



# NATIONAL LIQUIDATORS

A DIVISION OF G. ROBERT TONEY & ASSOCIATES, INC.  
1915 SW 21ST AVE.  
FORT LAUDERDALE, FLORIDA 33312-3113  
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FACSIMILE (954) 791-8188 [www.yachtauctions.com](http://www.yachtauctions.com) E-MAIL [info@yachtauctions.com](mailto:info@yachtauctions.com)

## Bidder Registration Form

Accompanied by the required \$100,000 USD deposit, the following hereby registers as a bidder to participate in the live yacht auction event being held at National Liquidators, Fort Lauderdale facility on Tuesday, November 17<sup>th</sup> at 4:00pm

Buyer's Name: \_\_\_\_\_

Buyer's Broker: \_\_\_\_\_

*\*If Buyer's Broker is not listed on this form, no co-brokerage/referral fees will be paid.*

Corporate/ Business Entity: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

National Liquidators Broker \_\_\_\_\_

This is NOT an absolute auction; Seller, at its option, has final right to accept or reject any bid. Sale is AS IS WHERE IS, free and clear of all known liens, mortgages and encumbrances. All information pertaining to the vessel's equipment or condition is believed to be accurate but is not guaranteed. Bidders assume responsibility to verify any and all information and specifications provided. Again, sale is AS IS WHERE. Seller and G. Robert Toney & Ass. d/b/a/ National Liquidators, it agents and employees, make no warranties or representations, express or implied, as to the condition of the vessel or its fitness for a particular purpose. All necessary documentation needed to transfer title shall be provided to Buyer within 15 days of closing. ALL bidders must deposit \$100,000 USD certified funds into National Liquidators' Escrow Account no later than 3:00 pm November 16<sup>th</sup>, 2009. NO CASH, NO PERSONAL CHECKS, NO CREDIT CARDS will be accepted for any deposit or final payment. All deposits of non-winning bids will be returned via outgoing wire transfer 3 business days after the close of the sale. Winning bidders will have their deposit of \$100,000 applied toward the final sale price. 100% of the balance of winning bid must be received into National Liquidators Escrow Account no later than 4:00 pm ET Monday, November the 23<sup>rd</sup>, 2009. Failure to pay the balance of the winning bid as set forth herein will result in forfeiture of the deposit and the vessel will be made available for sale to other parties. The sale shall comply with all laws of the US including the citizenship requirements of Section 2 of the Shipping Act of 1916 as amended. Buyer is responsible for any sales tax due on the transaction. Buyer must either pay sales tax at the time of closing or execute an Affidavit for Exemption of Boat Sold for Removal from the State of Florida by a Non-Resident Purchaser and comply with the requirements therein. Buyer agrees to indemnify National for failure to pay sales tax deemed due and owing by the appropriate taxing authority. G. Robert Toney & Associates, Inc. Florida auction # 3796134.

\_\_\_\_\_  
Buyer's Signature

\_\_\_\_\_  
Date

**BUYER'S CERTIFICATION**

NOTICE TO BUYER:

Asset ID Number: \_\_\_\_\_  
Asset Description: \_\_\_\_\_  
VIN #: \_\_\_\_\_

It is the practice and policy of the United States Marshals Service, pursuant to federal law, to prohibit the sale of federally forfeited assets to anyone who is a:

1. Defendant (person or entity) in the underlying federal criminal forfeiture action in which the asset was forfeited;
2. Person whose actions formed the basis of the underlying federal civil forfeiture action in which the asset was forfeited; or
3. Person or entity who/which is acting on behalf of, or in concert with, either of the persons described in paragraphs 1 or 2 of this document.

To ensure compliance with this prohibition, all purchasers of federally forfeited assets sold by, or on behalf of, the United States Marshals Service must execute the following Buyer's Certification, under penalty of perjury, as a term and condition of his/her purchase of any federally forfeited asset sold by the United States Marshals Service to certify that the buyer is not a prohibited purchaser as described herein.

Upon receipt of an executed Buyer's Certification, the United States Marshals Service shall commence a search of all pertinent federal records to confirm the veracity of the Buyer's Certification. In the event that any portion of the Buyer's Certification is determined to be false, the purchase and sale of the relevant federally forfeited asset shall be rendered null and void, and the Federal Government shall be free to pursue any and all appropriate legal action against the buyer.

BUYER'S CERTIFICATION:

I hereby knowingly and voluntarily certify, being of full age and of sound mind, that I am not a:

1. Defendant (person or entity) in the underlying criminal forfeiture action in which the asset was forfeited;
2. Person whose actions formed the basis of the underlying civil forfeiture action in which the asset was forfeited; or
3. Person or entity who/which is acting on behalf of, or in concert with, either of the persons described in paragraphs 1 or 2 of this document.

In the case of United States v. \_\_\_\_\_

Name of Defendant(s)/Person(s) whose actions formed the basis of the underlying civil forfeiture:  
\_\_\_\_\_

I understand that any falsification of this statement is punishable under provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000.00 and imprisonment of not more than five years.

I further understand that my truthful execution of this Buyer's Certification is a term and condition of my purchase the above-listed federally forfeited asset, and that any false statement made by me in this Buyer's Certification renders my purchase of the above-listed asset null and void, and allows the Federal Government to pursue any and all appropriate legal action(s) against me, including but not limited to, the legal remedies listed in this Buyer's Certification.

*I have read the entire contents of this Buyer's Certification, and, by my signature affixed below, knowingly and voluntarily acknowledge my agreement therewith.*

Printed Full Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Date of Signature: \_\_\_\_\_

# USMS Prohibited Sales Information

USMS employees, the contractor, the contractor's employees, and their immediate family members, are prohibited from bidding on or buying directly or indirectly any seized/forfeited vehicles.

In order to avoid a conflict of interest, or the appearance of a conflict of interest, the following classes of persons are prohibited from purchasing, either directly or indirectly, property forfeited to the United States which is to be sold under this contract or any subcontract to this contract:

1. Any United States Department of Justice (USDOJ) employee prohibited by Federal regulations (5 CFR 3801.104) from purchasing or using property forfeited to the United States, or any member of his/her immediate family / household.
2. The contractor and any of its subcontractors; their employees or members of such employees' immediate families / households; any entity in which the contractor has any financial interest; or any agent or representative for such party.
3. Any employee of any Federal, State, or Local Governmental Agency, or members of his/her immediate family / household, that was involved in the investigation or prosecution which led to the forfeiture of property to be sold by or through the contractor.

To effectuate this prohibition, as a requirement of this contractor any subcontract, the contractor and any subcontractor selling property forfeited to the United States shall include the following provision in Sale Terms and Conditions:

1. In order to make an offer to purchase property subject to this sale the offeror shall check one of the following boxes:

The offeror warrants that he/she is not: (a) an employee of the United States Department of Justice; (b) an employee of any Federal, State, or Local Governmental Agency which participated in investigations that led to the forfeiture of property to the United States subject to this sale; ( c) an employee of any contractor or subcontractor whose contract or subcontract provides goods or services to the United States Department of Justice's Asset Forfeiture Program; (d) an agent or member of the immediate family / household of any employee described in (a), (b), or ( c) above.

Any offeror who is an employee of the United States Department of Justice warrants that he/she has complied with the provisions of 5 CFR 3801.104(a), and shall provide as part of his/her offer a copy of the written determination by the Agency designee required by 5 CFR 3801.104(a).

CATS ID No.	
Signature	
Date	