

KMB:MAA  
F.#2003R02536

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

NICK PIRGOUSIS,  
FRANK DOLNEY,  
QUENTIN QUINTANA, also known as  
"Christopher Quintana,"  
JOSEPH FERRAGAMO,  
JOHN DONADIO,  
ROCCO J. DONADIO,  
WILLIAM G. BROWN,  
GARY TODD,  
MARIO CASIAS, also known as  
"Mario Rodriguez,"  
VLADIMIR ZISKIND, also known as  
"Walter Ziskind," and  
VLAD GOLDENBERG,

Cr. No. 04-159 (NGG)  
(T. 15, U.S.C., §§ 78j(b)  
and 78ff; T. 18, U.S.C.,  
§§ 371, 981(a)(1)(C),  
982(a)(1), 1956(a)(1)(A)(i),  
1956(a)(1)(B)(i), 1956(h),  
2 and 3551 et seq.; T. 21,  
U.S.C., § 853(p); T. 28,  
U.S.C., § 2461(c))

Defendants.

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THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless  
otherwise indicated:

The Brokerage Firms

1. L.H. Ross & Company, Inc. ("L.H. Ross") was a  
broker-dealer of securities registered with the Securities and  
Exchange Commission ("SEC") and the National Association of  
Securities Dealers, Inc. ("NASD"). L.H. Ross's principal office  
was located in Boca Raton, Florida. In or about and between June

1999 and October 2001, L.H. Ross maintained a branch at 30 Broad Street, New York, New York ("L.H. Ross's Manhattan branch").

L.H. Ross's Manhattan branch employed licensed stock brokers, also referred to as "registered representatives," and unlicensed stock brokers who sold securities to L.H. Ross's clients.

2. Delta Asset Management ("Delta") was a broker-dealer of securities registered with the SEC and the NASD. Delta's principal office was located at 300 Old Country Road, Mineola, New York. In or about October 2000, Delta opened a branch office at 100 St. Mary's Avenue, Staten Island, New York ("Delta's Staten Island branch"). In or about October 2001, L.H. Ross's Manhattan branch was converted into another Delta branch office. The L.H. Ross and Delta branch offices located at 30 Broad Street are referred to collectively as the "30 Broad Street branch" in the following paragraphs of this Indictment. Delta's branch offices employed licensed stock brokers, also referred to as "registered representatives," and unlicensed stock brokers who sold securities to Delta's clients.

#### The House Stocks

3. In or about and between June 1999 and January 2003, stock brokers employed at L.H. Ross and Delta solicited retail clients to purchase the common stock of several thinly capitalized start-up companies (the "House Stocks"). The House Stocks were publicly traded on the NASDAQ Small Capitalization

and Over-the-Counter Bulletin Board stock markets. The House Stocks, each followed by the abbreviation used in connection with public trading of the stock, included, among others, the following:

a. GeneThera, Inc., "GTHA," and its predecessor company Hand Brand Distribution, Inc., "HDBD" (hereinafter referred to collectively as "GeneThera");

b. Canterbury Consulting Group, Inc., "CITI" (hereinafter referred to as "Canterbury");

c. E.Machinery Net, Inc., "EMAC," and its predecessor company Harvard Financial Services Corp., "HRVD" (hereinafter referred to collectively as "E.Machinery"); and

d. Syndicated Food Service International, Inc., "SYFS," and its predecessor company Floridino's International Holdings, Inc., "FDNO" (hereinafter referred to collectively as "Floridino's").

#### The Defendants

4. In and about and between January 1999 and November 2001, the defendant NICK PIRGOUSIS served as the Chairman of the board of directors of Floridino's. PIRGOUSIS also served as the Chief Executive Officer of Floridino's in or about and between June 1999 and November 1999.

5. In and about and between January 1999 and June 2002, the defendant FRANK DOLNEY served as member of the board of

directors of Floridino's. DOLNEY also served as Secretary and Treasurer of Floridino's in or about and between January 1999 and June 2002.

6. In or about and between September 1998 and October 2001, the defendant QUENTIN QUINTANA, also known as "Christopher Quintana," together with others, owned the 30 Broad Street branch and managed and supervised its brokers without being registered to do so with the NASD.

7. In or about and between October 1999 and December 2000, the defendant JOSEPH FERRAGAMO was a registered representative of L.H. Ross who supervised a group of brokers at L.H. Ross's Manhattan branch.

