20/2010                                  | 24.0   | Verified  |
| 16                             | 11/21/2010                                  | 24.0   | Verified  |
| 17                             | 11/22/2010                                  | 24.0   | Verified  |
| 18                             | 11/23/2010                                  | 24.0   | Verified  |
| 19                             | 11/24/2010                                  | 24.0   | Verified  |
| 20                             | 11/25/2010                                  | 24.0   | Verified  |
| 21                             | 11/26/2010                                  | 24.0   | Verified  |
| 22                             | 11/27/2010                                  | 24.0   | Verified  |
| 23                             | 11/28/2010                                  | 24.0   | Verified  |
| 24                             | 11/29/2010                                  | 24.0   | Verified  |
| 25                             | 11/30/2010                                  | 24.0   | Verified  |
| 26                             | 12/01/2010                                  | 23.9   | Verified  |
| 27                             | 12/02/2010                                  | 24.0   | Verified  |
| 28                             | 12/03/2010                                  | 24.0   | Verified  |
| 29                             | 12/04/2010                                  | 24.0   | Verified  |
| 30                             | 12/05/2010                                  | 24.0   | Verified  |

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.