



NOTICE OF SEIZURE AND PROPOSED FORFEITURE

NOAA Case No. AK2412568, F/V Independence

TAKE NOTICE: S&F Fisheries LLC and Ernesto B. Rambac. Jr.

On September 17, 2024, at or near Kodiak, Alaska, duly authorized officers seized proceeds from the sale of approximately 12,653 pounds of Pacific cod by the F/V Independence to the Star of Kodiak processing facility, valued at \$3,874.88, for violation of the Magnuson-Stevens Fishery Conservation and Management Act and its regulations, specifically, 16 U.S.C. § 1857(1)(A) and 50 CFR § 679.7(b)(6)(i)(A), (B).

and

On September 18, 2024, at or near Kodiak, Alaska, duly authorized officers seized proceeds from the sale of approximately 16,828 pounds of Pacific cod by the F/V Independence to the Star of Kodiak processing facility, valued at \$5,201.60, for violation of the Magnuson-Stevens Fishery Conservation and Management Act and its regulations, specifically, 16 U.S.C. § 1857(1)(A) and 50 CFR § 679.7(b)(6)(i)(A), (B).

The seized property, being \$9,076.48 in proceeds, is subject to forfeiture to the United States under 16 U.S.C. § 1860 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 at P.O. Box 21109, Juneau, Alaska 99802-1109. **Such claim must be received by the above office on or before December 30, 2024. See 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.

 10/30/2024
BRIAN McTAGUE

Enforcement Attorney

NOAA Office of General Counsel

DATE OF PUBLICATION: October 31, 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:**

S&F Fisheries LLC
Maryann Miles, Registered Agent

[REDACTED]
[REDACTED]

Certified Mail No. [REDACTED]

Ernesto B. Rambac, Jr.

[REDACTED]
[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