8. In or about and between September 1999 and January 2002, the defendant JOHN DONADIO was a registered representative of L.H. Ross and Delta who supervised a group of brokers at the 30 Broad Street branch.

9. In or about and between September 1999 and January 2002, the defendant ROCCO J. DONADIO was an unlicensed broker employed by L.H. Ross and Delta who supervised a group of brokers at the 30 Broad Street branch.

10. In or about and between October 2000 and January 2003, the defendants WILLIAM G. BROWN and GARY TODD owned Delta's Staten Island branch and managed and supervised its brokers without being registered to do so with the NASD.

11. In or about and between October 2000 and January 2003, the defendant MARIO CASIAS, also known as "Mario Rodriguez," was a registered representative of Delta employed at Delta's Staten Island branch.

12. In or about and between October 2001 and January 2003, the defendant VLADIMIR ZISKIND, also known as "Walter Ziskind," was an unlicensed broker employed at Delta's Staten Island branch.

13. In or about and between October 2000 and January 2003, the defendant VLAD GOLDENBERG was an unlicensed broker employed at Delta's Staten Island branch.

#### The Fraudulent Scheme

14. In or about and between June 1999 and January 2003, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG, together with others, devised, implemented, oversaw and participated in a fraudulent scheme to manipulate the market prices of the House Stocks.

15. As a part of this scheme, the defendants NICK PIRGOUSIS and FRANK DOLNEY, together with others, obtained several large blocks of the House Stocks for little or no

consideration, which they placed in secret nominee and other accounts that they controlled.

16. As a further part of this scheme, the defendants NICK PIRGOUSIS and FRANK DOLNEY, together with others, paid secret kickbacks, in the form of cash, free stock and other items of value, to the defendants QUENTIN QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, VLADIMIR ZISKIND, and VLAD GOLDENBERG, in exchange for QUINTANA, FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, BROWN, TODD, CASIAS, ZISKIND and GOLDENBERG causing L.H. Ross and Delta customers to purchase the House Stocks at artificially inflated prices from the accounts controlled by PIRGOUSIS and DOLNEY.

17. As a further part of this scheme, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, VLADIMIR ZISKIND and VLAD GOLDENBERG, together with others, created artificial market demand for the purpose of inflating the prices of the House Stocks. Among other deceptive and manipulative means, the defendants, together with others: (a) made and caused to be made materially false and fraudulent representations to L.H. Ross and Delta customers in order to induce those customers to purchase the House Stocks; (b) used and caused to be used high pressure and deceptive sales tactics in order to induce L.H. Ross and Delta customers to purchase the

House Stocks; (c) paid and accepted excessive, undisclosed commissions, including cash payments and other items of value, in exchange for brokers at L.H. Ross and Delta recommending and selling the House Stocks to retail customers; (d) made and caused to be made unauthorized trades of the House Stocks in L.H. Ross and Delta customer accounts; and (e) instructed unregistered brokers and cold callers routinely to misrepresent to L.H. Ross and Delta customers that they were registered brokers when selling the House Stocks.

18. After the prices of the House Stocks rose artificially as a result of these deceptive and manipulative techniques, the defendants NICK PIRGOUSIS, FRANK DOLNEY, WILLIAM G. BROWN and GARY TODD, together with others, sold shares of the House Stocks at a substantial profit from nominee and other accounts that they controlled. The defendants QUENTIN QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, MARIO CASIAS, VLADIMIR ZISKIND and VLAD GOLDENBERG were paid kickbacks in the form of a percentage of the proceeds of these sales in exchange for participating in the fraudulent scheme.

COUNT ONE  
(Conspiracy to Commit Securities Fraud)

19. The allegations contained in paragraphs 1 through 18 are repeated and incorporated as though fully set forth in this paragraph.

20. In or about and between June 1999 and January 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG, together with others, did knowingly and willfully conspire to use and employ manipulative and deceptive devices and contrivances, directly and indirectly, in violation of Rule 10b-5 of the Rules and Regulations of the Securities and Exchange Commission (Title 17, Code of Federal Regulations, Section 240.10b-5), and, directly and indirectly, to (a) employ devices, schemes and artifices to defraud; (b) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon the investing public, in connection with purchases and sales of the House



Stocks, and by use of means and instrumentalities of interstate commerce and the mails, in violation of Title 15, United States Code, Sections 78j(b) and 78ff.

