

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

: CRIMINAL NO. 09-00496

: DATE FILED:

v.

: VIOLATIONS:

JOSEPH LIGAMBI,

a/k/a "Uncle Joe,"

a/k/a "Unc,"

JOSEPH MASSIMINO,

a/k/a "Mousie,"

GEORGE BORGESI,

a/k/a "Georgie,"

MARTIN ANGELINA,

a/k/a "Marty,"

ANTHONY STAINO, JR.,

a/k/a "Ant,"

GAETON LUCIBELLO,

a/k/a "The Big Guy,"

a/k/a "Gate,"

DAMION CANALICHIO,

a/k/a "Dame,"

LOUIS BARRETTA,

a/k/a "Sheep,"

GARY BATTAGLINI,

ROBERT VERRECCHIA,

a/k/a "Boots,"

a/k/a "Bootsie,"

ERIC ESPOSITO,

ROBERT RANIERI,

a/k/a "Bobby,"

JOSEPH LICATA,

a/k/a "Scoops,"

LOUIS FAZZINI,

a/k/a "Big Lou"

: 18 U.S.C. § 1962(d) (RICO conspiracy - 1 count);

: 18 U.S.C. § 1962(c) (RICO - 11 counts);
18 U.S.C. § 892 (making extortionate

: extensions of credit & conspiracy - 2 counts);

: 18 U.S.C. § 893 (financing extortionate extensions of credit - 1 count);

: 18 U.S.C. § 894(a)(1) (collection of extensions of credit by extortionate means,

: conspiracy & attempt - 27 counts);

: 18 U.S.C. § 1512 (tampering with a witness - 1 count);

: 18 U.S.C. § 1955 (illegal gambling business - 6 counts);

: 18 U.S.C. § 371 (conspiracy - 2 counts);

: 18 U.S.C. § 664 (theft from employee benefit plan - 1 count);

: 18 U.S.C. § 2 (aiding and abetting - 42 counts);

: Notice of Forfeiture

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SECOND SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES:

THE ENTERPRISE

1. At all times relevant to this superseding indictment, defendants

JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"
JOSEPH MASSIMINO,
a/k/a "Mousie,"
GEORGE BORGESI,
a/k/a "Georgie,"
MARTIN ANGELINA,
a/k/a "Marty,"
ANTHONY STAINO, JR.,
a/k/a "Ant,"
GAETON LUCIBELLO,
a/k/a "The Big Guy,"
a/k/a "Gate,"
DAMION CANALICHIO,
a/k/a "Dame,"
LOUIS BARRETTA,
a/k/a "Sheep,"
GARY BATTAGLINI,
JOSEPH LICATA,
a/k/a "Scoops," and
LOUIS FAZZINI,
a/k/a "Big Lou,"

Louis Monacello (charged elsewhere), Peter Caprio (charged elsewhere), and others known and unknown to the grand jury, were members of and were associated with the Philadelphia organized crime family of La Cosa Nostra ("the Philadelphia LCN Family" or "the Enterprise"). The Philadelphia LCN Family, including its leadership, members, and associates, constituted an enterprise as defined in Title 18, United States Code, Section 1961(4), namely, a group of individuals associated in fact, although not a legal entity, which enterprise was engaged in, and

the activities of which affected, interstate and foreign commerce. The Philadelphia LCN Family constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

Structure of the Philadelphia LCN Family

2. La Cosa Nostra ("LCN") is a national and international criminal organization known to its members as "This Thing of Ours" and to the general public as the "Mafia" or the "Mob." The LCN has operated in substantially continuous fashion through a system of "families" based in various cities and regions of the United States, including but not limited to Philadelphia, New York, Chicago, New England, northern New Jersey and Florida, during much of the Twentieth Century and into the Twenty-First Century.

3. The geographical territories in which these families operate tends to overlap. For example, five LCN families, the Gambino LCN Family, the Genovese LCN Family, the Lucchese LCN Family, the Bonanno LCN Family and the Colombo LCN Family, are based in New York City, but operate throughout the Northeast and elsewhere. Because of this geographical overlap, diplomatic relationships and regular liaisons among LCN families are essential to avoid violent conflict.

4. Typically, LCN families are structured criminal organizations, each with a well-defined chain of command. LCN families typically feature a hierarchy that includes a "boss," an "underboss," one or more "caporegimes," and a "consigliere." Historically, the Philadelphia LCN Family has been organized and operated in this classic modality.

A. The "boss" is a formally initiated member who is the absolute ruler of the family. He wields life and death power and controls all of the LCN family's operations. He is

empowered to give orders to his subordinates in all matters and to overrule orders and decisions made by his subordinates. He has the authority to promote members of his LCN family into the hierarchy. Likewise, he has the authority to demote or “take down” a member of the hierarchy and to suspend a member from participation in the Enterprise’s criminal ventures, a practice referred to as “putting him on the shelf.” He designates the crew to which each individual “soldier” is assigned. The “boss” also has the authority to demand and receive as his own whatever share of the proceeds of the LCN family’s criminal activities he chooses.

B. The “underboss” is a formally initiated member who is second in command. He typically acts as the street boss, supervises the “caporegimes,” and insulates the boss from direct involvement in criminal activities committed on his behalf by members of the Enterprise.

C. The “consigliere” is a formally initiated member who acts as the advisor to the “boss” and the “underboss.” Typically, he is an experienced and well-respected mobster who can be counted on in matters involving inter-family diplomacy and the resolution of internal family disputes.

D. The “caporegimes,” also referred to as “capos,” “captains,” or “skippers,” are formally initiated members who lead, supervise and control the activities of one or more groups known as “regimes” or “crews” of individual “soldiers” and “associates.” The vast majority of day-to-day criminal activity committed in the conduct of the affairs of the LCN family is perpetrated by “soldiers” and “associates” at the crew level.

E. “Soldiers” are members of the family who have undergone a formal initiation ceremony by which they are “made” or “straightened out.” “Soldiers” recruit and

control the activities of various “associates.” Individual “soldiers” are said to be “with” the “caporegime” to whose crew they are assigned. Normally, members of the hierarchy were “soldiers” who, over the course of time, were promoted to positions of greater responsibility.

F. “Associates” are individuals who, though not “made,” are trusted by the “made members” to assist them in conduct of the LCN’s affairs through criminal activity. Each “associate” seeks the protection and economic benefits to be derived from such an association, typically aspires to membership in the LCN family, functions in a subordinate capacity to the “soldier” who controls him, and is said to be “with” that soldier and “with” that soldier’s “crew.” In order to attain formal membership, the associate first has to be “proposed” and, if deemed worthy, may be formally initiated.

G. During times when the hierarchy of a given LCN family is impaired because of incarceration of the leadership or intense law enforcement pressure, a single “acting boss,” or an “administration” consisting of several experienced and high-ranking members, may be designated to perform the duties and responsibilities of the “boss.” Likewise, an “acting underboss,” “acting consigliere,” and/or “acting caporegime(s)” may be designated.

5. The Philadelphia LCN Family has been in substantially continuous operation for much of the Twentieth Century into the Twenty-First Century. It is organized in the fashion outlined above in paragraphs 2, 3, and 4. Over the course of the past 40 years, its “bosses” and “acting bosses” have included Angelo Bruno, Philip Testa, Nicodemo Scarfo, Anthony Piccolo, John Stanfa, Ralph Natale, Joseph Merlino and JOSEPH LIGAMBI.¹ Historically, the

¹ Bruno, Testa, and Piccolo are now deceased. Scarfo, Stanfa, Natale and Merlino have been prosecuted, convicted and imprisoned in separate criminal prosecutions.

Philadelphia LCN Family has been based in Philadelphia and has operated primarily in Eastern Pennsylvania and southern New Jersey. However, the Philadelphia LCN Family also has had a “regime” operating in northern and central New Jersey and typically based in Newark for at least 40 years. Over the course of the past 40 years this crew has been headed by various “caporegimes,” including Ralph Napoli, Pasquale Martirano, Joseph Sodano, Peter Caprio and JOSEPH LICATA.²

Purposes of the Enterprise

6. The principal purposes of the Philadelphia LCN Family were: (a) to generate money for its members and associates through the commission of various criminal acts including, but not limited to: extortion, loansharking, illegal gambling, and the collection of unlawful debts; (b) to protect the Enterprise’s territory and promote its interests through violence, actual and implied threats of violence, and the cultivation and exploitation of the Enterprise’s reputation for violence; (c) to control, manage, finance, supervise, participate in, and set policy concerning the manner in which the Enterprise made money through illegal means; and (d) to conceal the existence and operations of the Enterprise from law enforcement detection through acts designed to obstruct justice.

Manner and Means of the Enterprise

7. The manner and means of the Enterprise, i.e. the Philadelphia LCN Family, included the following:

A. To supervise and control the activities of the Enterprise, the members and

² Napoli, Martirano and Sodano are now deceased. Caprio was prosecuted, convicted and imprisoned in a separate criminal prosecution.

associates of the Enterprise created, maintained, and honored a leadership structure, as previously described. Disloyalty to the current “boss” or recognized hierarchy, failure to abide by the chain of command or rules of protocol, or disobedience to orders could result in serious disciplinary action including bodily harm and death.

B. To increase the strength and revenues of the Enterprise and to perpetuate its existence, the members of the Enterprise “proposed” new members. The sons and relatives of made members of the Enterprise were given favored consideration for membership. The criteria for being “proposed” included, among other things:

1. That the person proposed for membership be loyal to the hierarchy of the Enterprise, willing to follow its orders without question, and be “a stand-up guy,” meaning a person who would refuse to cooperate with law enforcement authorities if arrested; and

2. That the person proposed for membership demonstrate the willingness and capability to commit crimes, including violent crimes, and to earn money through the commission of crimes as approved and directed by the hierarchy of the Enterprise. Usually, but not always, this demonstration required several years service as a productive and reliable associate of the Enterprise.

C. To formalize the “making” of new members, the Enterprise conducted ritual initiation ceremonies. During these ceremonies, proposed members were inducted into the Philadelphia LCN Family and informed of the rules of the Enterprise. While slight variations occurred from “making ceremony” to “making ceremony,” the scenario was essentially as follows.

