

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v - : INDICTMENT
:
GREGG PIERLEONI, : 14 Cr.
:
Defendant. :
:
- - - - - X

COUNT ONE

(Mail Fraud)

The Grand Jury charges:

BACKGROUND

1. Unless specified otherwise, at all times relevant to this Indictment:

a. From in or about September 1987 to in or about April 2013, GREGG PIERLEONI, the defendant, was the Chief Financial Officer of a privately held moving and storage company that maintained its headquarters in Westchester County, New York (the "Moving Company").

b. As Chief Financial Officer, PIERLEONI was authorized by the Moving Company to write checks drawn on, and transfer funds from, bank accounts held by the Moving Company and a related entity to pay the Moving Company's expenses and to manage its funds. PIERLEONI maintained the records relating to these bank accounts.

2. From in or about October 2006 to in or about April 2013, GREGG PIERLEONI, the defendant, without authorization, wrote checks drawn on, and transferred funds from, bank accounts held by the Moving Company and a related entity to pay his personal credit card bills and other personal expenses. The items and services PIERLEONI purchased using the Moving Company's funds in this manner included collectible items, sports memorabilia, airline tickets and other travel expenses, artwork, tickets to sporting events and meals in restaurants. During this period, PIERLEONI paid more than \$5.7 million in personal expenses with funds belonging to the Moving Company and a related entity.

STATUTORY ALLEGATION

3. From in or about October 2006 to in or about April 2013, in the Southern District of New York and elsewhere, GREGG PIERLEONI, the defendant, having devised and intending to devise a scheme and artifice to defraud the Moving Company, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice, and attempting to do so, knowingly placed in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and knowingly caused to be delivered by mail according to the direction thereon, such matter and thing, specifically, PIERLEONI mailed to American Express checks

made payable to American Express that he drew from bank accounts held by the Moving Company and a related entity to pay the balance on his personal American Express Platinum Card account.

(Title 18, United States Code, Sections 1341 and 2.)

COUNT TWO

(Wire Fraud)

4. The allegations set forth in paragraphs 1 and 2 are repeated and realleged as it set forth fully herein.

5. From in or about October 2006 to in or about April 2013, in the Southern District of New York and elsewhere, GREGG PIERLEONI, the defendant, having devised and intending to devise a scheme and artifice to defraud the Moving Company, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice, knowingly transmitted and caused to be transmitted by means of wire communications in interstate commerce, writings, signs, signals, pictures, and sounds, specifically, PIERLEONI caused wire transfers of money from bank accounts in New York held by the Moving Company to accounts held by American Express in Arizona to pay the balance on his personal American Express Platinum Card account.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATION

6. As the result of committing the mail fraud and wire fraud offenses in violation of Title 18, United States Code, Sections 1341 and 1343 as charged in Counts One and Two of this Indictment, GREGG PIERLEONI, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses.

Substitute Asset Provision

7. If any of the above-described forfeitable 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 comingled 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 the defendant up to the value of the above forfeitable property.

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

FOREPERSON

PREET BHARARA
United States Attorney