21. In furtherance of the conspiracy, and to effect its objects, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, VLADIMIR ZISKIND and VLAD GOLDENBERG committed and caused to be committed, among others, the following:

OVERT ACTS

a. On or about July 12, 1999, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 27,000 shares of GeneThera common stock at a price of \$6.63 per share through Fidra Holdings, Ltd. ("Fidra"), an entity controlled by PIRGOUSIS and DOLNEY.

b. On or about August 20, 1999, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 50,000 shares of Canterbury common stock at a price of \$1.70 per share through Fidra.

c. On or about October 7, 1999, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 55,000 shares of GeneThera common stock at a price of \$8.03 per share through Fidra.

d. On or about December 8, 1999, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 53,100 shares of Canterbury common stock at a price of \$3.36 per share through Fidra.

e. On or about December 10, 1999, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 12,000 shares of Floridino's common stock at a price of \$8.63 per share through Fidra.

f. On or about January 11, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 40,000 shares of GeneThera common stock at a price of \$2.60 per share through Fidra.

g. On or about April 28, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 43,000 shares of Canterbury common stock at a price of \$3.45 per share through Fidra.

h. On or about May 2, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 22,000 shares of Floridino's common stock at a price of \$8.81 per share through Fidra.

i. On or about June 16, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 27,000 shares of E.Machinery common stock at a price of \$1.81 per share through Fidra.

j. On or about July 14, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 20,000 shares of Floridino's common stock at a price of \$6.44 per share through Fidra.

k. On or about November 2, 2000, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 65,000 shares of Floridino's common stock at a price of \$5.97 per share through Fidra.

l. On or about January 26, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 300,000 shares of E.Machinery common stock at a price of \$2.48 per share through Fidra.

m. On or about February 26, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 130,000 shares of E.Machinery common stock at a price of \$3.08 per share through Fidra.

n. On or about October 4, 2001, the defendants WILLIAM G. BROWN and GARY TODD sold approximately 16,000 shares of Floridino's common stock at prices ranging between \$2.50 per share and \$2.55 per share through B&G Consulting, and entity controlled by BROWN and TODD.

o. On or about October 8, 2001, the defendant NICK PIRGOUSIS sold approximately 29,500 shares of Floridino's

common stock at a price of \$2.56 per share through Artifaqs, Inc. ("Artifaqs"), an entity controlled by PIRGOUSIS.

p. On or about October 9, 2001, the defendant NICK PIRGOUSIS sold approximately 14,700 shares of Floridino's common stock at a price of \$2.46 per share through Artifaqs.

q. On or about October 10, 2001, the defendants WILLIAM G. BROWN and GARY TODD sold approximately 10,000 shares of Floridino's common stock at a price of \$2.80 per share through B&G Consulting.

r. On or about October 12, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 24,950 shares of Floridino's common stock at a price of \$2.90 per share through Fidra.

s. On or about October 16, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 18,500 shares of E.Machinery common stock at a price of \$1.95 per share through Fidra.

t. On or about October 18, 2001, the defendant NICK PIRGOUSIS sold approximately 11,500 shares of Floridino's common stock at a price of \$2.90 per share through Artifaqs.

u. On or about October 19, 2001, the defendant NICK PIRGOUSIS sold approximately 15,500 shares of Floridino's common stock at a price of \$2.90 per share through Artifaqs.

v. On or about October 22, 2001, the defendants WILLIAM G. BROWN and GARY TODD sold approximately 10,000 shares of Floridino's common stock at a price of \$2.95 per share through B&G Consulting.

w. On or about October 25, 2001, the defendant NICK PIRGOUSIS sold approximately 29,000 shares of Floridino's common stock at a price of \$3.01 per share through Artifaqs.

x. On or about November 2, 2001, the defendants WILLIAM G. BROWN and GARY TODD sold approximately 55,000 shares of Floridino's common stock at a price of \$3.19 per share through B&G Consulting.

y. On or about November 21, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 47,155 shares of Floridino's common stock at a price of \$4.27 per share through Fidra.

z. On or about November 30, 2001, the defendants NICK PIRGOUSIS and FRANK DOLNEY sold approximately 48,845 shares of Floridino's common stock at a price of \$5.22 per share through Fidra.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO  
(Securities Fraud - GeneThera)

22. The allegations contained in paragraphs 1 through 18, 20 and 21 are repeated and incorporated as though fully set forth in this paragraph.

