

significantly lower than the City rates. Specifically, defendant BRIAN DALY paid Layre, in cash, \$10 per report, which was significantly less than the City of Philadelphia rate of \$25 per report. Defendant BRIAN DALY knew that Layre was accepting the cash for her personal use and not providing the cash payments to the City of Philadelphia.

4. On a weekly basis, defendant BRIAN DALY requested multiple reports from Layre and personally obtained the reports from Layre's office in the City of Philadelphia Records Department in City Hall. When DALY obtained the reports from Layre, DALY paid Layre in cash.

5. From on or about January 2007 through on or about February 2010, defendant BRIAN DALY obtained approximately 2,588 unauthorized reports from Layre, thus depriving the City of Philadelphia of approximately \$64,700 worth of fees for these reports. In exchange for these unauthorized reports, defendant BRIAN DALY gave Layre approximately \$25,880 in cash for her personal use.

6. On numerous occasions, from in or about January 2009 through on or about December 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

BRIAN DALY

corruptly gave, offered, and agreed to give a thing of value, that is cash payments totaling approximately \$8,240 to Kelly Kaufmann Layre, an employee in the City of Philadelphia Department of Records, Police & Fire Reports Unit and an agent of the City of Philadelphia, charged elsewhere, with the intent to influence and reward Layre, in connection with any business, transaction, or series of transactions of the City of Philadelphia involving something of value of \$5,000 or more, that is Layre's providing him with traffic accident reports and police

incident reports at a price significantly below the \$20,600 the Department of Records would charge for such reports.

In violation of Title 18, United States Code, Section 666(a)(2), (b).

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 666(a)(2), (b), set forth in Count One of this information, defendant

BRIAN DALY

shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, that constitutes or is derived from proceeds traceable to any offense constituting specified unlawful activity, as defined in Title 18, United States Code, Section 1956(c)(7).

SUBSTITUTE ASSETS

If any of the property described above as being subject to forfeiture, 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 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;

then it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c) and 21 U.S.C. 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28,
United States Code, Section 2461(c).

A TRUE BILL:

A handwritten signature in blue ink that reads "Peter F. Schenck for". The signature is written in a cursive style with a horizontal line underneath the name.

ZANE DAVID MEMEGER

United States Attorney