1. Typically, the “boss” or “acting boss” presided over the “making

ceremony,” which was conducted with great secrecy and security. The “associate” who was about to be “made” was brought to a location not previously disclosed to him and taken into a room where the “boss” was present along with others, all of whom were “made members.” The person to be “made” would stand face to face with the “boss” across a table on which a gun and a knife would be placed, and he would be asked if he knew why he was there, to which the correct answer was that he did not. He was then asked if he was friendly with all those present and would use the gun and the knife to help “our friends,” meaning the other “made” members of the Enterprise, if called upon to do so. When he said that he would, he was told that once he was “made,” the family would come before everyone and everything else in his life. Once he assented to that, the boss would prick his finger to cause it to bleed and put blood on a piece of paper, preferably a religious holy card with a picture of a saint. The person to be “made” would be told to cup his hands as the “boss” would light the paper with a match and place it in his cupped hands. The person to be “made” would be told to say words to the effect: “may I burn like this saint if I betray my friends.”

2. Thereafter, the “boss” would speak in Italian, “making” him, and he would kiss and embrace those members of the family who were present. The “boss” would explain the rules of the LCN family, including the Code of Silence or “Omerta,” which prohibited a member from revealing the activities and even the existence of the Enterprise to outsiders in general and to law enforcement in particular. The penalty for violating “Omerta” was death. The “boss” would also place him with a “caporegime.” Throughout the ceremony it was impressed upon the person being “made” that once he joined, he joined for life.

D. To perpetuate the Enterprise, to establish and maintain underworld

primacy, and extend its power, the members and associates of the Enterprise used violence and threats of violence toward those who posed a threat to the Enterprise and who might jeopardize its operations. Members of the Enterprise deemed themselves the kings of the underworld and felt free to do what they pleased in dealing with underworld figures who were not “made” members, knowing that they would enjoy the full backing and support, including violent support, of the other “made” members of the Enterprise.

E. In light of the criminal purposes of the Enterprise, it was expected and accepted that “made” members would experience periodic terms of incarceration. Service of prison sentences without cooperating with law enforcement authorities was honored within the Enterprise and affirmatively encouraged. Incarceration did not necessarily suspend the “made” members’ criminal careers. In fact, incarcerated “made” members often continued to conduct and participate in the affairs of the Enterprise from prison to maintain the continuous flow of income from their illegal businesses. When a “made” member was incarcerated, un-incarcerated members of the Enterprise were expected to provide financial support to the incarcerated “made” member and his family by maintaining the flow of income from his illegal activities, making donations to him and his family, or doing both. This was done to prevent incarcerated members from breaking ranks, cooperating with authorities, and testifying about the criminal affairs of the Enterprise.

F. To minimize friction with other LCN families while conducting criminal activities in and affecting interstate commerce, and to position itself to have allies in the event of underworld disputes, it was necessary for the Enterprise to establish formalized relationships with other LCN families. These relationships facilitated the conduct of criminal activities,

provided mechanisms to minimize conflict and to mediate disputes, and enhanced the underworld power of the Enterprise.

1. “Made” members were expected to show a certain degree of respect toward other “made” members, including those in other LCN families, that they were not required to show in dealing with underworld figures who were not “made.” Consequently, it was very important to know who was “made” and who was not.

2. In the world of LCN families, this meant establishing and maintaining liaisons among the crime families, and, given the ethic of secrecy, required covert introduction rituals between members of different crime families before they could discuss or undertake joint criminal business ventures. The Enterprise utilized the standard LCN introduction protocol: “made” members in different families who had not yet been formally introduced to each other as such would be introduced to each other by a third “made” member who previously had been formally introduced to each. This formal introduction ritual was a necessary prerequisite to each recognizing the other as one possessing LCN membership status that merited trust and respect. Following such an introduction, a “made” member of the Enterprise could confer with the “made” member of the other LCN family to determine whether another individual was “made” or not, discuss Enterprise affairs, and plan and conduct joint criminal business activities with his counter-part in the other family in a fashion consistent with the accepted rules of the Enterprise.

3. In order to have certainty in doing business with other LCN families, it was necessary for the Enterprise stay abreast of the leadership of other families, a task complicated by the leadership turbulence occasioned by law enforcement actions and internal

violence within LCN families. The Enterprise met this challenge by establishing liaison relationships with other LCN families. In meetings with members of other LCN families, members of the Enterprise engaged in collegial discussions about changes in family leadership, the current status of certain of their respective "made" members, the places where "made" members spent periods of incarceration, the identities of other "made" members of whatever LCN family who were incarcerated with them, and important historical events in the histories of their respective families. In sharing information these discussions served to foster and build mutual trust, respect and camaraderie among members of different LCN families, while at the same time promoting fidelity and commitment to the shared criminal goals of the LCN and facilitating formal relationships for the purpose of conducting criminal activities.

4. To enhance their power and to ensure continuity, LCN families would attempt to establish relationships with other LCN families which would serve as the basis for alliances in the event of disputes between different organized crime families. For example, after the New York Lucchese LCN Family "made" the son of the former boss of the Philadelphia LCN Family and expressed interest in recruiting other individuals associated with the Philadelphia LCN Family, JOSEPH LIGAMBI and ANTHONY STAINO, JR. met with members of the New York Gambino LCN Family to express their concern over the encroachment by the Lucchese LCN Family, and to seek the support of the New York Gambino LCN Family in preventing further encroachment by the Lucchese LCN Family upon money-making activities of the Philadelphia LCN Family.

G. To perpetuate the Enterprise, the members and associates of the Enterprise attempted to conceal from law enforcement authorities the existence of the Enterprise, the

identity of its members and associates, the ways in which it conducted its affairs, and the decisions and orders given by the leaders to others working for the Enterprise.

H. To generate income for the Enterprise, the members and associates of the Enterprise engaged in money-making criminal activities, including:

1. the extortion of property and other things of value from persons who were involved in legitimate and illegitimate businesses, including illegal gambling businesses;
2. the operation of illegal gambling businesses involving sports bookmaking and electronic gambling devices, including video poker and other gambling machines and the collection of unlawful debt resulting from such illegal gambling ventures; and
3. loansharking, which includes the making of unlawful usurious loans and extortionate extensions of credit, and the financing and collection of such loans and extensions of credit, using the Enterprise's reputation for violence to force victims to repay loans and to pay interest at usurious rates.

I. To compensate the hierarchy and to assert Enterprise control over "made" members and associates, the Enterprise established a system requiring disclosure of criminal activity and sharing of its proceeds. Each level of the Enterprise was responsible for advising the next higher level of all proposed criminal activity. Those higher levels in turn decided whether to sanction the criminal activity of those below them. Thus, for example, a "soldier" who wished to engage in illegal bookmaking activity or loansharking activity would advise his "caporegime" who either approved or prohibited the activity in question.

1. Each person associated with the Enterprise was obligated to keep

his supervisor informed about the nature of criminal activity in which he and his subordinates engaged.

2. “Made” members and associates of the Enterprise distributed a portion of their criminal income to the leadership of the Enterprise.

3. Members suspected of concealing criminal profits could be called in to “report” to superiors within the Enterprise and explain their activities and profits. Lying, cheating and failing to share profits when required could result in serious disciplinary action, including bodily harm and death.

Roles of the Defendants

8. Defendant JOSEPH LIGAMBI, a/k/a “Uncle Joe,” a/k/a “Unc,” was a “made” member of the Enterprise who rose through its ranks to become its “underboss,” then, after the incarceration of his predecessor Joseph Merlino, the “acting boss” of the Enterprise. Throughout the period of this indictment, defendant LIGAMBI directed the affairs of the Enterprise.

9. Defendant JOSEPH MASSIMINO, a/k/a “Mousie,” was a “made” member who served at times as the “underboss” of the Enterprise. In particular, defendant MASSIMINO was responsible for operating illegal gambling businesses, making extortionate extensions of credit and usurious loans, collecting extensions of credit using extortionate means and collecting other extortion payments on behalf of the Enterprise. In March 2004, defendant MASSIMINO was convicted of state criminal charges and subsequently incarcerated. Defendant MASSIMINO continued to participate in the Enterprise’s affairs even while incarcerated, both personally and through others, including defendants LIGAMBI, STAINO, LUCIBELLO, and VERRECCHIA.

10. Defendant GEORGE BORGESI, the nephew of defendant LIGAMBI, was a

“made” member who served in various roles including, the “consigliere” of the Enterprise. Although he was incarcerated throughout much of the period of the superseding indictment, defendant BORGESI continued to conduct and participate in the affairs of the Enterprise from his places of incarceration through others such as defendant LIGAMBI, Louis Monacello, Associate #1, and others, who engaged in and facilitated loansharking and gambling activities under the control of defendant BORGESI.

11. Defendant MARTIN ANGELINA, a/k/a “Marty,” was a high-ranking “made” member of the Enterprise. Among other responsibilities, defendant ANGELINA participated in operating an illegal gambling business and in attempting to collect extensions of credit using extortionate means.

12. Defendant ANTHONY STAINO, JR., a/k/a “Ant,” was a “made member who rose to the rank of “caporegime” of the Enterprise and regularly assisted defendant LIGAMBI in controlling the Enterprise’s affairs, including its gambling, extortion, and loansharking operations.

13. Defendant JOSEPH LICATA, a/k/a “Scoops,” was a “made” member who rose to the rank of “caporegime” of the North Jersey crew of the Philadelphia LCN Family and supervised defendant LOUIS FAZZINI, a/k/a “Big Lou,” a “made” member of this crew, in the operation of an illegal sports gambling business, and other activities.

14. At times relevant to this indictment, other “made” members included defendants DAMION CANALICHIO, a/k/a “Dame,” GAETON LUCIBELLO, “a/k/a The Big Guy,” a/k/a “Gate,” and ERIC ESPOSITO, as well as others known and unknown to the grand jury. Defendant CANALICHIO served the Enterprise in a variety of capacities, including assisting in

the operations of the Enterprise's illegal sports bookmaking businesses and loansharking activities. Defendant LUCIBELLO was a close associate of defendant MASSIMINO and assisted defendant MASSIMINO in operating the Enterprise's affairs from prison, including facilitating the collection of unlawful debts and proceeds of extortion on behalf of defendant MASSIMINO. In addition, defendant LUCIBELLO assisted in controlling the Enterprise's illegal gambling rackets and personally participated in two illegal gambling businesses. Defendant ESPOSITO assisted defendants CANALICHIO and ANGELINA in operating an illegal gambling business.

