
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
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GUY CATRILLO : Mag. No. 09-8130 (MCA)

I, Robert J. Cooke, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

From in or about February 2009 to in or about May 2009, in Hudson County, in the District of New Jersey and elsewhere, defendant

GUY CATRILLO

and others did knowingly and willfully attempt to obstruct, delay, and affect interstate commerce by extortion under color of official right, by accepting and agreeing to accept corrupt payments that were paid by another, with that person's consent, for defendant GUY CATRILLO's benefit, in exchange for defendant GUY CATRILLO's official assistance as specific opportunities arose.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Robert J. Cooke, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
July ___, 2009, at Newark, New Jersey

HONORABLE MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

I, Robert J. Cooke, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have personally participated in this investigation and am aware of the facts contained herein, based upon my own participation in this investigation, as well as information provided to me by other law enforcement officers. Because this Attachment A is submitted for the limited purpose of establishing probable cause, I have not included herein the details of every aspect of the investigation. Statements attributable to individuals contained in this Attachment are related in substance and in part, except where otherwise indicated. All contacts discussed herein were recorded, except where otherwise indicated.

1. At all times relevant to this Complaint, defendant GUY CATRILLO (hereinafter, "defendant CATRILLO") served as a Planning Aide for the Jersey City, New Jersey, Division of City Planning ("JCDCP") or as an official in the Jersey City Mayor's Action Bureau. In the planning aide position, defendant CATRILLO helped administer and provided staff support to the Jersey City Planning Board, the Jersey City Zoning Board of Adjustment and the Jersey City Historic Preservation Commission (together, the "Development Authorities"). In addition, defendant CATRILLO processed, reviewed and made recommendations concerning real estate development applications for the Development Authorities and, according to himself, handled tax abatements. In his position at the Mayor's Action Bureau, defendant CATRILLO conducted case work involving constituents and citizens. Defendant CATRILLO also was a candidate for election to the Municipal Council of Jersey City (Ward E) held on or about May 12, 2009. Ultimately, he did not prevail.

2. At all times relevant to this Complaint:

(A) There was an individual who served as the Vice President of the Jersey City Board of Education (until on or about May 2009), and a commissioner of the Jersey City Housing Authority ("JC Official 1");

(B) There was an individual who represented himself to be the owner of a consulting firm based in Jersey City (the "Consultant");

(C) There was an individual who was an official with the Jersey City Department of Health and Human Services ("HHS") and was a member of the Jersey City Zoning Board of Adjustment (the "Zoning Board") ("JC Official 2"); and

(D) There was a cooperating witness (the "CW") who had been

charged with bank fraud in a federal criminal complaint in May 2006. Thereafter, for the purposes of this investigation conducted by the FBI, the CW posed as a real estate developer interested in development in the greater Jersey City area. The CW represented that the CW did business in numerous states, including New York and New Jersey, and that the CW paid for goods and services in interstate commerce.

3. On or about February 4, 2009, defendant CATRILLO, JC Official 2 and the CW met at a restaurant in Jersey City. During this meeting, defendant CATRILLO was advised by the CW that the CW was interested in developing real estate in Jersey City, and that the CW was looking for government officials that the CW could "own," who could get the CW "approvals" for the CW's projects, and who were not "straight arrows."

4. Defendant CATRILLO then agreed to accept \$10,000 from the CW "to start" and agreed to accept more payments as the approvals started and as defendant CATRILLO began to introduce the CW to other officials who also could assist the CW with the CW's real estate development interests in Jersey City.

5. On or about February 9, 2009, defendant CATRILLO, JC Official 2 and the CW met at a restaurant in Weehawken, New Jersey. Before JC Official 2 arrived for the meeting, defendant CATRILLO accepted \$5,000 in cash from the CW. As defendant CATRILLO accepted this payment, defendant CATRILLO was informed by the CW that defendant CATRILLO was receiving this payment "to start." Additionally, defendant CATRILLO agreed to assist the CW with the CW's "approvals," to "expedite" such approvals in connection with the CW's real estate development interests in Jersey City, and to introduce the CW to other individuals who could assist the CW with these matters.

