
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	CRIMINAL COMPLAINT
	:	
v.	:	
	:	
ANTHONY R. AMBROSIO and	:	Mag. No. 07- 8102
LISA M. DEROSA	:	

I, Kristine Fata, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From in or about January 2004 through in or about May 2007, in the District of New Jersey and elsewhere, the defendants ANTHONY R. AMBROSIO and LISA M. DEROSA did:

SEE ATTACHMENT A

In violation of Title 18, United States Code, Section 371; Title 31, United States Code, Section 5324(a)(3) and Title 18, United States Code, Section 2.

I further state that I am a Special Agent for the Internal Revenue Service, Criminal Investigation (IRS), and that this complaint is based on the following facts:

SEE ATTACHMENT B and Exhibits A, B, C, D & E

continued on the attached pages and made a part hereof.

Kristine Fata
Special Agent, Internal Revenue Service

Sworn to before me and subscribed in my presence,

August 1, 2007, at Newark, New Jersey

HONORABLE MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

COUNT 1

From in or about January 2004 through in or about May 2007, in the District of New Jersey and elsewhere, the defendants

ANTHONY R. AMBROSIO
and
LISA M. DEROSA

did knowingly and wilfully conspire and agree with each other and others, to structure, assist in structuring and attempt to structure, transactions with domestic financial institutions by (i) cashing checks in the amounts of approximately \$9,500.00, as part of a pattern of illegal activity involving approximately \$3,156,500 during more than a 3 year period, and (ii) depositing cash in amounts below the \$10,001.00 filing requirement, as part of a pattern of illegal activity involving approximately \$466,885.00 during more than a 3 year period, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a) with respect to such transactions, contrary to Title 31, United States Code, Section 5324(a)(3).

OVERT ACTS

In furtherance of the conspiracy and to effect its object, the following overt acts were committed in the District of New Jersey and elsewhere:

1. On each of the dates set forth in Exhibit A, defendant LISA M. DEROSA cashed each of the checks set forth in Exhibit A at the Wachovia Bank in Bayonne, New Jersey.
2. On each of the dates set forth in Exhibit B, defendant LISA M. DEROSA deposited the amount of cash set forth in Exhibit B into her daughter's account at the Wachovia Bank in Bayonne, New Jersey.
3. On each of the dates set forth in Exhibit D, defendant ANTHONY R. AMBROSIO deposited the amount of cash set forth in Exhibit D into two of his minor sons' accounts at the Wachovia Bank in Bayonne, New Jersey.
4. On each of the dates set forth in Exhibit E, defendant ANTHONY R. AMBROSIO deposited the amount of cash set forth in Exhibit E into two of his minor sons' accounts at the Bayonne Community Bank in Bayonne, New Jersey.

In violation of Title 18, United States Code, Section 371.

COUNT 2

From in or about January 2004 through in or about May 2007, in the District of New Jersey and elsewhere, the defendants

ANTHONY R. AMBROSIO
and
LISA M. DEROSA

did for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a) with respect to such transactions, knowingly and intentionally structure, assist in structuring and attempt to structure, transactions with domestic financial institutions by (i) cashing checks in the amounts of approximately \$9,500.00, as part of a pattern of illegal activity involving approximately \$3,156,500 during more than a 3 year period, and (ii) depositing cash in amounts below the \$10,001.00 filing requirement, as part of a pattern of illegal activity involving approximately \$466,885.00 during more than a 3 year period.

In violation of Title 31, United States Code, Section 5324(a)(3) and Title 18, United States Code, Section 2.

ATTACHMENT B

I, Kristine Fata, a Special Agent for the Internal Revenue Service, Criminal Investigation, (“IRS”), having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

1. In or about 1987, Backhoe Services, Inc., located at 83 West 5th Street, Bayonne, New Jersey, was incorporated in the State of New Jersey. The company was in the construction industry and engaged in the business of demolition, excavation and snow removal. Sometime subsequent to 1987, defendant, LISA M. DEROSA, became the owner and 100% shareholder in the corporation. Defendant DEROSA’s father, defendant ANTHONY R. AMBROSIO, was the general manager of Backhoe Services, Inc. and ran the day to day operations.