15. During the period of this indictment, associates of the Enterprise included defendants LOUIS BARRETTA, a/k/a "Sheep," GARY BATTAGLINI, ROBERT VERRECCHIA, a/k/a "Boots," a/k/a "Bootsie," and ROBERT RANIERI, a/k/a "Bobby," as well as Louis Monacello and others known and unknown to the grand jury. Louis Monacello was a close associate of defendant BORGESI and assisted him in operating the Enterprise's affairs from prison, including some of its loansharking and illegal gambling operations. Defendant BARRETTA operated aspects of an illegal sports bookmaking operation and loansharking activities on behalf of the Enterprise. Defendant BATTAGLINI assisted defendants BARRETTA and CANALICHIO with their duties. Defendant VERRECCHIA assisted defendant MASSIMINO in operating illegal gambling businesses. Defendant RANIERI assisted defendant STAINO with loansharking and extortionate activities.

THE RACKETEERING CONSPIRACY

16. From in or about 1999, to in or about April 2012 ("the period of this superseding indictment"), in the Eastern District of Pennsylvania and elsewhere, defendants

JOSEPH LIGAMBI,
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MARTIN ANGELINA,
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DAMION CANALICHIO,
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LOUIS BARRETTA,
a/k/a "Sheep,"
GARY BATTAGLINI,
JOSEPH LICATA,
a/k/a "Scoops," and
LOUIS FAZZINI,
a/k/a "Big Lou,"

Louis Monacello (charged elsewhere), Peter Caprio (charged elsewhere), and other persons known and unknown to the grand jury, being persons employed by and associated with the Philadelphia LCN Family, as described more fully in paragraphs 1-15 above, an enterprise which was engaged in, and the activities of which affected, interstate and foreign commerce, knowingly combined, conspired, confederated, and agreed together and with other co-conspirators known and unknown to the grand jury, to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Philadelphia LCN Family, through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), as set forth in paragraphs 17-18 below, and through the collection of unlawful debts as defined in Title 18, United States Code, Section 1961(6), as set

forth in paragraph 19 below.

PATTERN OF RACKETEERING ACTIVITY

17. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), through which the defendants and their co-conspirators agreed to conduct and participate in the conduct of the affairs of the Enterprise, consisted of:

A. multiple acts indictable under federal law:

1. Title 18, United States Code, Section 892, Making Extortionate Extensions of Credit and Conspiring to do so;
2. Title 18, United States Code, Section 893, Financing Extortionate Extensions of Credit;
3. Title 18, United States Code, Section 894, Collections of Extortionate Extensions of Credit By Extortionate Means and Conspiring to do so;
4. Title 18, United States Code, Section 1512, Tampering with a Witness, Victim, or Informant;
5. Title 18, United States Code, Section 1951, Interference with Commerce by Threats and Violence - Extortion;
6. Title 18, United States Code, Section 1955, Conducting, Financing, Managing, Supervising, and Directing Illegal Gambling Businesses;
7. Title 18, United States Code, Section 1084, Transmission of Bets and Gambling Information;

8. Title 18, United States Code, Section 1952, Interstate Travel and Transportation in Aid of Racketeering;
9. Title 18, United States Code, Section 1956, Laundering of Monetary Instruments and Conspiracy;
10. Title 18, United States Code, Section 664, Theft from Employee Benefit Plan; and

B. multiple acts involving:

1. Extortion, chargeable under Title 18, Pennsylvania Consolidated Statutes Annotated, Sections 3923, 901, 903 and New Jersey Statutes Annotated, 2C:20-5; 2C:5-1; 2C:5-2; 2C:2-6; and
2. Gambling, chargeable under Title 18, Pennsylvania Consolidated Statutes Annotated, Sections 5513, 5514, 901, and 903.

18. It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.

COLLECTION OF UNLAWFUL DEBT

19. The collection of unlawful debt through which the defendants and their co-conspirators agreed to conduct and participate, directly and indirectly, in the conduct of the affairs of the Enterprise consisted of the collection from various individuals of unlawful debts, as that term is defined by Title 18, United States Code, Section 1961(6), that is: (a) a debt which was incurred and contracted in gambling activity and which was incurred in connection with the business of gambling, which activity and business were in violation of the laws of the United States and the Commonwealth of Pennsylvania; and (b) debts which were unenforceable under

state and federal law in whole and in part as to principal and interest because of the laws relating to usury and which were incurred in connection with the business of lending money at a rate usurious under state and federal law, where the usurious rate was at least twice the lawfully enforceable rate.

MANNER AND MEANS OF THE CONSPIRACY

20. To further their goal of generating money for the Enterprise, the defendants, their co-conspirators, and associates, operated numerous illegal gambling businesses, made extortionate extensions of credit, used extortionate means to collect debts, loaned money at usurious rates, extorted property and things of value from business owners, and stole money from an employee health benefit plan. To cultivate, exploit, and extend the Enterprise's affairs and its reputation for violence, and thereby to achieve its purposes, the defendants and their co-conspirators used, and conspired to use, acts of violence, including assaults and attempted assaults. The defendants and their co-conspirators operated the conspiracy using the following manner and means, among others.

Defendant LIGAMBI's Leadership Of The Enterprise

21. After the incarceration of Joseph Merlino, the prior boss of the Philadelphia LCN Family, defendant LIGAMBI began to serve as the acting boss of the Enterprise and ran its affairs. In so doing, defendant LIGAMBI supervised and directed members and associates of the Philadelphia LCN Family, including all of the defendants named here, in the commission of various criminal acts as set forth in paragraphs 18-20 above, for the economic benefit of the members of the Enterprise, to perpetuate the Enterprise's existence, and to conceal it from law enforcement detection.

22. As the Enterprise's boss, defendant LIGAMBI would mediate disputes among members and associates of the Philadelphia LCN Family, and act as the final authority in settling such disputes and in collecting and allocating the distribution of the Enterprise's criminal proceeds.

Illegal Gambling Businesses

23. Defendant LIGAMBI along with defendants BORGESI, STAINO, MASSIMINO, ANGELINA, LUCIBELLO, CANALICHIO, BARRETTA, BATTAGLINI, ESPOSITO, LICATA, FAZZINI, and their associates defendant VERRECCHIA and others, operated numerous illegal gambling businesses in the Eastern District of Pennsylvania and elsewhere for the benefit of the Enterprise. Those businesses include those described in Counts 43 through 49 of this superseding indictment, which are incorporated by reference and summarized below:

A. The JMA Video Poker Business: Defendants LIGAMBI, MASSIMINO, and STAINO, and other conspirators participated in running an illegal electronic gambling device business that involved five or more persons and operated continuously in the Philadelphia, Pennsylvania region in violation of the laws of the Commonwealth of Pennsylvania.

1. In operating this business, defendants LIGAMBI, MASSIMINO, and STAINO caused electronic gambling devices, including video poker machines and other gambling devices, to be placed in bars, restaurants, convenience stores, coffee shops and other locations in Philadelphia, Pennsylvania and its suburbs to be used for illegal gambling in violation of the laws of the Commonwealth of Pennsylvania.

2. Defendants LIGAMBI, MASSIMINO, and STAINO, operated and managed their illegal video poker and gambling machine business by using facilities in interstate

commerce, including the telephone, to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of their illegal gambling enterprise. Thereafter, defendants LIGAMBI, MASSIMINO, and STAINO performed additional acts to do the same in operating their illegal gambling enterprise. The defendants also used coded phrases when discussing the Enterprise's illegal affairs over the telephone.

3. Defendant STAINO regularly drove from his residence in New Jersey to Philadelphia, Pennsylvania to collect gambling proceeds from the bars, restaurants, convenience stores, coffee shops and other locations where the illegal video poker and gambling machines were located.

4. Defendants LIGAMBI, MASSIMINO, and STAINO, used the Philadelphia LCN Family's reputation for violence to advance and sustain their illegal gambling business. For example, after federal law enforcement agents seized 34 of their illegal electronic gambling devices in April 2001, defendants LIGAMBI, MASSIMINO, and STAINO sought to obtain replacement machines and "stops" from another source. In or about May 2001, the defendants extorted the owners of another illegal electronic gambling device business, that specialized in video poker machines, by forcing them to sell their illegal business, including 34 video poker machines which were located at over 20 "stops" in the Philadelphia region. To conceal this extortion, defendant MASSIMINO attempted to force the owners to sign a fictitious agreement of sale, and paid the owners a portion of the true value of the business, to create the false appearance that the extortion was a legitimate business transaction, when, it was not. To conceal the illicit nature of their business, the defendants paid the owners over time in installments, partially by checks written by defendant STAINO, and issued receipts that they

required one of the owners to sign.

5. In or about July 2002, defendants LIGAMBI, MASSIMINO, and STAINO created JMA Industries to attempt to conceal the illegal nature of their operations and the criminal proceeds of the illegal gambling business from law enforcement. The acronym “JMA” was comprised of the first initials of the defendant’s first names or nicknames: “Joe” (defendant LIGAMBI), “Mousie” (defendant MASSIMINO) and “Anthony” (defendant STAINO). JMA Industries purported to be a company which leased electronic gambling devices to other businesses. In fact, the defendants used JMA Industries to obscure the criminal nature of their illegal electronic gambling device business by making their operation appear legitimate and, as defendant STAINO said to “hide the money from the feds.” JMA Industries issued payments to defendant STAINO and to defendant LIGAMBI’s wife, the origin of which were the criminal proceeds the defendants and their associates collected in connection with their illegal electronic gambling device business.

B. “Lou’s Crab Bar”: Defendant MASSIMINO, his associate, defendant VERRECCHIA, and their co-conspirators owned, operated, and facilitated the operation of an illegal gambling business involving illegal gambling devices, including video poker machines, and illegal sports bookmaking, that is, illegally accepting wagers on horse racing in violation of Pennsylvania law. This business was operated at a Philadelphia establishment then known as Lou’s Crab Bar, located at 1100-02 West Moyamensing Avenue, Philadelphia, Pennsylvania, which was also a regular meeting place for members of the Enterprise. Defendant MASSIMINO used third party nominees to conceal his ownership and control of the illegal gambling business operating at Lou’s Crab Bar.

C. “Cholly Bears” and “DiNicks”: Defendant GAETON LUCIBELLO and his co-conspirators owned, supervised, operated and managed two illegal gambling businesses, namely, illegal electronic gambling device businesses involving the illegal use of video poker machines. These businesses were conducted at two Philadelphia sportsbars, Cholly Bears and DiNicks. Cholly Bears was located at located at 2535 South 13th Street, Philadelphia, Pennsylvania. DiNicks was located at 1528 Snyder Avenue, Philadelphia, Pennsylvania.

