
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**

v. :

LEVI DEUTSCH, a/k/a "Levi Deutch," : Mag. No. 09-3616
a/k/a "Levi Deutse," and BINYOMIN
SPIRA, a/k/a "Benjamin E. Spira" :

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

From in or about March 2009 to in or about May 2009, in Monmouth County, in the District of New Jersey, and elsewhere, defendants LEVI DEUTSCH, a/k/a "Levi Deutch," a/k/a "Levi Deutse," and BINYOMIN SPIRA, a/k/a "Benjamin E. Spira," and others did:

knowingly and willfully conspire to conduct and attempt to conduct financial transactions involving property represented to be the proceeds of specified unlawful activity, specifically, trafficking in counterfeit goods, with the intent to conceal and disguise the nature, location, source, ownership, and control of the property believed to be proceeds of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(3).

In violation of Title 18, United States Code, Section 1956(h).

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 MARK FALK
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 this 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 as otherwise indicated.

1. Defendant Levi Deutsch, a/k/a "Levi Deutch," a/k/a "Levi Deutse," (hereinafter, "defendant DEUTSCH"), was an Israeli citizen. Defendant DEUTSCH operated a tax-exempt charitable organization called "Tzedek Levi Yitzkak." A check with the New Jersey Department of Banking and Insurance and the New York State Department of Banking has revealed that defendant DEUTSCH does not hold a license to transmit or remit money.

2. Defendant Binyomin Spira, a/k/a "Benjamin E. Spira," (hereinafter, "defendant SPIRA"), a resident of Brooklyn, New York, was employed at a bakery in the Flatbush section of Brooklyn. A check with the New Jersey Department of Banking and Insurance and the New York State Department of Banking has revealed that defendant SPIRA does not hold a license to transmit or remit money.

3. At all times relevant to this Complaint:

(a) There was a coconspirator named Mordchai Fish, a/k/a "Mordechai Fisch," a/k/a "Martin Fisch," (hereinafter, "Coconspirator Fish"), who was a resident of Brooklyn, and served as a rabbi of Congregation Sheves Achim, a synagogue located in Brooklyn. Coconspirator FISH operated several tax-exempt charitable organizations, including one called "BGC". A check with the New Jersey Department of Banking and Insurance and the New York State Department of Banking has revealed that Coconspirator Fish does not hold a license to transmit or remit money; and

(b) There was a cooperating witness (the "CW") who had been charged in a federal criminal complaint with bank fraud in or about May 2006. Pursuant to the FBI's investigation and under its direction, the CW from time to time represented that the CW

purportedly was engaged in illegal businesses and schemes including bank fraud, trafficking in counterfeit goods and concealing assets and monies in connection with bankruptcy proceedings.

4. On or about March 4, 2009, Coconspirator Fish met with the CW on a street corner in the Boro Park section of Brooklyn. The two then began to drive in the CW's car to a grocery store which Coconspirator Fish indicated would be the location where they would retrieve the cash in exchange for four bank checks totaling \$50,000 brought by the CW and provided to Coconspirator Fish. Coconspirator Fish explained that when they arrived at the grocery store, "I'll go in first." Coconspirator Fish further explained, referring to the individual at the grocery store, "[t]his is, this is a middleman. The main guy is in Williamsburg. He send it over here." The CW replied "[o]h, I thought it was Levi from Israel," to which Coconspirator Fish responded "Levi--Israel send it here," and reiterated that the drop off of the cash had been arranged by "Levi." As the two continued to drive, the CW mentioned the cross streets to which they were headed, causing Coconspirator Fish to remark "I'm nervous now Don't even say the street . . . in this car." The CW assured Coconspirator Fish that "[t]here's nothing. I had [the car] swept. Don't worry about it," to which Coconspirator Fish replied "swept, shmept." As the two neared the grocery store, Coconspirator Fish reiterated that "[i]t's a grocery store . . . he's just a middleman. The guy drops it here." A short while later, Coconspirator Fish and the CW entered a grocery store located near 16th Avenue in Brooklyn whereupon Coconspirator Fish consulted with an unidentified male working at the store. The CW and Coconspirator Fish then reentered the CW's vehicle, and Coconspirator Fish confirmed that the white plastic bag he was holding contained the cash for the deal. The CW and Coconspirator Fish then drove to Coconspirator Fish's synagogue whereupon Coconspirator Fish removed the cash from the white, plastic bag. Coconspirator Fish and the CW then began counting the cash which was packaged in bundles of \$100 bills.

