

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 10-60015-CR-COHN(S)

18 U.S.C. § 1512(k)
18 U.S.C. § 1512(c)
18 U.S.C. § 1956(h)
18 U.S.C. § 1956(a)(3)(A)
18 U.S.C. § 1956(a)(3)(B)
18 U.S.C. § 2
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(1)

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CLERK U.S. DIST. CT.
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FILED BY _____ D.C.

UNITED STATES OF AMERICA,

v.

**ROBERTO SETTINERI,
ENRIQUE ROS aka Eric,
DANIEL DROMERHAUSER**

Defendants. /

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT 1
18 U.S.C. § 1512(k)

From on or about November 8, 2009 through on or about the date of this indictment, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

**ROBERTO SETTINERI,
ENRIQUE ROS aka Eric,
and
DANIEL DROMERHAUSER,**

did willfully and knowingly conspire, confederate, and agree with persons known and unknown to the Grand Jury to:

a. corruptly alter, destroy, mutilate, and conceal a record, document, and other object with the intent to impair the object's integrity and availability for use in an official proceeding in violation of Title 18, United States Code, Section 1512(c)(1); and

b. corruptly otherwise obstruct, influence, and impede any official proceeding in violation of Title 18, United States Code, Section 1512(c)(2).

All in violation of Title 18, United States Code, Sections 1512(k).

COUNT 2
18 U.S.C. §§ 1512(c) and 2

From on or about November 11, 2009 through on or about November 23, 2009, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

ROBERTO SETTINERI,
ENRIQUE ROS,
and
DANIEL DROMERHAUSER,

did knowingly and corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempt to do so, with the intent to impair the object's integrity and availability for use in an official proceeding and otherwise obstruct, influence, and impede any official proceeding and attempt to do so, in that: defendants did take receipt of two boxes of documents represented to be documents subject to a grand jury subpoena for the purposing of destroying and concealing those documents.

All in violation of Title 18, United States Code, Sections 1512(e) and 2.

COUNT 3
18 U.S.C. §§ 1512(c) and 2

From on or about November 8, 2009 through on or about the date of this indictment, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

**ROBERTO SETTINERI,
ENRIQUE ROS,
and
DANIEL DROMERHAUSER,**

did knowingly and corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempt to do so, with the intent to impair the object's integrity and availability for use in an official proceeding and otherwise obstruct, influence, and impede any official proceeding and attempt to do so, in that: defendants created false and fraudulent invoices and took receipt of funds for the purpose of concealing assets subject to pending proceedings before the United States District Court for the Southern District of Florida.

All in violation of Title 18, United States Code, Sections 1512(c) and 2.

COUNT 4
18. U.S.C. § 1956(h)

From on or about November 8, 2009 and through on or about the date of this indictment, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

**ROBERTO SETTINERI,
ENRIQUE ROS aka Eric,
and
DANIEL DROMERHAUSER,**

did knowingly conspire, confederate, and agree with persons known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, that is:

- a. to knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which involved property represented by a person, acting at the direction of a Federal law enforcement officer, to be proceeds of specified unlawful activity, that is, mail fraud and wire fraud, in violation of Title

18, United States Code, Sections 1341 and 1343, with the intent to promote the carrying on of specified unlawful activity, that is, corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempt to do so, with the intent to impair the object's integrity and availability for use in an official proceeding and otherwise obstruct, influence, and impede any official proceeding and attempt to do so in violation of Title 18, United States Code, Section 1512(c), in violation of Title 18, United States Code, Section 1956(a)(3)(A); and

b. to knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which transactions involved property represented by a person, acting at the direction of a Federal law enforcement officer, to be proceeds of specified unlawful activity, that is, mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343, with the intent to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, that is, mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343, in violation of Title 18, United States Code, Section 1956(a)(3)(B).

