

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v

CASE NO.: 8:19-CV-908-T-02AEP

ASSETS IDENTIFIED IN PARAGRAPH
ONE OF VERIFIED COMPLAINT,

Defendants.

**STEVE F. HERRIG'S AND NATALEE A. HERRIG'S
ANSWER TO AMENDED VERIFIED COMPLAINT
FOR FORFEITURE *IN REM*, AND AFFIRMATIVE DEFENSE**

Claimants, STEVE F. HERRIG and NATALEE A. HERRIG (“Herrigs”), by and through their undersigned counsel, hereby file their answer to the Amended Verified Complaint for Forfeiture *In Rem*, as follows:

1. As to paragraphs 1-127, without knowledge and, therefore, denied.
128. Admitted that on or about October 20, 2017, the Herrigs sold the real property referred to as 4064 Founders Club Drive to 4046 Founders Club Drive, LLC for \$1,775,000. Admitted that the property has approximately 7,200 square feet. Admitted that the property is located in a gated community. Otherwise, the allegations of this paragraph are denied.

129. Admitted that the closing agent was Berlin Patten Ebling, LLC.

Otherwise, the allegations of this paragraph are denied.

130. Admitted that the buyer executed and delivered the mortgage to the Herrigs in the amount of \$1,065,000. The mortgage terms speak for themselves.

Otherwise, the allegations of this paragraph are denied.

131. Without knowledge and therefore denied.

132. Admitted that monthly mortgage payments were initially made to the Herrigs. Otherwise, the allegations of this paragraph are denied.

133. Without knowledge and therefore denied.

134-162. Without knowledge and therefore denied.

AFFIRMATIVE DEFENSE

1. **Innocent Party.** The Herrigs are innocent parties in this action. The only relationship between the Herrigs and the alleged wrongdoers is that the Herrigs innocently sold them a parcel of real estate - and took back a purchase money mortgage. Under the circumstances, the Herrigs are entitled to full protection of their interest in the property including, without limitation, all principal, interest (pre and post forfeiture), costs, and attorneys' fees. *See U.S. v. Six Parcels of Real Property Situated in Blount County, Tenn.*, 920 F.2d 798 (11th Cir. 1991).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 4/21, 2019, I electronically filed a true and correct copy of the foregoing with the Clerk of the United States District Court for the Middle District of Florida by filing using the CM/ECF system and it will send notice to the below individuals:

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