1. In addition to operating illegal gambling enterprises, defendant LUCIBELLO advanced the Enterprise by protecting its territory with respect to its illegal gambling device businesses. In particular, defendant LUCIBELLO was responsible for mediating disputes among rival associates of the Philadelphia LCN Family. For example, on one occasion, when an Enterprise associate tried to block the opening of an illegal electronic gambling device business by another associate, defendant LUCIBELLO attempted to resolve the dispute by trading on his status as a made member of Philadelphia LCN Family. Defendant LUCIBELLO ordered one associate to tell the other associate to “come see me. He should button up after he hears that.”

D. “First Ward Republican Club”: Defendants ANGELINA and CANALICHIO, ESPOSITO, their criminal partner known to the grand jury as Associate #2, and other co-conspirators, conducted, financed, managed, supervised, directed, and owned all or part of illegal gambling businesses, namely illegal electronic gambling device business involving the illegal use of video poker machines. These businesses were conducted at the First Ward Republican Club, a private club where Enterprise members met regularly, which was located at 2300 S. Woodstock Street, Philadelphia, Pennsylvania.

E. Sports Bookmaking: Defendants CANALICHIO, STAINO, BARRETTA, BATTAGLINI, FAZZINI, and other co-conspirators directed and otherwise managed the day-to-day operation of illegal sports bookmaking businesses on behalf of defendants LIGAMBI, BORGESI, LICATA, and other members of the Enterprise, known and unknown to the grand jury. As part of the illegal sports bookmaking activity, the defendants extended credit and collected gambling and usurious debts. Defendants LIGAMBI, STAINO, BARRETTA, and BATTAGLINI regularly collected debts, and caused the collection of debts, owed for sports bets to the Enterprise's illegal gambling businesses. After making these collections, defendant STAINO would meet with defendant LIGAMBI at LIGAMBI's residence to deliver proceeds. While incarcerated, BORGESI received proceeds from the sports bookmaking operation that was operated and managed by Louis Monacello on BORGESI's behalf. As alleged in more detail below, the defendants relied upon the Philadelphia LCN Family's reputation for violence to enforce their illegal debts and in making these collections.

Loansharking Activities

24. Defendants LIGAMBI, STAINO, MASSIMINO, BORGESI, CANALICHIO, ANGELINA, BARRETTA, and BATTAGLINI, and their co-conspirators, approved, supervised, and otherwise participated in extortionate extensions of credit, collections of debts using extortionate means, and other illegal demands, to generate income for the Enterprise and its members.

25. Defendants LIGAMBI, STAINO, MASSIMINO, BORGESI, CANALICHIO, BARRETTA and BATTAGLINI, and their co-conspirators also extended loans charging usurious rates of interest as part of the illegal terms of the loan, and used extortionate means to

collect payments related to these loans.

26. In connection with making and collecting extensions of credit and usurious loans, defendants LIGAMBI, STAINO, MASSIMINO, BORGESI, CANALICHIO, BARRETTA, and BATTAGLINI cultivated and exploited the violent reputation of the Enterprise to discourage resistance to their extortionate demands and to threaten borrowers that if they did not promptly repay the loans, with interest, they would suffer physical and economic harm. The defendants also used express and implied threats of physical violence and economic harm to instill fear in their victims and to preserve and sustain the Enterprise as exemplified below:

A. In or about April 2002, defendants CANALICHIO and BARRETTA threatened Victim A in connection with making an extortionate collection of a usurious loan debt when the defendants told Victim A that they were attempting to collect “Uncle Joe’s money” (referring to defendant LIGAMBI, the Enterprise boss), from Victim A. In a subsequent conversation, defendant BARRETTA told Victim A that defendant CANALICHIO was “capable of cracking” Victim A if necessary to collect that debt. On another occasion, in or about May 2002, defendants BARRETTA and CANALICHIO described to Victim A how they had repeatedly assaulted another debtor, including an instance where defendant CANALICHIO caught the debtor by surprise and beat him with a bat.

B. Defendants BARRETTA and BATTAGLINI repeatedly threatened Victim B in connection with loansharking activities, using extortionate means, to collect and attempt to collect extensions of credit which arose from unpaid gambling debts. For example, in or about January 2002, defendant BATTAGLINI threatened Victim B by stating that if Victim B did not make his payment, Victim B would “see a side of me you ain’t gonna fucking enjoy Cause

right now I wanna fuckin' put a bullet in your head.” On another occasion, in or about March 2002, defendant BARRETTA explained to Victim B that it was important for defendant BARRETTA to deal with gambling debtors who could pay him regularly because defendant BARRETTA had to answer to the leadership of the Enterprise, stating: “[t]hey want their money Fridays, you know what I’m trying to say.” Defendant BARRETTA also explained that the Enterprise was facing financial hardship because the defendants and their co-conspirators were financing the legal defenses for incarcerated Enterprise members as well as supporting their families.

C. Defendant STAINO threatened Victim C in connection with extortionate collections of usurious loans. For example, on one occasion, when Victim C was having difficulty making payments, defendant STAINO threatened Victim C by stating that defendant STAINO ought to put a bullet in Victim C’s head. On another occasion, in June 2003, Victim C told defendant STAINO that Victim C had lent money -- which defendant STAINO had lent to Victim C -- to another debtor, who was having difficulty repaying it. Defendant STAINO then responded to Victim C: “you know this motherfucker, I’m going to kill him. Ok? I’m telling you right now I’m gonna kill him. Ok? And I don’t talk like that.” Defendant STAINO directed Victim C that he needed to “talk to this kid,” explaining: “You tell this motherfucker, but not on the phone ... He made his money. Everybody’s making money and I can’t get mine ... Now you can’t get out of the situation ... You got all this fuckin’ money out with this guy that nobody even fuckin’ knows, and I’m gonna have to go fuckin’ ... hurt this guy for something, for fuckin’ something that I didn’t even do ... I got fucking two gorillas ... fucking chop him up ... call him again, tell him I sat here with ya, tell him I’m agitated. That’s all you got to say, he’s very

agitated, and ... you talked to him, and say 'okay, fine, next week is fine,' but ... without saying too much over the phone, but, ah, it ain't no little problem now. It's a big problem, because ... maybe he didn't know or whatever but now he knows so it's a different ball game ... I'll deal with him." During a different part of this conversation, in referring to the delinquent debtor, defendant STAINO told Victim C : "[h]e's using my fucking money ... There's 48 fuckin' thousand out there, plus nothin's comin' in. He's fuckin' flipping, you understand," referring to defendant LIGAMBI. Later, during this conversation, defendant STAINO told Victim C: "Explain to this guy that this ain't a joke so ... it's getting to a dangerous point." On a different occasion in July 2003, when Victim C was late with a payment, defendant STAINO told Victim C that if Victim C's failure to pay defendant STAINO was raised with Enterprise Boss defendant LIGAMBI "there would be some major, major problems."

D. Defendant MASSIMINO made extensions of credit to Victim D and attempted to collect those debts using extortionate means. On one occasion in 2005, while defendant MASSIMINO was incarcerated, defendant MASSIMINO sent a message to Victim D to repay Victim D's debt immediately. Defendant MASSIMINO threatened that Victim D wouldn't "be able to hide anywhere in the U.S." from defendant MASSIMINO.

E. In August 2004, defendant STAINO, and his associate, defendant RANIERI, attempted to threaten an individual known to the grand jury as "Dino," in connection with their making an extortionate extension of credit and collecting it using extortionate means. At the time, and unbeknownst to the defendants, "Dino" was a law enforcement officer acting in an undercover capacity. Defendants STAINO and RANIERI warned "Dino" not to "fuck with" defendant STAINO in connection with repaying the debt. Defendant STAINO reiterated the

importance of “Dino’s” making prompt payments by threatening: “Please on my life. I like you. I don’t want to fucking have to hurt you.” It was further part of the conspiracy that defendants STAINO and RANIERI attempted to conceal their illegal activities and to prevent the detection by law enforcement of the conspiracy by directing “Dino” to produce a fraudulent IRS Form 1099 (“1099 Form”) in connection with part of his repayment, so that defendant STAINO could disguise the repayment of the extortionate loan by creating the false appearance that the payment was legitimate income.

Loansharking and Associate #1

27. From approximately Spring 2005 until 2008, defendant BORGESI and Louis Monacello provided money to an individual known to the grand jury and identified here as Associate #1 for Associate #1 to make extortionate extensions of credit to others. Associate #1 provided a portion of the illegal proceeds collected from these extortionate extensions of credit to Monacello. Associate #1 also assisted Monacello in making extortionate demands from others, including Victims E and F.

28. Defendants LIGAMBI, STAINO, BORGESI, and ANGELINA, along with Louis Monacello, extended usurious loans and extortionate extensions of credit to and/or engaged in debt collections using extortionate means from Associate #1 by using the Enterprise’s reputation for violence.

Extortion Activities

29. Defendants LIGAMBI, STAINO, MASSIMINO, LUCIBELLO, BORGESI, and their co-conspirators, approved, supervised, and otherwise participated in extortion activities to generate income for the Enterprise and its members. For example, from 2000 to 2007, defendant

LIGAMBI selected various bookmakers who were conducting criminal activity in Philadelphia and southern New Jersey, and ordered Louis Monacello to extort these bookmakers by demanding and collecting from them yearly “street tax,” “tribute payments,” or “Christmas payments” to avoid personal harm and the disruption of their illegal bookmaking businesses.

30. From approximately 2002 to 2006, defendant MASSIMINO, with the assistance of defendant LUCIBELLO, extorted Bookmaker A by demanding that Bookmaker A provide yearly tribute payments to the Philadelphia LCN Family, through defendants MASSIMINO and LUCIBELLO, to avoid personal harm and the disruption of Bookmaker A’s illegal bookmaking business.

31. Defendants LIGAMBI, MASSIMINO, and STAINO extorted and caused the extortion of business owners in the Philadelphia area, by obtaining property of the victims through express and implied threats and intimidation. For example, in May 2001, defendants LIGAMBI, MASSIMINO, and STAINO extorted the owners of an illegal electronic gambling device business, specializing in video poker machines, and forced them to sell that business as described in paragraph 23.A.4. To conceal the criminal nature of their demands, the defendants created false and fictitious sales agreements which they attempted to force the victims to sign to make it appear as if their extortion was a legitimate business transaction, when it was not.

Obstruction & Concealment Activities

32. The defendants and their co-conspirators attempted to conceal their criminal activities, including, but not limited to, those actions specifically described above. For example, the defendants and their co-conspirators regularly communicated in coded language over the telephone, participated in “walk and talks,” that is, covert conversations while walking to and

standing at locations where the defendants believed they could not be intercepted. The defendants also communicated with potential and prospective witnesses in an attempt to corruptly persuade them to withhold testimony, records, documents, and other objects from an official proceeding. The defendants also created and caused the creation of false and fictitious documents designed to hide the illegal nature of their activities, and established companies that had the appearance of legitimacy, but in fact, were created to launder money and to conceal the illegal nature of their operations.

Theft from Employee Benefit Plan

33. Defendant JOSEPH LIGAMBI was placed on the payroll of Top Job Disposal, a waste hauling and removal business in Philadelphia, Pennsylvania and compensated by its owners and managers as a "no show" employee, who performed no work or productive services for Top Job Disposal. In addition to paying defendant LIGAMBI a weekly salary for performing no work or productive services, the owners of Top Job Disposal facilitated defendant LIGAMBI's receipt of health care benefits for himself and his family dependents through participation in an employee welfare benefit plan administered by the Teamsters Health and Welfare Fund of Philadelphia and Vicinity. Defendant LIGAMBI applied for medical coverage and payment for health care benefits paid by the Teamsters Health and Welfare Fund of Philadelphia and Vicinity for himself and his family dependents knowing that he was not entitled to participate in the Teamsters Health and Welfare Fund of Philadelphia and Vicinity as a "no-show" employee of Top Job Disposal. From 2003 to 2011, defendant LIGAMBI unlawfully caused the Teamsters Health and Welfare Fund of Philadelphia and Vicinity to pay for the cost of medical and dental benefits provided to himself and several of his family dependents in the sum of \$224,424. In

addition to enriching himself with these health benefits, defendant LIGAMBI used the “no show” job at Top Job Disposal to create the facade of legitimate employment in an attempt to conceal his racketeering activities on behalf of the Philadelphia LCN Family.

34. Defendants JOSEPH LICATA and LOUIS FAZZINI also planned and devised a fraudulent scheme to obtain health benefits for defendant FAZZINI through a “no show” job that was controlled by the LCN.

All in violation of Title 18, United States Code, Sections 1962(d).

COUNTS TWO THROUGH TWELVE

Racketeering: Collection of Unlawful Debt - Victim C

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about the dates listed below, in the Eastern District of Pennsylvania,
defendant

**ANTHONY STAINO, JR.,
a/k/a "Ant,"**

and other persons known and unknown to the grand jury, being persons employed by and associated with the Philadelphia LCN Family, as described more fully in paragraphs 1 through 15 of Count One, which Enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, intentionally and knowingly conducted and participated, directly and indirectly, in the conduct of such Enterprise's affairs through the collection of unlawful debt, namely, a debt which was unenforceable under state and federal law in whole and in part as to principal and interest because of the laws relating to usury and which were incurred in connection with the business of lending money at a rate usurious under the laws of the Commonwealth of Pennsylvania where the usurious rate was at least twice the lawfully enforceable rate in that, on or about the dates listed below, defendant STAINO, regularly collected debts, and caused the collection of debts, from an individual known to the grand jury and identified here as Victim C, whose debts arose from usurious loans, as defined by Title 18, United States Code, Section 1961(6), which Victim C received from the defendant's loansharking business operations:

Count	Date	Amount
2	1/19/06	\$300
3	2/23/06	\$300
4	3/23/06	\$300
5	4/27/06	\$200
6	6/14/06	\$300
7	8/16/06	\$300
8	10/19/06	\$300
9	1/11/07	\$300
10	3/13/07	\$300
11	6/5/07	\$300
12	9/14/07	\$300

All in violation of Title 18, United States Code, Sections 1962(c) and 2.

COUNTS THIRTEEN THROUGH TWENTY-THREE

**Collection and Attempted Collection of Extensions of Credit by Extortionate Means –
Victim C**

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and
elsewhere, defendant

**ANTHONY STAINO, JR.,
a/k/a “Ant,”**

knowingly participated in the use of extortionate means to collect and attempt to collect an
extension of credit from an individual, known to the grand jury and identified herein as Victim C,
and aided and abetted such collection and attempted collection:

Count	Date	Amount
13	1/19/06	\$300
14	2/23/06	\$300
15	3/23/06	\$300
16	4/27/06	\$200
17	6/14/06	\$300
18	8/16/06	\$300
19	10/19/06	\$300
20	1/11/07	\$300
21	3/13/07	\$300
22	6/05/07	\$300
23	9/14/07	\$300

All in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

COUNT TWENTY-FOUR

Conspiracy to Make Extortionate Extensions of Credit - "Dino"

THE GRAND JURY FURTHER CHARGES THAT:

From on or about August 4, 2004 to on or about August 6, 2004, in the Eastern District of Pennsylvania and elsewhere, defendants

**ANTHONY STAINO, JR.,
a/k/a "Ant," and
ROBERT RANIERI,
a/k/a "Bobby,"**

knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to make an extortionate extension of credit as defined in 18 U.S.C. § 891(6) to an undercover law enforcement officer, known to the defendants as "Dino."

In violation of Title 18, United States Code, Section 892(a).

COUNT TWENTY-FIVE

Conspiracy to Collect Extensions of Credit by Extortionate Means - "Dino"

THE GRAND JURY FURTHER CHARGES THAT:

From on or about August 4, 2004 to on or about September 13, 2004, in the Eastern District of Pennsylvania and elsewhere, defendants

**ANTHONY STAINO, JR.,
a/k/a "Ant," and
ROBERT RANIERI,
a/k/a "Bobby,"**

knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to participate in the use of extortionate means to collect and attempt to collect an extension of credit made to an undercover law enforcement officer, known to the defendants as "Dino."

In violation of Title 18, United States Code, Section 894(a)(1).

COUNT TWENTY-SIX

Financing Extortionate Extensions of Credit – Associate #1

THE GRAND JURY FURTHER CHARGES:

1. From in or about Fall 2005 to in or about Fall 2008, in the Eastern District of Pennsylvania, defendant

**GEORGE BORGESI,
a/k/a “Georgie,”**

and Louis Monacello, willfully advanced money and property, and aided, abetted, and caused such money and property to be advanced, to another person, known to the grand jury and identified here as Associate #1, with reasonable grounds to believe that it was the intention of Associate #1 to use the money and property so advanced directly and indirectly for the purpose of making extortionate extensions of credit within the meaning of 18 U.S.C. § 891.

MANNER AND MEANS OF THE SCHEME TO FINANCE

2. It was part of the scheme to finance extortionate extensions of credit that Monacello advanced money to Associate #1, who then lent that money to others, most often at usurious rates, with the understanding that failure to repay the loans and to pay the interest due on them in a timely manner would result in violence or other harm directed toward the borrower.

3. It was further part of the scheme to finance extortionate extensions of credit that Associate #1 collected payments from debtors, and then turned over a portion of the proceeds to Monacello with the understanding that Monacello would endeavor to cause a portion of the proceeds to be delivered to defendant BORGESI.

All in violation of Title 18, United States Code, Section 893 and 2.

COUNT TWENTY-SEVEN

Conspiracy to Collect Extensions of Credit by Extortionate Means- Associate #1

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about Spring 2005 to in or about Fall 2008, in the Eastern District of Pennsylvania and elsewhere, defendant

**GEORGE BORGESI,
a/k/a "Georgie,"**

and Louis Monacello knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to participate in the use of extortionate means to collect and attempt to collect extensions of credit made to an individual known as Associate #1.

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that Monacello advanced money to Associate #1, who loaned the money to others, most often at usurious rates, with the understanding that failure to repay the loans and to pay the interest due on them in a timely manner would result in violence or other harm directed toward the borrower.

3. Associate #1 collected payments from debtors, and then turned over a portion of the proceeds to Monacello, who would cause a portion of the proceeds to be delivered to defendant BORGESI.

4. When customers of Associate #1 failed to repay the loans and failed to pay interest due on the loans, Monacello would hold Associate #1 personally responsible for the repayment of the loans and the payment of interest due on the loans to Monacello, with the understanding that failure to repay the loans and to pay the interest due on them in a timely manner would result in violence or other harm directed toward Associate #1.

5. Associate #1 made monetary payments to Monacello.

All in violation of Title 18, United States Code, Section 894(a)(1).

COUNTS TWENTY-EIGHT THROUGH THIRTY-SEVEN

Collection and Attempted Collection of Extensions of Credit by Extortionate Means –

Associate #1

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

**GEORGE BORGESI,
a/k/a “Georgie,”**

and Louis Monacello knowingly participated in the use of extortionate means to collect and attempt to collect an extension of credit from an individual known to the grand jury and identified herein as Associate #1, and aided and abetted such collection and attempted collection:

Count	Date	Amount
28	12/3/07	\$1180
29	12/10/07	\$500
30	1/7/08	\$1000
31	1/10/08	\$800
32	1/12/08	\$1000
33	1/24/08	\$1000
34	1/29/08	\$700
35	1/31/08	\$900
36	2/8/08	\$750
37	2/21/08	\$720

All in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

COUNT THIRTY-EIGHT

Conspiracy to Collect Extensions of Credit by Extortionate Means-- Victims E and F

THE GRAND JURY FURTHER CHARGES THAT:

1. From on or about late 2007 to in or about July 2008, in the Eastern District of Pennsylvania and elsewhere, defendant

**GEORGE BORGESI,
a/k/a "Georgie,"**

and Louis Monacello knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to participate in the use of extortionate means to collect and attempt to collect an extension of credit made to individuals known to the grand jury and identified here as Victims E and F .

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that, after Victim E and Victim F failed to make "juice" payments, that is payments of interest due on a loan, Monacello, with the assistance of Associate #1, threatened Victim E and Victim F with physical harm if the payments were not made in a timely manner, relying upon the reputation for violence of the Philadelphia LCN Family.

In violation of Title 18, United States Code, Section 894(a)(1).

COUNT THIRTY-NINE

Conspiracy to Make Extortionate Extensions of Credit – Associate #1 and PC

THE GRAND JURY FURTHER CHARGES THAT:

1. In or about May 2008, in the Eastern District of Pennsylvania and elsewhere, defendants

**JOSEPH LIGAMBI,
a/k/a “Uncle Joe,”
a/k/a “Unc,” and
ANTHONY STAINO, JR.,
a/k/a “Ant,”**

knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to make an extortionate extension of credit as defined in 18 U.S.C. § 891(6) to an individual known to the grand jury and identified here as Associate #1.

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that, when Associate #1 was unable to repay a usurious debt owed to PC, an individual known to the grand jury, and PC began to threaten Associate #1 with harm, Associate #1 sought the intercession and assistance of defendant LIGAMBI.

3. It was further part of the conspiracy that, on or about May 13, 2008, defendant LIGAMBI told Associate #1, in reference to PC: “You ain’t paying him. Nobody can help the guy, why don’t he just shut the fuck up You don’t have to pay him ... That’s the end of the that guy.”

4. It was further part of the conspiracy that, after defendant LIGAMBI informed Associate #1 that his usurious debt to PC had been eliminated, defendant LIGAMBI told Associate #1 to see “Anthony,” meaning defendant STAINO.

5. It was further part of the conspiracy that defendant STAINO told Associate # 1 that he had to pay defendants LIGAMBI and STAINO \$10,000 for eliminating his usurious debt to PC, with the understanding that delay in the payment of this amount would result in violence or other harm being directed toward Associate #1.

In violation of Title 18, United States Code, Section 892(a).

COUNT FORTY

Conspiracy to Collect Extensions of Credit by Extortionate Means – Associate #1 and SS
THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about Fall 2006 to on or about June 2008, in the Eastern District of Pennsylvania and elsewhere, defendant

MARTIN ANGELINA,
a/k/a “Marty,”

conspired with others known and unknown to the grand jury to participate in the use of extortionate means to collect and attempt to collect an extension of credit made to an individual known as Associate #1.

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that some time in or about 2007, SS, an individual known to the grand jury, intervened in a debt that Associate #1 owed to JTC, an individual known to the grand jury. As part of this intervention, SS made three payments of \$2,250 to JTC on Associate #1's behalf without Associate #1's consent. SS then ordered Associate #1 to repay SS for the payments that SS had made for Associate #1 to JTC.

3. It was further part of the conspiracy that when Associate #1 failed to make payments to SS on the debt, SS sought the intercession and assistance of defendant ANGELINA in the collection of the debt.

4. It was further part of the conspiracy that in the fall of 2007, defendant ANGELINA summoned Associate #1 to a meeting with defendant ANGELINA and SS. During this meeting, defendant ANGELINA told Associate #1 that Associate #1 had to repay SS the three payments of \$2,250 he made to JTC, with the understanding that delay in the payment of

this amount would result in defendant ANGELINA causing the infliction of physical violence or other harm on Associate #1.

In violation of Title 18, United States Code, Section 894(a)(1).

COUNT FORTY-ONE

Collection and Attempted Collection of Extensions of Credit by Extortionate Means –

Associate #1 and SS

THE GRAND JURY FURTHER CHARGES THAT:

From in or about Fall 2006 to in or about May 2008, in the Eastern District of Pennsylvania and elsewhere, defendant

**MARTIN ANGELINA,
a/k/a “Marty,”**

knowingly participated in the use of extortionate means to attempt to collect an extension of credit from an individual known to the grand jury as Associate #1, and aided and abetted such attempted collection.

In violation of Title 18, United States Code, Sections 894(a)(1) and 2.

COUNT FORTY-TWO

**Collection and Attempted Collection of Extensions of Credit
by Extortionate Means- Associate #1**

THE GRAND JURY FURTHER CHARGES THAT:

1. In or about May 2008, in the Eastern District of Pennsylvania and elsewhere,
defendant

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unk,"**

and Louis Monacello knowingly participated in the use of extortionate means to collect and attempt to collect an extension of credit from an individual known to the grand jury and identified herein as Associate #1, and aided and abetted such collection and attempted collection.

In violation of Title 18, United States Code, Sections 894(a)(1) and 2.

COUNT FORTY-THREE

Conspiracy To Conduct an Illegal Gambling Business - The JMA Video Poker Business

1. From in or about 2000 to in or about December 2010, in the Eastern District of Pennsylvania and elsewhere, defendants

JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"
JOSEPH MASSIMINO,
a/k/a "Mousie," and
ANTHONY STAINO, JR.,
a/k/a "Ant,"

knowingly conspired and agreed together and with other co-conspirators known and unknown to the grand jury, to violate Title 18, United States Code, Section 1955, by conducting, financing, managing, supervising, directing, and owning all or part of an illegal gambling business, that is: an illegal electronic gambling device business involved in the operation of electronic gambling devices, which constituted a violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), and which involved five or more persons who conducted, financed, managed, supervised, directed, and owned all or part of such business and which had been in substantially continuous operation for a period in excess of thirty days and had a gross revenue of \$2,000 in any single day in violation of Title 18, United States Code, Section 1955.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means of the conspiracy included the following:

2. Defendants LIGAMBI, MASSIMINO, and STAINO, operated, and directed the operation of, an illegal electronic device gambling business in the Philadelphia, Pennsylvania region.

3. Defendants LIGAMBI, MASSIMINO, and STAINO caused numerous electronic gambling devices, including video poker machines and other gambling machines, to be placed in bars, restaurants, convenience stores, coffee shops and other locations in Philadelphia, Pennsylvania and its suburbs to be used for illegal gambling in violation of the laws of the Commonwealth of Pennsylvania.

4. Defendants LIGAMBI, MASSIMINO, and STAINO operated and managed their illegal electronic gambling device business by using facilities in interstate commerce, including the telephone, to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of their illegal gambling business. Thereafter, defendants LIGAMBI, MASSIMINO, and STAINO performed additional acts to do the same in operating their illegal gambling business. The defendants would use coded conversations when discussing their illegal affairs using the telephone.

5. Defendant STAINO regularly drove from his residence in New Jersey to Philadelphia, Pennsylvania to collect criminal proceeds from the network of bars, restaurants, convenience stores, coffee shops and other locations that housed the defendants' illegal electronic gambling devices.

6. After federal law enforcement officers seized 34 of their illegal electronic gambling devices in April 2001, the defendants devised a plan to attempt to conceal the illegal nature of their operations from law enforcement detection.

7. In or about July 2002, defendants LIGAMBI, MASSIMINO, and STAINO, created JMA Industries. The acronym "JMA" was comprised of the first initials of their first names or nicknames: "Joe" (defendant LIGAMBI) "Mousie" (defendant MASSIMINO) and

“Anthony” (defendant STAINO). JMA Industries purported to be a company which leased electronic gambling devices to other businesses. In fact, the defendants attempted to use JMA Industries to obscure the criminal nature of the their illegal electronic gambling device business by making their operation appear legitimate and to “hide the money from the feds.” For example, JMA Industries issued W-2 forms to defendant STAINO and the wife of defendant LIGAMBI. In addition, JMA Industries issued payments to defendant STAINO and to defendant LIGAMBI’s wife, the origin of which were the criminal proceeds the defendants collected in connection with their illegal electronic gambling device business.

OVERT ACTS

8. In furtherance of the conspiracy, and to achieve its objects, the defendants and their co-conspirators committed, and caused to be committed, in the Eastern District of Pennsylvania and elsewhere, the following overt acts, among others:

A. On numerous dates throughout the period of this superseding indictment, defendants LIGAMBI, MASSIMINO, and STAINO, and their co-conspirators placed and caused the placement of, illegal electronic gambling devices, including video poker and other gambling machines, in numerous bars, restaurants, convenience stores, coffee shops and other locations in the Philadelphia region.

B. On numerous dates throughout the period of this superseding indictment, defendants LIGAMBI, MASSIMINO, and STAINO, and their co-conspirators maintained and cause the maintenance of, the illegal electronic gambling devices described above.

C. On numerous dates throughout the period of this superseding indictment, defendants LIGAMBI, MASSIMINO, and STAINO, and their co-conspirators collected and

caused the collection of, criminal proceeds generated as a result of the operation of their illegal gambling business.

D. On or about February 3, 2001, at 10:33 a.m., defendant STAINO engaged in a conversation related to operating the illegal gambling business and discussed the need to fix one of the business's broken electronic gambling devices.

E. On or about February 6, 2001, at 11:10 a.m., defendant STAINO engaged in a conversation related to operating the illegal gambling business and discussed the need to replace a broken bill acceptor on an illegal electronic gambling device at one location with the bill acceptor from another location.

F. On or about February 13, 2001, defendant STAINO engaged in several conversations related to operating the illegal gambling business.

G. On or about February 22, 2001, defendant STAINO engaged in several conversations related to operating the illegal gambling business and directed a criminal partner, known to the grand jury and identified here as Associate #2, to repair a broken bill acceptor on an illegal electronic gambling device.

H. On or about February 27, 2001, defendant STAINO engaged in several conversations with a criminal associate, known to the grand jury and identified here as Associate #2, related to operating the illegal gambling business, including discussing directions that defendant MASSIMINO provided to the criminal partner to carry out the illegal gambling business' affairs.

I. On or about March 7, 2001, at 5:23 p.m., defendant STAINO received a call from a criminal associate, known to the grand jury and identified here as PD who, while

speaking in coded language, indicated that law enforcement officers had confiscated the illegal electronic gambling device located in his coffee shop. The criminal associate attempted to disguise the true nature of the illegal gambling device by describing the confiscated illegal electronic gambling device as a "coffee machine."

J. On or about March 12, 2001, after defendant STAINO had caused the replacement of the illegal electronic gambling device which law enforcement officers seized from PD as described above, defendant STAINO engaged in a conversation with PD who had called to inform him, in coded language, that the bill acceptor on the replacement electronic gambling device was not working. PD noted that "ah, expresso machine, no work too good" to which defendant STAINO replied, "What, is it broke?" to which PD responded "No, every time I put the coffee on, it send it right back to me." On or about March 13, 2001, defendant STAINO directed his criminal partner, known to the federal grand jury and identified here as Associate #2, to repair the replacement illegal electronic gambling device deceptively referenced by PD as an "espresso machine."

K. On or about April 5, 2001, defendant STAINO engaged in several conversations with criminal associates known to the grand jury and identified here as PD and Associate #2, related to operating the illegal gambling business, including coded conversations in which defendant STAINO directed Associate #2 to repair PD's "coffee machine," an electronic gambling device. When Associate #2 expressed confusion as to what defendant STAINO meant by "coffee machine," defendant STAINO clarified by stating: "Well, you know the thing, he says coffee machine."