5. Before Coconspirator Fish and the CW had completed counting the cash, defendant DEUTSCH arrived as Coconspirator Fish had promised. Shortly after defendant DEUTSCH sat down, Coconspirator Fish told defendant DEUTSCH that the CW "wants to know how much more gemoras are you doing?" "Gemoras" was a code word which Coconspirator Fish had previously told the CW to use when referring to cash. Defendant DEUTSCH laughed at Coconspirator Fish's question, and the CW remarked "[e]very day, a hundred, sometimes two, three hundred a week." Defendant

DEUTSCH then told the CW "[m]y name is Levi DEUTSCH." Defendant DEUTSCH encouraged the CW to join him as a partner in setting up charitable organization accounts through which other individuals' money could be moved for a fee. Defendant DEUTSCH related that he already ran such accounts, and explained their operation to the CW in the following terms: "you have people, let's say, who have big checks every day. But I don't deal with people in the street. I just deal with people--big changers." Defendant DEUTSCH continued by explaining, "[t]hey, they, they don't wanna put in all these checks in one," at which point the CW interjected "[t]hey don't want anyone to see what's going on." Defendant DEUTSCH replied "[y]es," and continued "in one [account] --it's too much money. So we have opened an account . . . like a charity." The CW noted, referring to a charitable organization, "[s]o, it looks good like a gemach or something," and defendant DEUTSCH responded "[y]eah, and we put it over there." Defendant DEUTSCH explained that "[f]or every ch--, for every check, every check . . . we take two percent, three percent." Defendant DEUTSCH asserted that this activity was not illegal in Israel, but noted that "I have over here [a] charity," which defendant DEUTSCH named as Tzedek Levi Yitzkak, and added that he used bank accounts in the United States including accounts at "some [New] Jersey banks." As the conversation continued, defendant DEUTSCH stated to the CW that "[l]et's say if you're gonna be my partner. First of all, the money--what you put in--you could wash it." Moments later, the CW asked what would happen if "I put in a million dollars," into the U.S.-based charitable account which defendant DEUTSCH had indicated he controlled. Defendant DEUTSCH replied that "I'll give it back to you. First of all, first of all, I could give it back cash to you . . . in America." The CW inquired as to the source of the cash, and defendant DEUTSCH replied that "I have people over here," and referred to "our people who have Switzerland money." The CW observed that while operating such accounts might not be illegal in Israel, "over here, you got to be very careful 'cause it's illegal." As the conversation proceeded, the CW inquired as to the volume of defendant DEUTSCH's business, asking "[b]ut you could handle a million dollars a month, no problem?" Defendant DEUTSCH replied "[y]es, no problem." The CW then inquired "if I give you a million dollar check on Monday, how, how quickly can you get me back my money?" In response, defendant DEUTSCH stated "I could give it back to you in a week," but added that as far as any checks the CW provided, "[i]t has to be bank checks." A short while later, the CW and defendant DEUTSCH discussed the CW's business, and the CW explained that "I got a bag, you know, they make pocketbooks? Prada, Gucci, fancy stuff, Canali, you know, the fancy bags? They sell for two, three thousand in the store. I make 'em for forty dollars, I sell 'em . . . for two