6. On or about March 16, 2009, defendant CATRILLO, JC Official 2 and the CW met at a restaurant in Weehawken, New Jersey. During the meeting, defendant CATRILLO indicated that the Jersey City Municipal Council voted on every zoning change. The CW, alluding to the fact that defendant CATRILLO would likely be elected to the Council, remarked that this was "music to my ears" because "I got you opposite me." Defendant CATRILLO then replied, "But I don't know you though [meaning defendant CATRILLO would not acknowledge their prior relationship]," to which the CW stated: "That's right. That's how we do business. No one knows me. You never saw me. You don't know my name. No trace or nothing man. . . ." Defendant CATRILLO also indicated that he could talk to other council members with respect to prospective approvals or zoning changes for the CW. After the meeting in the restaurant, defendant CATRILLO and the CW continued to discuss

matters outside of the restaurant, where defendant CATRILLO agreed to, among other things, expedite prospective development matters for the CW that would come before Jersey City government's planning department. Thereafter, defendant CATRILLO accepted \$5,000 in cash. Defendant CATRILLO stated that he was going to put this money "directly" into the campaign. Defendant CATRILLO went on to state that ultimate approvals and zoning changes could not be guaranteed by defendant CATRILLO, citing one example where one project was not carried forth due to public pressure. Thereafter, the CW asked defendant CATRILLO if the CW had defendant CATRILLO's support, to which defendant CATRILLO answered, "Yes." Defendant CATRILLO further indicated that he would introduce the CW to other council members and community groups to assist the CW with obtaining approvals for the CW's development projects.

7. On or about March 24, 2009, defendant CATRILLO met JC Official 1, the Consultant and the CW at a diner in Jersey City. At the start of the meeting, defendant CATRILLO was informed by JC Official 1 that once defendant CATRILLO was elected to the city council, the CW would be looking for defendant CATRILLO's help with respect to the CW's purported development issues, including issues related to a project on Garfield Avenue. Defendant CATRILLO thereafter indicated that he was "pro development." Defendant CATRILLO further indicated that if he was elected, it would make sense for defendant CATRILLO to serve as the city council's designee on one of the land-use boards. This would have the effect of making defendant CATRILLO more valuable to the CW's purported development efforts in Jersey City. At the conclusion of this meeting, defendant CATRILLO was informed by the CW that the CW would give defendant CATRILLO another \$5,000 and that defendant CATRILLO should not forget the CW on development matters involving the CW.

8. On or about April 2, 2009, at approximately 9:17 a.m., FBI agents intercepted an incoming call from defendant CATRILLO to the Consultant's cell phone. During the conversation, defendant CATRILLO stated that the CW's "style is not right for some people." The Consultant responded that defendant CATRILLO and the Consultant should meet because the CW was "talking a substantial number," which is believed to be a reference to the amount of the payment that the CW had been offering in exchange for defendant CATRILLO'S contemplated official assistance. Defendant CATRILLO was informed by the Consultant that the CW had asked the Consultant to select "4 or 5 council people" whom the Consultant believed to be "worthy of a donation," a reference to the money that the CW was willing to offer in exchange for candidates' anticipated official assistance in favor of the CW's purported development initiatives in Jersey City. The Consultant mentioned that when the Consultant had brought up defendant

CATRILLO to the CW, the Consultant had been informed by the CW, "I've already taken care of Guy [CATRILLO]." Later in the conversation, defendant CATRILLO also was assured by the Consultant that "in E Ward, you're the only one on the list."

