

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

F.T. INTERNATIONAL, LTD. : CIVIL ACTION
: :
v. : :
: :
THOMAS E. MASON and : :
MARSHLAND, LTD. : NO. 00-5004

MEMORANDUM ORDER

The court entered an order on August 1, 2002 authorizing the Clerk to make arrangements to receive through First Union National Bank of Philadelphia \$2,750,000 from an account of defendant Marshland at the Investors Bank & Trust Limited on Dominica in the West Indies. These funds constitute a portion of the sum defendant Mason obtained from plaintiff by misrepresentation and were traced by plaintiff directly to the Marshland account in Dominica. Marshland is controlled solely by defendant Mason who is in defiance of a court order to effect a return of these funds to plaintiff.

The order was entered at the behest of Marcia G. Shein, an attorney in Decatur, Georgia, who contacted the court's deputy clerk. Although she has never entered an appearance of record, Ms. Shein advised that she is now representing defendant Mason and that he has decided to return this money.

Ms. Shein represented that the funds would be transferred on August 9 or August 12, 2002 to the account established by the Clerk at First Union. This did not occur.

11, 2002 enter an appearance for defendants or file a document executed by defendant Mason authorizing her to represent defendants in connection with the transfer of funds from Dominica and provide a written explanation of why no request has been made for a transfer of the funds in Dominica to the account established by the Clerk for this purpose at her request with the reasons, if any, why the Clerk should be required further to maintain the account.

BY THE COURT:

JAY C. WALDMAN, J.