

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**SUPERSEDING INDICTMENT FOR HOBBS ACT EXTORTION,
WIRE FRAUD, FAILURE TO FILE TAX RETURNS, AND ILLEGAL STRUCTURING**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 09-138
v.	*	SECTION: "T"
JONATHAN BOLAR	*	VIOLATION: 18 U.S.C. § 1951
		18 U.S.C. § 1343
		26 U.S.C. § 7203
	*	31 U.S.C. § 5324
	* * *	

The Grand Jury charges that:

HOBBS ACT-EXTORTIONS

COUNT 1

A. AT ALL TIMES MATERIAL HEREIN:

1. Beginning on or about June 30, 2001, and continuing to the date of this indictment, the defendant, **JONATHAN BOLAR ("BOLAR")**, was a duly-elected public official for the State of

Louisiana and sitting Councilman for the City of Gretna, State of Louisiana. During the entirety of this time period, **BOLAR** represented Council District 1 in the City of Gretna, State of Louisiana.

2. The Gretna City Council was comprised of five (5) Council members and had the authority and power to approve or disapprove of zoning variances or changes in zoning.

3. As the City Councilman for District 1, **BOLAR's** support for any construction project requiring a zoning variance or change in zoning within District 1 was considered crucial for the Council's approval.

4. **BOLAR** was sole shareholder of J.C. Bolar & Son, Inc. (Bolar & Son), a company operated in and around 2003, 2004, and 2005. Bolar & Son was purportedly a trucking company sub-contracted by the United States Postal Service to deliver bulk mail to rural routes in Louisiana.

5. **BOLAR** was an equal partner with a family member in Bolar Contractors, L.L.C. ("Bolar Contractors"), a company operated from a time prior to 2003 through the present. **BOLAR** was the general partner of Bolar Contractors. Bolar Contractors was purportedly a contracting and construction company paid by governmental and private entities and individuals to build and renovate residential and commercial properties within and without **BOLAR's** Gretna City Council District.

6. **BOLAR** was the sole shareholder of Six Three Six Franklin Street, L.L.C. ("636 Franklin"), a company operated in and around 2005, 2006, 2007, 2008, and 2009. 636 Franklin Street was a restaurant and bar located within **BOLAR's** Gretna City Council District.

7. During the period from in and around 2003 through in and around 2006, **BOLAR**, through his companies and through personal endeavors, derived income legally and illegally from,

but not exclusively from, the following sources: the City of Gretna; interest from various bank accounts; the Jefferson Housing Authority; Catholic Charities; the United States Postal Service; the Residential Housing Development Corporation; the Louisiana Housing and Community Development Corporation; and individuals who were forced to pay extorted money to **BOLAR** identified as "F.W."; "J.W."; and, "T.F." all of whom are further referenced in Counts 1, 2 and 4 respectively.

9. For the tax years 2003, 2004, 2005, 2006, 2007, and 2008 **BOLAR** had gross income exceeding the statutory amount required to necessitate filing income tax returns.

10. Whitney Bank, Dryades Savings Bank, Omni Bank, and First Bank & Trust were all domestic financial institutions and all had their accounts insured by the Federal Deposit Insurance Corporation ("FDIC") and all were subject to the Federal Regulations regarding currency transaction reporting requirements. Further, the defendant, **BOLAR**, in conducting financial transactions with the above named domestic financial institutions had prior knowledge and was subject to the same Federal Regulations regarding currency transaction reporting requirements.

11. On or about October 8, 2007, the defendant, **BOLAR**, through his company, Bolar Contractors, sold and conveyed all rights and actions of warranty that he may have had in a property located at 400 Franklin Street, Gretna, Louisiana ("the Property") and another property within the City of Gretna to Partnership A, for the price of \$78,000.00 cash.

B. THE EXTORTION:

On or about July 14, 2004, in the Eastern District of Louisiana, the defendant, **JONATHAN BOLAR**, did knowingly obstruct, delay and affect, in any way and degree, commerce and the

movement of articles and commodities in commerce by extortion, when the defendant, **JONATHAN BOLAR**, acting as a City Councilman for the City of Gretna, State of Louisiana, obtained approximately \$95,675.00 from F.W. in return for a zoning variance by means of extortion under color of official right; all in violation of Title 18, United States Code, Section 1951.

