

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 08-
: :
: 18 U.S.C. § 1951(a)
v. : :
: :
: :
JOHN MEDINA : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. At all times material to this Information:

a. Defendant JOHN MEDINA was a member of the Zoning Board of Adjustment of Union City, New Jersey. The Union City Zoning Board of Adjustment considered various plans for building and development in Union City, approving building and development that met its criteria, municipal ordinances and state law. Defendant MEDINA also was employed by the Union City Board of Education as an attendance and truant officer at Emerson High School in Union City. Defendant MEDINA also held himself out to be a close associate of other supervisory level personnel in Union City Government.

b. There was a Witness who was attempting to construct a multi-use, six-story building on Summit Avenue in Union City, New Jersey ("the Witness"). The Witness engaged in interstate commerce in connection with the Witness's business, which included the building project and the purchase of goods and

services from outside the State of New Jersey. From approximately 2003 to 2004, the Witness had difficulty obtaining the renewal of necessary permits and approvals to construct the building.

2. In or about January, 2005, defendant JOHN MEDINA solicited and attempted to obtain money and other benefits from the Witness in exchange for defendant MEDINA's official assistance in securing the renewal of necessary permits and official approvals for the Witness's building project, as follows:

a. The Witness recorded material portions of a meeting that defendant JOHN MEDINA had with the Witness in the Witness's car in the vicinity of 23rd Street and Summit and Central Avenues in Union City in or about early January, 2005. During that conversation, defendant MEDINA advised the Witness that he did not "trust" discussing portions of the corrupt payment scheme in the Witness's car because of his concern that he was being recorded somehow, possibly through a "GPS" (Global Positioning System) that some cars now have. Therefore, defendant MEDINA asked the Witness to "step out" of the car to continue their discussion. Defendant MEDINA then solicited and demanded \$35,000 from the Witness in connection with defendant MEDINA's official assistance in securing the renewal of necessary permits and approvals for the building project.

b. After returning to the car, and during a recorded portion of the conversation, defendant JOHN MEDINA confirmed to the Witness that he was looking for "35" to get the "whole thing"

done. Defendant MEDINA also indicated that he wanted to be the "real estate person" on the building project, meaning that, among other things, he would be involved in identifying individuals to rent space in the building. The Witness responded to defendant MEDINA's demand for \$35,000 by asking MEDINA if the Witness could give MEDINA a lesser amount--\$20,000. Defendant MEDINA observed that for \$20,000 the Witness should not expect that much. The Witness indicated that all the Witness was expecting was that defendant MEDINA and others make it easy for the building project during its inspection by Union City authorities and that the Witness's permits be turned over to the Witness that coming Monday. Defendant MEDINA agreed to that request.

c. Thereafter, defendant JOHN MEDINA agreed to accept the corrupt payment in installments of either four, \$5,000 payments or two, \$10,000 payments.

3. In or about January, 2005, in Hudson County, in the District of New Jersey and elsewhere, defendant

JOHN MEDINA

did knowingly and willfully attempt to obstruct, delay, and affect interstate commerce, and the movement of articles and commodities in commerce, by extortion under color of official right, namely by agreeing to obtain a sum of money from the Witness, with his consent, in exchange for exercising and agreeing to exercise defendant MEDINA's official influence as a member of Zoning Board of Adjustment of Union City, New Jersey in favor of the Witness.

In violation of Title 18, United States Code, Section
1951(a).

CHRISTOPHER J. CHRISTIE
United States Attorney