hundred dollars. They're knock-off bags." The CW added, referring to the proceeds of the bank check the CW had brought that day, "I have profits." As defendant DEUTSCH continued to encourage the CW to enter into a partnership with him, the CW pointed out that "[w]e can't talk on the phone." In response, defendant DEUTSCH stated "I'm gonna make a hint with you. There are certain codes. Like let's say, when I say . . . I want hundred thousand dollars, I say 'one cow,' 'a cow-and-a-half.'" In response to the CW's question, defendant DEUTSCH confirmed that "a cow-and-a-half," would mean "150" thousand dollars. Defendant DEUTSCH inquired again as to the nature of the CW's business, and the CW explained that "I got a, a bag business, knock-off business . . . Instead of a two thousand dollar fancy bag, I use the same label. I make two-hundred dollar counterfeit bags. We're knock-off bags. . . . It's the profits from the bag business." At the conclusion of the meeting, defendant DEUTSCH told the CW "[i]f they catch you, you could sit in jail," to which the CW replied "and what we're doing with the cash is the same thing here. We gotta be careful." The CW then departed with approximately \$45,000 in cash from the amount picked up earlier at the grocery store.

6. On or about May 6, 2009, Coconspirator Fish met with the CW in the Boro Park section of Brooklyn. At the start of the meeting, which took place at Coconspirator Fish's synagogue, Coconspirator Fish informed the CW that defendant DEUTSCH would be arriving shortly. The CW inquired "so he's not bringing the money?" Coconspirator Fish indicated that he expected to pick up the money, but did not "know [the] exact time." Coconspirator Fish explained that "[defendant DEUTSCH's] got the connections. His connections." A short while later, defendant DEUTSCH arrived. During the meeting, Coconspirator Fish indicated that "we have 300 [thousand] in New York now." As the conversation continued, the CW told defendant DEUTSCH that "I got my pocketbook business . . . we make the fancy bangs. . . You know, they make the fancy bags. This, a bag like this for three thousand? . . . I make the same bag. I put the label on. It costs me twenty dollars. I sell it for two hundred." Defendant DEUTSCH replied "I know, I understand." The CW next referred to the CW's "fake bags, the counterfeit bags," and stated "right now, we make 'em there, the money comes in." The CW further informed defendant DEUTSCH of the purported nature of the CW's counterfeit bag business in the following terms: "we make 'em, we ship 'em, and we make money. . . . The money comes into New York, and we ship it overseas to another bank--we wire it. And then it comes back to New Jersey to the bank." The CW then added that "then we bring bank checks," a reference to the bank checks that the CW had brought that day, including a \$40,000 bank check drawn

upon an account in Monmouth County, New Jersey, and made out to BGC, a "gemach" or charitable organization, at the direction of Coconspirator Fish. After handing the check to defendant DEUTSCH, the CW and defendant DEUTSCH discussed alternative ways of conducting future transactions. The CW asked, referring to the cash which the CW expected to receive that day, "the hundred thousand dollars from today, that's, that's from you?" Defendant DEUTSCH replied "[y]es, yes." The CW then asked "how do you get the money, from one of your people?" Defendant DEUTSCH explained "[y]es, I have over here people that, that have every time cash." The CW inquired as to the source of the cash, and defendant DEUTSCH replied "[l]argely, diamond, diamond business [and] other, other things." Coconspirator Fish then explained to the CW from where they were to retrieve the cash that day, stating, "it was early, early in the morning, uh, and the guy works at the bakery in Flatbush, but he, but, uh, the morning bag he gave away." Coconspirator Fish added, referring to defendant SPIRA, "[h]e's getting, uh, he's getting this afternoon another hundred [thousand]--two hours, two, three hours." The CW told Coconspirator Fish that "I only have a hundred today. Friday, I'll have another hundred."