23. In or about and between June 1999 and January 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG, together with others, did knowingly and willfully use and employ manipulative and deceptive devices and contrivances, directly and indirectly, in violation of Rule 10b-5 of the Rules and Regulations of the SEC (Title 17, Code of Federal Regulations, Section 240.10b-5), in that the defendants, together with others, did knowingly and willfully, directly and indirectly, (a) employ devices, schemes, and artifices to defraud; (b) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon members of the investing public, in connection with

purchases and sales of GeneThera common stock, and by use of the means and instrumentalities of interstate commerce and the mails.

(Title 15, United States Code, Sections 78j(b) and 78ff; Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE  
(Securities Fraud - Canterbury)

24. The allegations contained in paragraphs 1 through 18, 20 and 21 are repeated and incorporated as though fully set forth in this paragraph.

25. In or about and between June 1999 and October 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG, together with others, did knowingly and willfully use and employ manipulative and deceptive devices and contrivances, directly and indirectly, in violation of Rule 10b-5 of the Rules and Regulations of the SEC (Title 17, Code of Federal Regulations, Section 240.10b-5), in that the defendants, together with others, did knowingly and willfully, directly and indirectly, (a) employ devices, schemes, and artifices to defraud; (b) make untrue statements of material fact and omit to state material facts necessary in order to make the

statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon members of the investing public, in connection with purchases and sales of Canterbury common stock, and by use of the means and instrumentalities of interstate commerce and the mails.

(Title 15, United States Code, Sections 78j(b) and 78ff; Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOUR  
(Securities Fraud - E.Machinery)

26. The allegations contained in paragraphs 1 through 18, 20 and 21 are repeated and incorporated as though fully set forth in this paragraph.

27. In or about and between June 1999 and October 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG, together with others, did knowingly and willfully use and employ manipulative and deceptive devices and contrivances, directly and indirectly, in violation of Rule 10b-5 of the Rules and Regulations of the SEC (Title 17, Code of Federal Regulations, Section 240.10b-5), in that the



defendants, together with others, did knowingly and willfully, directly and indirectly, (a) employ devices, schemes, and artifices to defraud; (b) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon members of the investing public, in connection with purchases and sales of E.Machinery common stock, and by use of the means and instrumentalities of interstate commerce and the mails.

(Title 15, United States Code, Sections 78j(b) and 78ff; Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIVE  
(Securities Fraud - Floridino's)

28. The allegations contained in paragraphs 1 through 18, 20 and 21 are repeated and incorporated as though fully set forth in this paragraph.

29. In or about and between June 1999 and January 2002, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter

Ziskind," and VLAD GOLDENBERG, together with others, did knowingly and willfully use and employ manipulative and deceptive devices and contrivances, directly and indirectly, in violation of Rule 10b-5 of the Rules and Regulations of the SEC (Title 17, Code of Federal Regulations, Section 240.10b-5), in that the defendants, together with others, did knowingly and willfully, directly and indirectly, (a) employ devices, schemes, and artifices to defraud; (b) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon members of the investing public, in connection with purchases and sales of Floridino's common stock, and by use of the means and instrumentalities of interstate commerce and the mails.

(Title 15, United States Code, Sections 78j(b) and 78ff; Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIX

(Conspiracy to Commit Money Laundering)

30. The allegations contained in paragraphs 1 through 18, 20, 21, 23, 25, 27 and 29 are repeated and incorporated as though fully set forth in this paragraph.

31. In or about and between August 2001 and January 2003, both dates being approximate and inclusive, within the

Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, WILLIAM G. BROWN and GARY TODD, together with others, did knowingly and intentionally conspire to conduct financial transactions affecting interstate and foreign commerce which in fact involved the proceeds of specified unlawful activity, to wit, securities fraud, knowing that the property involved in such financial transactions represented proceeds of some form of unlawful activity (a) with the intent to promote the carrying on of the specified unlawful activity in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i), and (b) knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of such proceeds in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNTS SEVEN THROUGH FIFTEEN  
(Money Laundering)

32. The allegations contained in paragraphs 1 through 1 through 18, 20, 21, 23, 25, 27, 29 and 31 are repeated and incorporated as though fully set forth in this paragraph.

33. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendants NICK PIRGOUSIS, WILLIAM G. BROWN and GARY TODD, together with others, knowing that the property involved in financial transactions

represented the proceeds of some form of unlawful activity, did knowingly and intentionally conduct financial transactions affecting interstate and foreign commerce which in fact involved the proceeds of specified unlawful activity, to wit, securities fraud, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of such proceeds, in that the defendants transferred and caused to be transferred by wire and check funds in the approximate amounts listed below into a B&G Consulting bank account maintained at a Chase Manhattan Bank branch in Staten Island, New York, from accounts maintained in the names of the entities listed below at the banks and brokerage firms listed below:

| COUNT | DATE               | ORIGINATING BANK/BROKER   | SOURCE ENTITY        | CHECK/WIRE TRANSFER AMOUNT |
|-------|--------------------|---------------------------|----------------------|----------------------------|
| SEVEN | August 2, 2001     | Sierra Brokerage Services | Fidra Holdings, Ltd. | \$50,000                   |
| EIGHT | August 3, 2001     | Sierra Brokerage Services | Fidra Holdings, Ltd. | \$40,000                   |
| NINE  | August 31, 2001    | Chase Manhattan           | Basbun Food Corp.    | \$5,000                    |
| TEN   | September 21, 2001 | HSBC Bank                 | Floridino's          | \$15,000                   |

| COUNT    | DATE                | ORIGINATING<br>BANK/BROKER      | SOURCE<br>ENTITY               | CHECK/WIRE<br>TRANSFER AMOUNT |
|----------|---------------------|---------------------------------|--------------------------------|-------------------------------|
| ELEVEN   | October 5,<br>2001  | Chase<br>Manhattan              | Basbun Food<br>Corp.           | \$7,500                       |
| TWELVE   | October 9,<br>2001  | Sierra<br>Brokerage<br>Services | Unified<br>Telecom<br>Services | \$7,500                       |
| THIRTEEN | October 12,<br>2001 | Sierra<br>Brokerage<br>Services | Unified<br>Telecom<br>Services | \$7,500                       |
| FOURTEEN | November 2,<br>2001 | Marine<br>Midland               | Unique Food<br>Concepts        | \$10,000                      |
| FIFTEEN  | November 2,<br>2001 | Marine<br>Midland               | RCI General<br>Contracting     | \$10,000                      |

(Title 18, United States Code, Sections  
1956(a)(1)(A)(i), 1956(a)(1)(B)(i), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION  
FOR COUNTS ONE THROUGH FIVE

34. The United States hereby gives notice to the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, also known as "Christopher Quintana," JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, also known as "Mario Rodriguez," VLADIMIR ZISKIND, also known as "Walter Ziskind," and VLAD GOLDENBERG that, upon their conviction of any of the offenses charged in Counts One through Five, the Government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and 1956(c)(7)(A), and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property

constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

35. If more than one defendant is convicted of any of the offenses charged in Counts One through Five, the defendants so convicted are jointly and severally liable for the forfeiture obligations described in paragraph 34 above.

36. If any of the above-described forfeitable property, as a result of any act or omission of the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, VLADIMIR ZISKIND and VLAD GOLDENBERG:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(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 divided without difficulty;

it is the intent of the Government, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants NICK PIRGOUSIS, FRANK DOLNEY, QUENTIN

QUINTANA, JOSEPH FERRAGAMO, JOHN DONADIO, ROCCO J. DONADIO, WILLIAM G. BROWN, GARY TODD, MARIO CASIAS, VLADIMIR ZISKIND and VLAD GOLDENBERG up to the value of the forfeitable property described in subparagraphs 36(a) through 36(e) above.

(Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION  
FOR COUNTS SIX THROUGH FIFTEEN

37. The United States hereby gives notice to the defendants NICK PIRGOUSIS, WILLIAM G. BROWN and GARY TODD that, upon their conviction of any of the offenses charged in Counts Six through Fifteen, the Government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), of all property involved in each offense in violation of Title 18, United States Code, Section 1956, or conspiracy to commit such offense, and all property traceable to such property as a result of the defendants' conviction or convictions of any or all of Counts Six through Fifteen, for which the defendants are jointly and severally liable.

38. If any of the above-described forfeitable property, as a result of any act or omission of the defendants NICK PIRGOUSIS, WILLIAM G. BROWN and GARY TODD:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(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 divided without difficulty;

it is the intent of the Government, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants NICK PIRGOUSIS, WILLIAM G. BROWN and GARY TODD, up to the value of the forfeitable property described in subparagraphs 38(a) through 38(e) above.

(Title 18, United States Code, Section 982(a)(1))

A TRUE BILL

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FOREPERSON

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ROSLYNN R. MAUSKOPF  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK