

# Carlton Fields Files Amicus Brief for Public Policy Organizations in *United States v. Ross*

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Even if you win against the U.S. government in a forfeiture case, the government may attempt to avoid paying the required attorneys' fees under the Civil Asset Forfeiture Reform Act by moving for belated voluntary dismissal without prejudice. That's what happened in *United States v. Ross*, a Second Circuit case in which the government seized attorney Richard Ross' \$1 million attorney trust account in civil asset forfeiture proceedings. Carlton Fields attorneys Michael Yaeger and Nathaniel Foell filed an amicus brief for three public policy organizations, the Cato Institute, Goldwater Institute, and Manhattan Institute, in the case. Ross is the latest in a long line of claimants who, despite CAFRA, have been denied attorneys' fees as a result of the government's strategy of seeking voluntary dismissal once it's clear a claimant would prevail on the merits. As the Carlton Fields [brief](#) explains, it is time to change the government's incentives. The government is the most frequent and sophisticated forfeiture litigant in the federal courts, so it does not seek these dismissals casually, and we urged the Second Circuit to take that into account when deciding these cases. [Read the brief.](#)

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