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS 5 to 8
18 U.S.C. §§ 1956(a)(3)(A) and 2

On or about the dates, detailed below, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

ROBERTO SETTINERI,
ENRIQUE ROS aka Eric,
and
DANIEL DROMERHAUSER,

did knowingly conduct and attempt to conduct the financial transactions, detailed below, affecting interstate and foreign commerce, which involved property represented by a person, acting at the direction of a Federal law enforcement officer, to be proceeds of specified unlawful activity, that is, mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343, with the intent to promote the carrying on of specified unlawful activity, that is, to corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempt to do so, with the

intent to impair the object's integrity and availability for use in an official proceeding and otherwise obstruct, influence, and impede any official proceeding and attempt to do so in violation of Title 18 U.S.C. Section 1512(c).

COUNT	DATE	FINANCIAL TRANSACTION
5	11/16/2009	Receipt of \$4,000
6	11/16/2009	Receipt of \$10,000
7	11/18/2009	Receipt of \$5,000
8	11/19/2009	Receipt of \$50,000

All in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

COUNT 9
18 U.S.C. §§ 1956(a)(3)(B) and 2

On or about November 24, 2009, in Broward County, in the Southern District of Florida and elsewhere, the defendants,

ROBERTO SETTINERI,
ENRIQUE ROS aka Eric,
and
DANIEL DROMERHAUSER,

did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce that is, receipt of a wire transfer in the amount of \$10,000, which involved property represented by a person, acting at the direction of a Federal law enforcement officer, to be proceeds of specified unlawful activity, that is, mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343, with the intent to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the specified unlawful activity, that is, the mail fraud and wire fraud.

All in violation of Title 18, United States Code, Sections 1956(a)(3)(B) and 2.

Forfeiture Allegations

1. The allegations of this Superseding Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which one or more of the defendants have an interest pursuant to 32.2(a), Federal Rules of Criminal Procedure. Forfeiture is being sought pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 18, United States Code, Section 982(a)(1).

2. Upon conviction of the offenses set forth in Counts 1 through 3 of the Superseding Indictment, the defendants, **ROBERTO SETTINERI, ENRIQUE ROS, and DANIEL DROMERHAUSER**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

3. Upon conviction of the offenses set forth in Counts 4 through 9 of the Superseding Indictment, the defendants, **ROBERTO SETTINERI, ENRIQUE ROS, and DANIEL DROMERHAUSER**, shall forfeit to the United States all property, real or personal, involved in or traceable to the offense which property shall include:

- i. all money and other property that was the subject of each transaction, transportation, transmission and transfer in violation of Sections 1956(h); 1956(a)(3)(A); and 1956(a)(3)(B);
- ii. all commissions, fees and other property constituting proceeds obtained as a result of those violations; and
- iii. all property used in any manner and part to commit and to facilitate the

commission of those violations.

4. The property subject to forfeiture, includes but is not limited to:
 - A. A sum of money equal to \$79,000.00 in United States currency;
 - B. Funds on deposit at account #2000032147421 in the name of 5 Star Executive Protection at Wachovia Bank;
 - C. A 2010 Audi A7 3.6 PRM PLS with VIN WA1LYAFE4AD002854;
 - D. One Luminar Marina Panerai 2003 World Series watch with a black band, silver case and black face and the markings OP 6553 and BB 1128219 on the back;
 - E. A 2008 GMC Sierra truck with VIN 3GTEC13JX8G286308; and
 - F. A 2003 Ford Excursion V-10 Diesel with VIN 1FMSU43P33EB66416.
5. If any of the property described above as being subject to forfeiture, as a result of any act and omission of the defendants -
 - i. cannot be located upon the exercise of due diligence;
 - ii. has been transferred or sold to, or deposited with, a third party;
 - iii. has been placed beyond the jurisdiction of the court;
 - iv. has been substantially diminished in value; or
 - v. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), made applicable through Title 18, United States Code, Section 982(b) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendants up to the value of the

forfeitable property described above.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), Title 28, United States Code, Section 2461(c); and the procedures outlined at Title 21, United States Code, Section 853.

A TRUE ~~BY~~L

~~NO~~REPRESENTATION



JEFFREY H. SLOMAN
UNITED STATES ATTORNEY



CYNTHIA STONE
ASSISTANT UNITED STATES ATTORNEY