COUNT 2

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. THE EXTORTION:

On or about April 29, 2005, in the Eastern District of Louisiana, the defendant, **JONATHAN BOLAR**, did knowingly obstruct, delay and affect, in any way and degree, commerce and the movement of articles and commodities in commerce by extortion, when the defendant, **JONATHAN BOLAR**, acting as a City Councilman for the City of Gretna, State of Louisiana, obtained approximately \$2,200.00 from J.W. in return for a zoning variance by means of extortion under color of official right; all in violation of Title 18, United States Code, Section 1951.

COUNT 3

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. THE EXTORTION:

In or around May 2005, in the Eastern District of Louisiana, the defendant, **JONATHAN BOLAR**, did knowingly obstruct, delay and affect, in any way and degree, commerce and the movement of articles and commodities in commerce by extortion, when the defendant, **JONATHAN**

BOLAR, acting as a City Councilman for the City of Gretna, State of Louisiana, attempted to obtain property from Q. T. in return for a zoning variance by means of extortion under color of official right; all in violation of Title 18, United States Code, Section 1951.

COUNT 4

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. THE EXTORTION:

On or about June 13, 2007, in the Eastern District of Louisiana, the defendant, **JONATHAN BOLAR**, did knowingly obstruct, delay and affect in any way and degree commerce and the movement of articles and commodities in commerce by extortion, when the defendant, **JONATHAN BOLAR**, acting as a City Councilman for the City of Gretna, State of Louisiana, obtained approximately \$2,500.00 from T.F. and W.H. in return for a zoning variance by means of extortion under color of official right; all in violation of Title 18, United States Code, Section 1951.

WIRE FRAUDS

COUNT 5

A. AT ALL TIMES MATERIAL HEREIN

The allegations contained in Count 1, Part A are realleged and incorporated as if fully set forth herein.

B. THE SCHEME TO DEFRAUD

Beginning on or about August 3, 2008 and continuing to on or about November 25, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **JONATHAN BOLAR**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud the Franklin Street Church of Christ, by means of false representations, pretenses, and promises, and for the purpose of obtaining money and property, by personally entering into a contract to sell the Property, located at 400 Franklin Street, Gretna Louisiana, when he well knew that on or about October 8, 2007 he had previously conveyed all interest in the Property to Partnership A, that he had no authority to sell the Property on behalf of Partnership A, and that he retained no interest at all in the Property.

C. THE USE OF THE WIRE:

On or about August 3, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **JONATHAN BOLAR**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, did knowingly and willfully cause to be transmitted in interstate commerce certain writings, signs, signals, and sounds by means of wire communications when the defendant, **JONATHAN BOLAR**, cashed in the Eastern District of Louisiana a check he received from the Franklin Street Church of Christ that was to serve as earnest money, which check cashing then caused a signal, sign, writing, and sound to be transmitted to the Capital One mainframe database in Little Rock, Arkansas, updating the Franklin Street Church of Christ's account status to

reflect a debit of \$3,750.00 from the Franklin Street Church of Christ's checking account; all in violation of Title 18, United States Code, Section 1343.

COUNT 6

A. AT ALL TIMES MATERIAL HEREIN

The allegations contained in Count 1, Part A are realleged and incorporated as if fully set forth herein.

B. THE SCHEME TO DEFRAUD

Beginning on or about August 21, 2008 and continuing to on or about October 31, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **JONATHAN BOLAR**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud Family A, by means of false representations, pretenses, and promises, and for the purpose of obtaining money and property, by personally entering into a contract to sell the Property, located at 400 Franklin Street, Gretna Louisiana, when he well knew that on or about October 8, 2007 he had previously conveyed all interest in the Property to Partnership A, that he had no authority to sell the Property on behalf of Partnership A, and that he retained no interest at all in the Property.