2. Since on or about November 25, 1997, Backhoe Services, Inc. maintained business accounts with Wachovia Bank (formerly First Union National Bank). One such business account for Backhoe Services, Inc. was Account No. 8881023020. A signature card from Wachovia Bank for Backhoe Services, Inc. accounts listed defendant LISA AMBROSIO, president, defendant ANTHONY R. AMBROSIO, general manager, and Anthony M. Ambrosio, (ANTHONY R. AMBROSIO’s son) as signatories on these accounts.

3. On or about January 23, 1998, defendant LISA DEROSA, opened a personal savings account (Account No. 8881023402) for her minor daughter, Nicolette Ambrosio at the Wachovia Bank. Defendant LISA DEROSA was the sole signatory on this account.

4. On or about December 20, 2005, defendant ANTHONY R. AMBROSIO, opened a personal savings account for each of his two minor sons, Nicholas R. Ambrosio (Account No. 3000075012321) and Louis A. Ambrosio (Account No. 3000075012334) at the Wachovia Bank. Defendant ANTHONY R. AMBROSIO was the sole signatory on these two accounts.

5. On or about October 31, 2005, defendant ANTHONY R. AMBROSIO, opened a personal savings account for each of his two minor sons, Nicholas R. Ambrosio (Account No. 0308000046) and Louis A. Ambrosio (Account No. 0308000047) at the Bayonne Community Bank. Defendant ANTHONY R. AMBROSIO was the sole signatory on these two accounts.

6. On or about September 5, 2005, a Wachovia Bank signature card was submitted for a name change from “LISA AMBROSIO” TO “LISA DEROSA” due to marriage.

7. At all relevant times, Wachovia Bank and Bayonne Community Bank were domestic financial institutions within the meaning of Title 31, United States Code, Section 5313(a), and Title 31, Code of Federal Regulations, Sections 103.11 and

103.22(a). In addition, Title 31, United States Code, Section 5313(a), and Title 31, Code of Federal Regulations, Section 103.22(a), required that financial institutions file Currency Transaction Reports of each deposit, withdrawal, exchange of currency or other payment and transfer, by, through, or to such financial institution that involved a transaction in currency of more than \$10,000.

8. From in or about January 2004 through in or about May 2007, defendant LISA DEROSA, structured approximately \$3,156,500 by cashing numerous checks from the Backhoe Services Inc. account in the amounts of approximately \$9,500.00, as part of a pattern of illegal activity during more than a 3 year period, to avoid the currency transaction reporting requirements of Title 31, United States Code, Section 5313(a). The cash withdrawals were each not more than \$10,000. The attached Exhibit A illustrates these transactions.

9. From on or about January 2, 2004 through on or about April 28, 2006, defendant LISA M. DEROSA deposited approximately \$353,000 in cash by making numerous cash deposits in the amounts of approximately \$2,900.00 into her daughter's account at the Wachovia Bank in Bayonne, New Jersey. These cash deposits represented proceeds from the structured transactions described in paragraph 8. The attached Exhibit B illustrates these transactions.

10. From on or about January 2, 2004 through on or about December 1, 2005, defendant LISA M. DEROSA deposited approximately \$184,700 in cash by making numerous cash deposits in the amounts of approximately \$1,200.00 and \$2,900.00 into her brother's account at the Wachovia Bank in Bayonne, New Jersey. These cash deposits represented proceeds from the structured transactions described in paragraph 8. The attached Exhibit C illustrates these transactions.

11. From on or about December 20, 2005 through on or about February 7, 2007, defendant ANTHONY R. AMBROSIO structured approximately \$80,000 in cash by depositing cash in the amounts of approximately \$5,000 into two of his minor sons' accounts at the Wachovia Bank in Bayonne, New Jersey, to avoid the currency transaction reporting requirements of Title 31, United States Code, Section 5313(a). The cash deposits were each not more than \$10,000. The attached Exhibit D illustrates these transactions.

12. From on or about October 31, 2005 through on or about August 16, 2006, defendant ANTHONY R. AMBROSIO structured approximately \$386,885 in cash by depositing cash that was not more than \$10,000 into two of his minor sons' accounts at the Bayonne Community Bank in Bayonne, New Jersey, to avoid the currency transaction reporting requirements of Title 31, United States Code, Section 5313(a). The attached Exhibit E illustrates these transactions.

13. On or about August 5, 2004, and on or about April 19,

2006, defendants ANTHONY R. AMBROSIO and LISA DEROSA, were advised by Wachovia Bank of the federal law pertaining to the currency transaction reporting requirements of Title 31, United States Code, Section 5313(a).