L. On or about April 5, 2001, at 7:13 p.m., defendants LIGAMBI, and

STAINO engaged in a conversation where they discussed the payment arrangements they had with their criminal partner, known to the grand jury and identified here as Associate #2, in that Associate #2 worked for the illegal gambling business without charge.

M. On or about April 5, 2001, immediately following the conversation described in overt act L, defendant STAINO engaged in a conversation with defendant MASSIMINO about the whereabouts of their criminal partner, known to the grand jury and identified here as Associate #2. Defendant LIGAMBI then joined the conversation and complained to defendant MASSIMINO that their illegal gambling business stood to lose money because Associate #2 was not attending to one of the co-conspirators' illegal electronic gambling devices fast enough at one of the illegal gambling business' "better" places. Specifically, defendant LIGAMBI noted, in the coded conversation, "Anthony (meaning defendant STAINO) will tell you but, that's one, fucking one of the best things, because last month, we, we blew it because, you know what I'm talking about." Defendant MASSIMINO replied, "Yeah, all right, let Anthony come around and tell me," and then defendant LIGAMBI, directed defendant STAINO to do just that.

N. On or about April 9, 2001, at 5:14 p.m., after law enforcement agents from the Federal Bureau of Investigation executed a court-authorized search warrant at the premises of PD and seized an electronic gambling device, defendant STAINO received a telephone call from a criminal associate known to the federal grand jury and identified here as PD, who informed defendant STAINO, in a coded conversation: "Ant, listen to me buddy, listen to me please. They took my coffee machine. They took them." Defendant STAINO then inquired: "They took them, they took them again?" PD responded: "The FBI this time." Defendant STAINO

responded using coded language, stating: "Okay, all right, I'll talk to you. Oh yeah, they took the coffee, okay."

O. On or about May 2001, after the FBI seized approximately 34 of their illegal electronic gambling devices from numerous different locations, defendants LIGAMBI, MASSIMINO, and STAINO approached the operators of another illegal electronic gambling device business and forced those operators to relinquish their illegal business for a fee that undervalued their business. Defendants LIGAMBI, MASSIMINO and STAINO then incorporated the assets of that business into their existing illegal electronic gambling device business.

P. In or about July 2002, defendants LIGAMBI, MASSIMINO, and STAINO, created a company, called JMA, Industries which was named after the three defendants.

Q. On or about September 2, 2003, defendant MASSIMINO engaged in a discussion to promote the defendants' illegal electronic gambling device business.

R. On or about December 12, 2003, defendant MASSIMINO engaged in a conversation with a criminal associate, known to the grand jury and identified here as Associate #2, regarding the defendants' illegal electronic gambling device business.

S. On or about June 17, 2004, defendant MASSIMINO and his criminal partner, known to the grand jury and identified here as Associate #2, discussed matters related to the defendants' illegal gambling device businesses, including the need to attend to an illegal gambling device.

T. At various times, throughout the period of this superseding indictment,

including Fall 2005 through the date of this superseding indictment, Associate #2 would service, repair and otherwise maintain the defendants' illegal electronic gambling devices by traveling to locations throughout Philadelphia, Pennsylvania and its suburbs. For example, on or about May 18, 2010, defendant STAINO contacted Associate #2 about a broken electronic gambling device to seek his assistance.

All in violation of Title 18, United States Code, Section 371.

COUNT FORTY-FOUR

Illegal Electronic Gambling Device Business - The JMA Video Poker Business

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about 2000 to in or about December 2010, in the Eastern District of Pennsylvania and elsewhere, defendants

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unk,"
JOSEPH MASSIMINO,
a/k/a "Mousie," and
ANTHONY STAINO, JR.,
a/k/a "Ant,"**

and others known and unknown to the grand jury, knowingly conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, an electronic gambling device business operated in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), in which the illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of said business and which business remained in substantially continuous operation for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FORTY-FIVE

Illegal Electronic Gambling Device Business - "Cholly Bears"

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about 2000 to in or about mid-2006, in the Eastern District of Pennsylvania and elsewhere, defendant

GAETON LUCIBELLO,
a/k/a "The Big Guy,"
a/k/a "Gate,"

and others known and unknown to the grand jury, knowingly conducted, financed, managed, supervised, directed and owned, all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, an electronic gambling device business at an establishment commonly known as Cholly Bears, located at 2535 South 13th Street, Philadelphia, Pennsylvania, operated in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), in which said illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the gambling business and which business remained in substantially continuous operation for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FORTY-SIX

Illegal Electronic Gambling Device Business - "DiNick's"

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about mid-2007 to in or about September 2009, in the Eastern District of Pennsylvania and elsewhere, defendant

**GAETON LUCIBELLO,
a/k/a "The Big Guy,"
a/k/a "Gate,"**

and others known and unknown to the grand jury, knowingly conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, an electronic gambling device business at an establishment commonly known as DiNick's, located at 1528 Snyder Avenue, Philadelphia, Pennsylvania, operated in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), in which illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of illegal gambling business and which business remained in substantially continuous operation for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FORTY-SEVEN

Illegal Electronic Gambling Device Business - "First Ward Republican Club"

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about March 2006 to in or about September 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**MARTIN ANGELINA,
a/k/a "Marty,"
DAMION CANALICHIO,
a/k/a "Dame," and
ERIC ESPOSITO,**

and others known and unknown to the grand jury, knowingly conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, an electronic gambling device business at an establishment commonly known as the First Ward Republican Club, located at 2300 S. Woodstock Street, Philadelphia, Pennsylvania, operated in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), in which the illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the illegal gambling business and which business remained in substantially continuous operation for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FORTY-EIGHT

Illegal Electronic Gambling Device & Sports Bookmaking Business - "Lou's Crab Bar"

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about 1999 to in or about August 2006, in the Eastern District of Pennsylvania and elsewhere, defendants

**JOSEPH MASSIMINO,
a/k/a "Mousie," and
ROBERT VERRECCHIA,
a/k/a "Boots,"
a/k/a "Bootsie,"**

and others known and unknown to the grand jury, knowingly conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, an electronic gambling device business, at a location commonly known as Lou's Crab Bar, 1100-02 West Moyamensing Avenue, Philadelphia, Pennsylvania, operated in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5513), and operating a sports bookmaking business involving wagering on sporting events and horse races in violation of the laws of the Commonwealth of Pennsylvania (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5514), in which the illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the illegal gambling business and which business remained in substantially continuous operation

for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FORTY-NINE

Illegal Sports Bookmaking Business

THE GRAND JURY FURTHER CHARGES:

1. From in or about 2002 to in or about June 2006, in the Eastern District of Pennsylvania and elsewhere, defendants

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"
ANTHONY STAINO, JR.,
a/k/a "Ant,"
DAMION CANALICHIO,
a/k/a "Dame,"
LOUIS BARRETTA,
a/k/a "Sheep," and
GARY BATTAGLINI,**

and others known and unknown to the grand jury, unlawfully and knowingly conducted, financed, managed, supervised, directed and owned, all or part of an illegal gambling business as that term is defined in Title 18, United States Code, Section 1955(b), and aided and abetted the conducting, financing, managing, supervising, directing and owning of an illegal gambling business, that is, sports bookmaking, in violation of the laws of the Commonwealth of Pennsylvania. (Title 18, Pennsylvania Consolidated Statutes Annotated, Section 5514), in which this illegal gambling business was conducted, and which involved five or more persons who conducted, financed, managed, supervised, directed, and owned all or part of this illegal gambling business and which business remained in substantially continuous operation for a period in excess of thirty days and which business had a gross revenue in excess of \$2,000 in a single day.

In violation of Title 18, United States Code, Sections 1955 and 2.

COUNT FIFTY

Obstruction of Justice

THE GRAND JURY FURTHER CHARGES:

On or about October 12, 2010, in the Eastern District of Pennsylvania, defendant

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,**

knowingly intimidated, threatened, and corruptly persuaded, and attempted to intimidate, threaten and corruptly persuade, an individual known to the grand jury and identified here as Individual G, by placing his hand on Individual G and making threatening statements to Individual G with the intent to cause and induce Individual G to withhold a photograph from an official proceeding, namely a federal grand jury proceeding.

In violation of Title 18, United States Code, Section 1512(b)(2)(A).

COUNT FIFTY-ONE

**Conspiracy to Commit Theft from Employee Benefit Plan and
False Statements Relating to Documents Required by ERISA**

THE GRAND JURY FURTHER CHARGES:

1. From in or about January 2003 up to and including in or about May 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

JOSEPH LIGAMBI
a/k/a "Uncle Joe,"
a/k/a "Unc,"

knowingly conspired and agreed with other co-conspirators, known and unknown to the grand jury, to commit offenses against the United States, that is, Title 18, United States Code, Section 664 and Section 1027.

OBJECTS OF THE CONSPIRACY

3. It was a part and an object of the conspiracy that defendant JOSEPH LIGAMBI, and others known and unknown to the grand jury, would and did embezzle, steal, and unlawfully and willfully abstract and convert to his own use and the use of others the moneys, funds, credits, property and other assets of the Teamsters Health & Welfare Fund of Philadelphia and Vicinity (hereafter "Teamsters Fund"), an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974 (hereafter "ERISA"), and of a fund connected with such plan, in violation of Title 18, United States Code, Section 664.

4. It was further a part and an object of the conspiracy that defendant JOSEPH LIGAMBI, and others known and unknown to the grand jury, in documents required by ERISA to be kept as part of the records of the Teamsters Fund would and did make false statements and representations of fact, knowing the same to be false, and did knowingly conceal, cover up and

fail to disclose facts which were necessary to verify, explain, clarify and check for accuracy and completeness the annual financial reports of the Teamsters Fund, which reports were required by ERISA be published and filed with the United States Department of Labor in violation of Title 18, United States Code, Section 1027.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the manner and means in furtherance of the conspiracy that:

5. Defendant JOSEPH LIGAMBI would be and was placed on the payroll of Top Job Disposal, a waste hauling and removal business in Philadelphia, Pennsylvania and compensated by its owners and managers as a "no show" employee, who performed no work or productive services for Top Job Disposal.