7. On or about May 7, 2009, defendant DEUTSCH and Coconspirator Fish met with the CW in the Boro Park section of Brooklyn to complete the money laundering transaction from the previous day. After parking the CW's vehicle near the corner of 14th Avenue and 44th Street, the CW met defendant DEUTSCH and Coconspirator Fish on the sidewalk, and all three reentered the CW's vehicle. Coconspirator Fish informed the CW that the location where they would pick up the cash for the transaction was "a bakery," and quipped "[b]ecause he bakes the money." The CW asked how it was that the person at the bakery had "so many gemoras," and Coconspirator Fish replied "[o]h, the bakery's just the middleman." The CW inquired "what's the source? Where's it from?" Coconspirator Fish replied "this is all from diamonds. All from, eh, banks . . ." The CW continued to press defendant DEUTSCH about the source of the cash, prompting defendant DEUTSCH to assure the CW that "[i]t's not drug money." As the conversation continued, defendant DEUTSCH indicated that they generally used a counting machine to count the cash, but indicated that the cash they would retrieve that day had been counted already. A short while later, defendant DEUTSCH, Coconspirator Fish and the CW entered a bakery located on Avenue M in Brooklyn whereupon defendant DEUTSCH and Coconspirator Fish engaged defendant Spira in conversation. After defendant SPIRA had provided them with a bag containing a large sum of cash, defendant DEUTSCH, Coconspirator Fish and the CW reentered the CW's vehicle. Subsequently, the three discussed plans to

continue to launder money generated from the CW's purported counterfeit handbag business. The CW stated that "we have to get the money--the gemoras--from this, uh, these bags, these pocketbooks, you know, those knock-off ones that I make. I got to get it. We get the money here. We deposit it in New York. Then we send it to New Jersey. Then we, then we're gonna send it to Turkey probably. Then from Turkey, I'm gonna send it to Switzerland. Then you get it to Israel, no?" Defendant DEUTSCH suggested "[m]aybe I just send it into a company in Switzerland . . . the company will send it to me." Defendant DEUTSCH indicated that "I have an account too . . . I have a big banker over there . . . in Switzerland." Defendant DEUTSCH described this individual as owning "two, three banks," prompting the CW to ask "[y]ou got to pay him to wash the money or he does it for free?" Defendant DEUTSCH replied "[n]o, no, I have to pay him, sure." The CW next inquired "[w]hat's [the banker] gonna charge for a million dollars--a point, ten grand?" Defendant DEUTSCH responded "[n]o. More. . . . Two, three points." A short time later, Coconspirator Fish exited the vehicle, and defendant DEUTSCH indicated to the CW that he would like to deal with the CW directly rather than through Coconspirator Fish. The two began negotiating a fee that defendant DEUTSCH would receive for laundering the CW's money, and defendant DEUTSCH indicated that he received a three percent fee from Coconspirator Fish for deals, but added that "I want to make a little more. I should make something. I don't make a very lot." The CW indicated that "[w]e'll give you four, four points," and the two agreed to talk further by phone. Coconspirator Fish then reentered the CW's car, and the CW then drove to the Boro Park hotel at which defendant DEUTSCH was staying. Once in defendant DEUTSCH's hotel room, the CW and Coconspirator Fish counted the cash, during which time Coconspirator Fish indicated that he would like to receive a greater amount than the ten percent he had agreed to accept from the CW as his fee. Subsequently, the CW provided defendant DEUTSCH with the three bank checks made payable to "BGC," a "gemach" or charitable organization operated by Coconspirator Fish, and drawn upon an account at a Monmouth County-based bank. At the conclusion of the meeting, the CW departed with approximately \$90,000 of the cash which had been retrieved from defendant SPIRA at the bakery.