9. On or about April 23, 2009, defendant CATRILLO met the Consultant and the CW at a diner in Jersey City. During this meeting, defendant CATRILLO was informed by the CW of the need for a zone change with respect to the CW's purported development of a property on Garfield Avenue in Jersey City and that the CW wanted defendant CATRILLO to expedite the CW's approvals. Defendant CATRILLO further was informed by the CW that the CW had \$5,000 in cash for defendant CATRILLO and would give defendant CATRILLO another \$5,000 after the election, to which defendant CATRILLO responded, "Okay." Defendant CATRILLO further responded, "No, not at all," in response to the CW's statement "just don't forget me." Later in the conversation, defendant CATRILLO agreed with the CW that the CW's name would not be reported in connection with the receipt of this money. Thereafter, defendant CATRILLO accepted \$5,000 in cash in an envelope from the CW outside of the diner. During this portion of the conversation, the CW asked defendant CATRILLO to make sure to expedite the CW's matters. Defendant CATRILLO shook the CW's hand and, shortly thereafter, referring to the money, said that "it" would keep everybody "going" and "trust me."

10. On or about April 27, 2009, at approximately 5:46 p.m., FBI agents intercepted an incoming call from defendant CATRILLO to the Consultant's cell phone. During the conversation, the Consultant asked defendant CATRILLO, "Did you get the money from [the CW] when we saw him the other day [April 23rd]?" Defendant CATRILLO replied, "Yeah, I, I took care of that. Yeah." The Consultant responded, "Okay, good. Then I won't push to get it." Defendant CATRILLO then indicated that he had already put the cash to use, noting that "[y]eah, so, you know, that's, that's going out to, uh, you know, to the streets."

11. On or about May 14, 2009, at approximately 2:44 p.m., FBI agents intercepted an incoming call from defendant CATRILLO to the Consultant's cell phone. During this conversation, defendant CATRILLO asked the Consultant if the Consultant knew a "fellow named [SR], a developer?" The Consultant said, "[SR], sounds familiar." Defendant CATRILLO told the Consultant that SR "might be our friend's [the CW's] partner or something. He called up looking for me because I helped him once with Canal Crossings and the city's got a four-acre site on Garfield Avenue that he's looking for height and he wanted me to help him with the mayor and see if there's any promotions that were done on it." The Consultant said, "Okay." Defendant CATRILLO continued, "I think it's the same piece of property [that the CW wanted to

develop],” and the Consultant agreed, “[s]ounds like it to me.” Defendant CATRILLO said, “So just in case he’s a friend of our friend [the CW], remember the name [SR]. I have a phone number too.” The Consultant said, “Okay, very good.”

12. On or about May 14, 2009, at approximately 4:40 p.m., FBI agents intercepted an outgoing call from the Consultant’s cell phone to defendant CATRILLO. During this conversation, the Consultant said, “The information on that guy [meaning SR] is that he’s trying to be, ah, a dealmaker between [the CW] and [the CW’s] partner from Union City and the owner of the property.” Defendant CATRILLO said, “Then you don’t need him.” Defendant CATRILLO also said, “Very good, I’m glad I called.” The Consultant said, “But that’s good information, I very much appreciate it.”

13. On or about May 26, 2009, at approximately 9:56 a.m., FBI agents intercepted an incoming call from defendant CATRILLO to the Consultant’s cell phone. During this call, defendant CATRILLO said: “We’re trying for [the Jersey City Planning Director] again today?” The Consultant replied: “Yeah, please.” The Consultant asked defendant CATRILLO: “Should I just call him or are you going to check it out?” Defendant CATRILLO said: “I’ll call him right, hold on, I’ll call him on the other phone.” As the Consultant held, defendant CATRILLO’s end of the conversation on his other phone could be heard over the Consultant’s cell phone. Defendant CATRILLO asked the Planning Director: “Do you have five minutes to share with [the Consultant]? He wants to ask you about a [certain] project. . . .” Defendant CATRILLO then asked the Planning Director, “Can I have [the Consultant] call you now? . . . I’ll send him over to [a particular extension].” Shortly thereafter, over the Consultant’s cell phone, the Consultant and the Planning Director discussed this project. The Consultant indicated that the CW was interested possibly in purchasing this project.