



NOTICE OF SEIZURE AND PROPOSED FORFEITURE

TAKE NOTICE: Arseny I. Polushkin and Nikan Polushkin; NOAA Case No.: AK2412318

On September 9, 2024, at or near Kodiak, Alaska, duly authorized officers seized proceeds from the sale of groundfish (i.e., IFQ sablefish, roughey rockfish, and thornyhead rockfish) by Arseny I. Polushkin and/or Nikan Polushkin to Pacific Seafood, valued at \$8,998.30, for violation of federal law, including the Magnuson Stevens Fishery Conservation and Management Act (MSFCMA), 16 U.S.C. § 1801 *et seq.*, and its implementing regulations.

The seized property, being \$8,998.30 in proceeds, is subject to forfeiture to the United States under 16 U.S.C. § 1860 and/or 16 U.S.C. § 3374, and is being held by the National Oceanic and Atmospheric Administration (NOAA).

Notice is hereby given that NOAA is commencing forfeiture proceedings against the above-described property.

Any person claiming an interest in the above described property must file a claim within 30 days after the date of final publication of this notice. Said claim must be filed with the Office of General Counsel, Enforcement Section, Attn: Patrick Carroll, 1315 East West Highway, Room 15828, Silver Spring, Maryland 20910. **Such claim must be received by the above office on or before December 9, 2024, (30 days following the date the final Notice is published in accordance with 15 C.F.R. § 904.504).**

Said claim must: 1) identify the specific property being claimed; 2) state the claimant's interest in such property (and provide documentary evidence of such interest if available) and state that the claim is not frivolous; and 3) be made under oath, subject to penalty of perjury.

If a proper claim is not received by that date, the property will be declared forfeited to the United States and disposed of according to law. If the claim is timely filed, the matter will be referred to the U.S. Attorney to institute forfeiture proceedings in a U.S. District Court.

Alternatively, you may choose to delay forfeiture proceedings (see next page). The delay of forfeiture proceedings means that the forfeiture of the property will be stayed until the underlying case is resolved and all other proceedings have been concluded.

You may also choose to voluntarily abandon your property (see next page). This means you voluntarily give up all interests in the property seized to the government and abandon any claims, thereby terminating your property rights and ending the forfeiture proceeding.

At any time after the seizure, but no later than 90 days after the date of forfeiture you may also petition NOAA for remission or mitigation of the forfeiture, *except that* NOAA will not consider



a petition for remission or mitigation of forfeiture and restoration of proceeds while a forfeiture proceeding is pending in Federal court.

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Patrick F. Carroll
NOAA Office of General Counsel
Enforcement Section
(240) 338-0503
Email: Patrick.F.Carroll@noaa.gov

DATE OF PUBLICATION: October 10, 2024

PLACE OF PUBLICATION: <https://www.noaa.gov/general-counsel/gc-enforcement-section/notices-of-seizure-and-proposed-forfeiture>

ALSO SENT VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED TO
THE FOLLOWING ADDRESSES:

Arseny I. Polushkin

[REDACTED]

Nikan Polushkin

[REDACTED]

Certified Mail No.

[REDACTED]

Arseny I. Polushkin

[REDACTED]

Nikan Polushkin

[REDACTED]

Certified Mail No.

[REDACTED]

AGREEMENT TO DELAY FORFEITURE PROCEEDINGS

I agree to the delay of forfeiture proceedings until the conclusion of all related administrative or judicial proceedings, and hereby waive any requirement for immediate institution of forfeiture proceedings, including that limitation imposed pursuant to 19 U.S.C. § 1621.

Signature

Date

WAIVER OF CLAIM AND VOLUNTARY ABANDONMENT

I voluntarily relinquish, abandon, waive, and transfer to the United States Government all of my rights, title and interest in the above-referenced property. I waive any claim in the property and/or the proceeds from the property described above, and waive any claim against NOAA or its duly authorized agents arising from the disposition of such property and proceeds.

Signature

Date