8. On or about May 13, 2009, the CW received an international telephone call in New Jersey from defendant DEUTSCH who was in Israel. During the conversation, the two discussed the bank checks that the CW was to bring the following day as part of a money laundering transaction. Defendant DEUTSCH told the CW that "I'll give you tomorrow [the phone] number. Tomorrow morning, you'll go there and pick it up." Subsequently, the CW

stated "[s]o call me at like 9 o'clock. Give me the information so I can, you know, 'cause I have to go to New Jersey, uh, to pick up, uh, the checks from my, uh, my knock-off bag business. So just call me in the morning so I'll pick 'em up in New Jersey." Defendant DEUTSCH agreed to call the CW the following morning, and also informed the CW that he expected to travel from Israel to the United States "either next Thursday or the following week." The two then discussed the details of the transaction, and the CW asked "[s]o tomorrow, wha--, what am I picking up--ni--, uh, ninety-seven gemoras?" Defendant DEUTSCH replied "[y]es," but indicated that this amount would not include a fee that he would recoup. After discussing the amount of defendant DEUTSCH's fee, the CW stated "[o]kay, so three [percent] for him, and three for you. Okay, you got it, no problem."

9. On or about May 14, 2009, the CW received an international telephone call in New Jersey from defendant DEUTSCH who was in Israel. Defendant DEUTSCH stated that the name of the individual whom the CW was to meet to complete the money laundering transaction was "Mr. Spira." Defendant DEUTSCH also informed the CW that "I talked to my partner. . . He's gonna give you back [u/i] two-and-a-half [u/i] okay, not three. Two-and-a-half." By way of clarification, the CW asked "[s]o he's giving me back . . . ninety-seven-and-a-half gemoras?" Defendant DEUTSCH replied "[y]es, ninety-seven-and-a-half gemoras." The CW agreed to pay defendant DEUTSCH an additional amount when defendant DEUTSCH returned from Israel. Defendant DEUTSCH then asked "[d]id you bring your bank checks?" In reply, the CW informed defendant DEUTSCH that "I'm going to New Jersey now. I'm picking up, uh, the three, uh, bank checks. That's the profits from my, uh, you know, my knock-off, my bag business." Defendant DEUTSCH then supplied a telephone number for the individual whom he had identified as "Mr. Spira," and described him as the individual at "the bakery."

10. On or about May 14, 2009, the CW traveled to a bakery located on Avenue M in Brooklyn at the direction of defendant DEUTSCH. Upon arrival, the CW met with defendant SPIRA, who acknowledged that the two had met the previous week. Defendant SPIRA provided the CW with a plastic bag containing cash, stating "just make sure. Fifty, sixty, seventy-three, ninety, ninety-seven-fifty," referring to the cash that the CW was to receive as part of the laundering transaction arranged through defendant DEUTSCH. The CW responded "ninety-seven thousand five hundred gemoras. Okay, thanks. Now, let me give you this." The CW then handed defendant SPIRA three bank checks drawn upon an account at a Monmouth County-based bank, stating "these are bank checks."

Official checks . . . I got 'em from New Jersey from my business just now. Forty thousand, thirty thousand, and thirty thousand." Defendant SPIRA noted the payee listed on the checks and stated "BGC, whatever," prompting the CW to explain that "BGC" was the name of the entity defendant DEUTSCH told the CW to use. The CW then explained "[m]y business is, uh, BH. I have a handbag business. I make knock-off, you know, bags, you know." Defendant SPIRA asked "[w]hich one?" The CW replied "I make like, you know, hand--, like Zenya, Canali. They make fancy pocketbooks. . . See I make 'em for like twenty dollars. I sell 'em for a hundred dollars," prompting defendant SPIRA to reply "[u]h-huh," and to laugh. The CW, referring to the bank checks, added that "[t]hat's from profits from my business. I went to New Jersey, picked it up." The CW indicated that the CW had attempted to call defendant SPIRA using the telephone number provided by defendant DEUTSCH, but that nobody had answered the phone. Defendant SPIRA confirmed that the number was correct but indicated that defendant DEUTSCH had incorrectly provided a prefix of "917" when the actual prefix was "718." After the two briefly discussed defendant DEUTSCH, at which time defendant SPIRA noted that "you're working with Levi," the CW departed with approximately \$97,500 in cash.

11. Between in or about March 2009 and in or about May 2009, defendants DEUTSCH and SPIRA engaged in money laundering transactions with the CW totaling more than \$200,000 in funds represented by the CW to involve the proceeds of criminal activities.