C. THE USE OF THE WIRE:

On or about August 21, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **JONATHAN BOLAR**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, did knowingly and willfully cause to be transmitted in interstate commerce certain writings, signs, signals, and sounds by means of wire communications when the defendant, **JONATHAN BOLAR**, cashed in the Eastern District of Louisiana a check he received

from Family A that was to serve as earnest money, which check cashing then caused a signal, sign, writing, and sound to be transmitted to the J.P. Morgan Chase Bank mainframe database in New York City, New York, updating Family A's account status to reflect a debit of \$11,250.00 from Family A's checking account; all in violation of Title 18, United States Code, Section 1343.

FAILURE TO FILE TAX RETURNS

COUNT 7 (Tax Year 2003)

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. FAILURE TO FILE TAX RETURN

During the calendar year 2003, in the Eastern District of Louisiana and elsewhere, **JONATHAN BOLAR**, who was a resident of the Eastern District of Louisiana, had and received gross income which exceeded the statutory minimum and that by reason of such gross income he was required by law, following the close of the calendar year 2003, and on or before August 15, 2004, pursuant to a timely filed extension, to make an income tax return to the Director, Internal Revenue Service Center, at Austin, Texas, in the Western District of Texas, or to the Taxpayer Assistance Center of the Internal Revenue Service at 600 S. Maestri Place, New Orleans, Louisiana, 70130, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that well-knowing and believing all of the foregoing, he did willfully fail to make an income tax return to said Director of the Internal Revenue Service Center, to said Taxpayer Assistance Center of the Internal Revenue Service, or to any other proper officer of the United States; in violation of Title 26, United States Code, Section 7203.

COUNT 8 (Tax Year 2004)

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. FAILURE TO FILE TAX RETURN

During the calendar year 2004, in the Eastern District of Louisiana and elsewhere, **JONATHAN C. BOLAR**, who was a resident of the Eastern District of Louisiana, had and received gross income which exceeded the statutory minimum and that by reason of such gross income he was required by law, following the close of the calendar year 2004, and on or before April 15, 2005, to make an income tax return to the Director, Internal Revenue Service Center, at Austin, Texas, in the Western District of Texas, or to the Taxpayer Assistance Center of the Internal Revenue Service, at 1555 Poydras Street, New Orleans, Louisiana, 70130, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that well-knowing and believing all of the foregoing, he did willfully fail to make an income tax return to said Director of the Internal Revenue Service Center, to said Taxpayer Assistance Center of the Internal Revenue Service, or to any other proper officer of the United States; in violation of Title 26, United States Code, Section 7203.

COUNT 9 (Tax Year 2005)

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. FAILURE TO FILE TAX RETURN

During the calendar year 2005, in the Eastern District of Louisiana and elsewhere, **JONATHAN C. BOLAR**, who was a resident of the Eastern District of Louisiana, had and received gross income which exceeded the statutory minimum and that by reason of such gross income he was required by law, following the close of the calendar year 2005, and on or before April 16, 2007, pursuant to a timely filed extension and Hurricane Katrina Filing Extension Relief, to make an income tax return to the Director, Internal Revenue Service Center, at Austin, Texas, in the Western District of Texas, or to the Taxpayers Assistance Center of the Internal Revenue Service, at 1555 Poydras Street, New Orleans, Louisiana, 70130, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that well-knowing and believing all of the foregoing, he did willfully fail to make an income tax return to said Director of the Internal Revenue Service Center, to said Taxpayer Assistance Center of the Internal Revenue Service, or to any other proper officer of the United States; in violation of Title 26, United States Code, Section 7203.

