

IN THE UNITED STATES DISTRICT COURT
THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
v.)	
)	Case No. 14-294-PB
Six Hundred Ninety Five Dollars (\$695.00) in)	
U.S. Currency, more or less, seized from Phat)	
Stuff, Keene, New Hampshire; et al,)	
)	
Defendants <i>in rem</i>)	

CLAIMANT FORD MOTOR CREDIT COMPANY’S
ANSWER TO VERIFIED COMPLAINT *IN REM*

NOW COMES, Ford Motor Credit Company (“Claimant”), and for its Answer to Plaintiff’s Verified Complaint *In Rem* states as follows:

1. In response to Paragraph 1, Claimant states that the statute speaks for itself.
2. In response to Paragraph 2, Claimant states that the statute speaks for itself.
3. Claimant is without sufficient information to form a belief as to the truth of the allegations in Paragraphs 3 through 22, and therefore denies the same.
4. Claimant is without sufficient information to form a belief as to the truth of the allegations in Paragraph 23, and therefore denies the same. Further, Claimant states that neither at the time of the purchase nor at any time after the purchase did it have knowledge or reason to believe that the vehicle was being or would be used in violation of the law, or that the registered owners of the vehicle had any record or reputation for violating the laws of the United States or of any state for a related crime.
5. In response to Paragraph 25, Claimant re-alleges its responses to the incorporated paragraphs.
6. In response to Paragraph 26, Claimant states that the statute speaks for itself.

7. Claimant is without sufficient information to form a belief as to the truth of the allegations in Paragraphs 27 and 28, and therefore denies the same.

8. In response to Paragraph 29, Claimant re-alleges its responses to the incorporated paragraphs.

9. In response to Paragraph 30, Claimant states that the statute speaks for itself.

10. Claimant is without sufficient information to form a belief as the truth of the allegations in Paragraphs 31 and 31, and therefore denies the same.

11. All allegations not specifically admitted herein are denied.

AFFIRMATIVE DEFENSES

12. Plaintiff fails to state a claim for which relief can be granted.

WHEREFORE, having fully Answered, Claimant requests that this Court enter an Order allowing Claimant, as lien holder, to recover its monetary interest in the defendant property by releasing the vehicle to Claimant or remitting the proceeds of the forfeiture sale to Claimant towards satisfaction of its lien.

Respectfully submitted,
Ford Motor Credit
By its attorneys,
Niederman, Stanzel & Lindsey, PLLC

Dated: September 4, 2014

By: /s/ Jay M Niederman
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VERIFICATION

I, Wendy Smith, am the Team Leader, of Ford Motor Credit Company, and I am authorized to make this verification on its behalf. I have read the foregoing verified Answer of Ford Motor Credit Company and know the contents thereof. I am informed and believe that the statements and facts contained therein are true and correct to the best of my belief based on my knowledge of, familiarity with, and access to the books and records maintained by Ford Motor Credit Company in the course of its regularly conducted business activities. I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 4, 2014

/s/ Wendy Smith
Wendy Smith

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served electronically via ECF upon the following:

Rob Rabuck, Esq. rob.rabuck@usdoj.gov

Charles Keefe, Esq. keefe@wbdklaw.com