COUNT 10 (Tax Year 2006)

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

B. FAILURE TO FILE TAX RETURN

During the calendar year 2006, in the Eastern District of Louisiana and elsewhere, **JONATHAN C. BOLAR**, who was a resident of the Eastern District of Louisiana, had and received gross income which exceeded the statutory minimum and that by reason of such gross income he was required by law, following the close of the calendar year 2006, and on or before April 16, 2007, pursuant to the standard filing date occurring on a weekend, to make an income tax return to the Director, Internal Revenue Service Center, at Austin, Texas, in the Western District of Texas, or to the Taxpayer Assistance Center of the Internal Revenue Service, at 1555 Poydras Street, New Orleans, Louisiana, 70130, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that well-knowing and believing all of the foregoing, he did willfully fail to make an income tax return to said Director of the Internal Revenue Service Center, to said Taxpayer Assistance Center of the Internal Revenue Service, or to any other proper officer of the United States; in violation of Title 26, United States Code, Section 7203.

**STRUCTURING FINANCIAL TRANSACTIONS
TO EVADE REPORTING REQUIREMENTS-COUNTS 11-18**

A. The allegations contained in Part A of Count 1 are hereby incorporated and realleged by reference.

1. At all times material to this indictment **BOLAR** either personally or through the following corporate entities controlled the following bank accounts at the following banks, each of which was a federally insured financial institution:

- a. Whitney Bank Account Number 1070 (Bolar Contractors, L.L.C.)
- b. Whitney Bank Account Number 8726 (636 Franklin, L.L.C.)
- c. Whitney Bank Account Number 3891 (J.C. Bolar & Son, Inc.)
- d. Dryades Savings Bank Account Number 6141 (Bolar Contractors, L.L.C.)
- e. Omni Bank Account Number 1298 (Jonathan C. Bolar or Karen Bolar)
- f. First Bank & Trust Account Number 0524 (Bolar Contractors)

2. On December 13, 2005, **BOLAR** deposited \$22,000 in cash into the above-described Whitney Bank account opened by **BOLAR** for use in association with 636 Franklin, L.L.C. As a result of this deposit, Whitney Bank filed a Currency Transaction Report.

THE OFFENSES

On or about the dates set forth below, in the Eastern District of Louisiana, the defendant, **JONATHAN BOLAR**, as named below in each Count 9 through 16, knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did cause and attempt to cause a domestic financial institution

NOTICE OF EXTORTION FORFEITURE

1. The allegations of Counts 1 through 4 of this Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1951 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 through 4, defendant, **JONATHAN BOLAR**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1951.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 1951 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

NOTICE OF WIRE FRAUD FORFEITURE

1. The allegations of Counts 5 and 6 of this Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1343 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 5 and 6, the defendant, JONATHAN BOLAR, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 1343 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853, any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343;

3. If any of the above described property, as a result of any act or omission of the defendant:
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property; all in violation of Title 18, United States Code, Sections 1343 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853.

NOTICE OF STRUCTURING FORFEITURE

1. The allegations of Counts 11 through 18 of this Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 31, United States Code, Sections 5324 and 5317(c)(1).

2. As a result of the offenses, alleged in Counts 11 through 18, the defendant, **JONATHAN BOLAR**, shall forfeit to the United States all property, real and personal, involved in the offenses, and any property traceable thereto.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

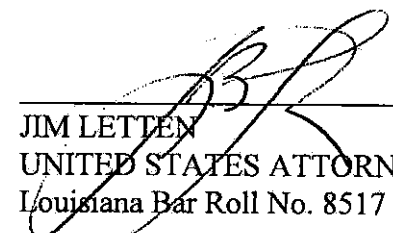
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 31, United States Code, Section 5317(c)(1)(B), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.


All in violation of Title 31, United States Code, Sections 5324 and 5317(c)(1).

A TRUE BILL:

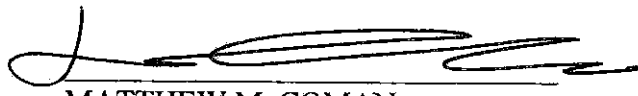
FOREPERSON



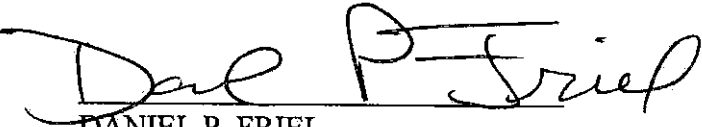
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New Orleans, Louisiana
October 16, 2009