6. In addition to paying defendant JOSEPH LIGAMBI a weekly salary for performing no work or productive services, the owners of Top Job Disposal would and did facilitate defendant JOSEPH LIGAMBI's receipt of health care benefits for himself and his family dependents through participation in an employee welfare benefit plan administered by the Teamsters Fund.

7. In documents supporting the participation of the defendant JOSEPH LIGAMBI in the Teamsters Fund, the owners and managers of Top Job Disposal would and did falsely report the number of hours worked by LIGAMBI as an employee of Top Job Disposal in order to falsely qualify LIGAMBI as a participant entitled to coverage by the Teamsters Fund.

8. In documents submitted to the Teamsters Fund and its claims administrator, defendant JOSEPH LIGAMBI would and did apply for medical coverage and payment for health care benefits paid by the Teamsters Fund for himself and his family dependents knowing that he

was not entitled to participate in the Teamsters Fund as a "no-show" employee of Top Job Disposal and that a dependent was not employed as represented to the Teamsters Fund.

9. Through the "no show" job, Defendant JOSEPH LIGAMBI would and did financially benefit from payments by the Teamsters Fund for health care services provided to LIGAMBI and his family dependents to which defendant JOSEPH LIGAMBI was not entitled under the terms of documents governing Teamsters Fund.

OVERT ACTS

10. In furtherance of the conspiracy, and to achieve its objects, the defendant and his co-conspirators committed, caused to be committed, in the Eastern District of Pennsylvania and elsewhere, the following overt acts, among others:

A. Top Job Disposal prepared monthly remittance reports that recorded the false work hours of defendant LIGAMBI and the monetary contributions made by Top Job Disposal on behalf of LIGAMBI to the Teamsters Fund.

B. Top Job Disposal sent the monthly remittance reports along with the monetary contributions payable by business checks on behalf of defendant LIGAMBI to the Teamsters Fund.

C. From 2003 to 2011, defendant LIGAMBI unlawfully caused the Teamsters Fund to pay for the cost of medical and dental benefits provided to himself and several of his family dependents in the sum of \$224,424.

All in violation of Title 18, United States Code, Section 371.

COUNT FIFTY-TWO

Theft from Employee Benefit Plan

THE GRAND JURY FURTHER CHARGES:

From in or about April 2007 up to and including in or about May 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

JOSEPH LIGAMBI
a/k/a "Uncle Joe,"
a/k/a "Unc,"

did embezzle, steal, and unlawfully and willfully abstract and convert to his own use and the use of others the moneys, funds, credits, property and other assets of the Teamsters Health & Welfare Fund of Philadelphia and Vicinity, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974, and of a fund connected with such plan.

In violation of Title 18, United States Code, Sections 664 and 2.

NOTICE OF FORFEITURE

Racketeering Forfeiture

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of Count One through Twelve of this superseding indictment are incorporated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1963 and Title 28, United States Code, Section 2461(c). Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 1963 in the event of any defendant's conviction under Count One through Twelve of this superseding indictment.

2. Defendants:

JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"
JOSEPH MASSIMINO,
a/k/a "Mousie,"
GEORGE BORGESI,
a/k/a "Georgie,"
MARTIN ANGELINA,
a/k/a "Marty,"
ANTHONY STAINO, JR.,
a/k/a "Ant,"
GAETON LUCIBELLO,
a/k/a "The Big Guy,"
a/k/a "Gate,"
DAMION CANALICHIO,
a/k/a "Dame,"
LOUIS BARRETTA,
a/k/a "Sheep," and
GARY BATTAGLINI,
JOSEPH LICATA,
a/k/a "Scoops," and
LOUIS FAZZINI,

a/k/a "Big Lou,"

A. Have acquired and maintained interests in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

B. Have interests in, securities of, claims against, or properties or contractual rights affording a source of influence over the Enterprise in violation of Title 18, United States Code, Section 1962, which are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2).

C. Have property constituting and derived from proceeds obtained, directly, and indirectly, from the aforesaid racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

3. The interests of the defendants subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963 (a) (1), (a)(2) and (a)(3), include but are not limited to:

(a) any and all proceeds or property derived from proceeds traceable to the racketeering activities alleged in Count One during the relevant time period alleged in this indictment and all interests and proceeds traceable thereto.

(b) at least 86 electronic gambling devices, including:

(1) two Dodge City video poker machines and one New Fruit Bonus video slot machine seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from the

Broadway Theatrical Club, 2529 South 13th St., Philadelphia,
Pennsylvania;

- (2) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Cheech's Beef & Ale, 2654 South 12th Street, Philadelphia, Pennsylvania;
- (3) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from East End Tavern/Vacarelli's, 400 Cresson Street, Philadelphia, Pennsylvania;
- (4) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Fatso Fogarty's, 2655 South 18th Street, Philadelphia, Pennsylvania;
- (5) three Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from McKenna's Pub, 153 Snyder Avenue, Philadelphia, Pennsylvania;
- (6) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Shamrock Pub, 1400 South 2nd Street, Philadelphia, Pennsylvania;

- (7) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Spanky's Pub, 4630 Umbria Street, Philadelphia, Pennsylvania;
- (8) thirty-two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Ace Vending warehouse, 824-826 Mountain Street, Philadelphia, Pennsylvania;
- (9) one Casino game video poker machine seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Ace Vending warehouse, 824-826 Mountain Street, Philadelphia, Pennsylvania;
- (10) two Merit table-top video poker machines seized by federal law enforcement officers on or about June 1, 2006 from the First Ward Republican Club;
- (11) one Dodge City video poker machine seized by federal law enforcement officers on or about June 1, 2006 from the First Ward Republican Club;
- (12) eleven Dodge City video poker machines, one Tabletop Dodge City machine, one Draw Poker machine, one Table Top video machine seized by federal law enforcement officers on or about April 9, 2001 from Ace Vending Warehouse, 824-826 Mountain

Street, Philadelphia, Pennsylvania;

- (13) four Cherry Master video machines seized by federal law enforcement officers on or about April 9, 2001 from Terry's Variety, 10th & McKean St., Philadelphia, Pennsylvania;
- (14) one Dodge City video poker machine seized by federal law enforcement officers on or about April 9, 2001 from J & M Variety, 1740 S. 9th St., Philadelphia, Pennsylvania;
- (15) one Dodge City video poker machine, one "video" electronic gambling machine, and one Cherry Master machine seized by federal law enforcement officers on or about April 9, 2001 from Café Napoli, 1427 W. Passyunk Ave., Philadelphia, Pennsylvania;
- (16) four Cherry Master machines and one Dodge City video poker machine seized by federal law enforcement officers on or about April 9, 2001 from Vic's Coffee Shop, 1600 S. 8th St., Philadelphia, Pennsylvania;
- (17) two Dodge City machines seized by federal law enforcement officers on or about April 9, 2001 from Bay's, 1012 S. 9th St., Philadelphia, Pennsylvania;
- (18) one Dodge City machine seized by federal law enforcement officers on or about April 9, 2001 from Whiskey Dick's, 4630 Umbria St., Manayunk, Pennsylvania;
- (19) two Dyna Cherry Master machines seized by federal law

enforcement officers on or about April 9, 2001 from Santa Fe Club, 2026 S. Hutchinson St., Philadelphia, Pennsylvania; and
(20) two Dodge City machines seized by federal law enforcement officers on or about April 9, 2001 from Matteo's Cuccina, 1900 W. Passyunk Ave., Philadelphia, Pennsylvania.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- A. cannot be located upon the exercise of due diligence;
- B. as 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 commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

5. The above-named defendants, and each of them, are jointly and severally liable for the forfeiture obligations as alleged above.

All pursuant to Title 18, United States Code, Section 1963.

NOTICE OF FORFEITURE

Extortionate Credit Transactions

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations contained in Counts Thirteen through Forty-Two of this superseding indictment are incorporated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in the event of any defendant's conviction under Counts Thirteen through Forty-Two of this superseding indictment, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

3. Defendants:

JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc"
JOSEPH MASSIMINO,
a/k/a "Mousie"
GEORGE BORGESI,
a/k/a "Georgie"
MARTIN ANGELINA,
a/k/a "Marty,"
ANTHONY STAINO, JR.,
a/k/a "Ant," and
ROBERT RANIERI,
a/k/a "Bobby"

have interests in property which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 892, 893 and 894, as averred in Counts Thirteen through

Forty-Two of this superseding indictment.

4. The interests of the defendants subject to forfeiture to the United States include but are not limited to proceeds or property derived from proceeds traceable to violations of Title 18, United States Code, Sections 892, 893 and 894, as averred in Counts Thirteen through Forty-Two.

5. If any of the above-described property, as a result of any act or omission of the defendants:

- A. cannot be located upon the exercise of due diligence;
- B. as 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 commingled with other property which cannot be subdivided without difficulty;

then it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above-described property.

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

NOTICE OF FORFEITURE

Illegal Gambling Businesses

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations contained in Counts Forty-Three through Forty-Nine of this superseding indictment are incorporated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1955.
2. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in the event of any defendant's conviction under Counts Forty-Three through Forty-Nine of this superseding indictment, in accordance with Title 18, United States Code, Section 1955.
3. Defendants:

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"
JOSEPH MASSIMINO,
a/k/a "Mousie,"
MARTIN ANGELINA,
a/k/a "Marty,"
ANTHONY STAINO, JR.,
a/k/a "Ant,"
GAETON LUCIBELLO,
a/k/a "The Big Guy,"
a/k/a "Gate,"
DAMION CANALICHIO,
a/k/a "Dame,"
LOUIS BARRETTA,
a/k/a "Sheep,"
GARY BATTAGLINI, and
ERIC ESPOSITO**

have interests in property used in violation of Title 18, United States Code, Section 1955.

4. The interests of the defendants which are subject to forfeiture include, but are not

limited to:

(a) proceeds of the illegal gambling businesses; and

(b) at least 86 electronic gambling devices to include:

- (1) two Dodge City video poker machines and one New Fruit Bonus video slot machine seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from the Broadway Theatrical Club, 2529 South 13th St., Philadelphia, Pennsylvania;
- (2) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Cheech's Beef & Ale, 2654 South 12th Street, Philadelphia, Pennsylvania;
- (3) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from East End Tavern/Vacarelli's, 400 Cresson Street, Philadelphia, Pennsylvania;
- (4) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Fatso Fogarty's, 2655 South 18th Street, Philadelphia, Pennsylvania;
- (5) three Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September

- 16, 2009 from McKenna's Pub, 153 Snyder Avenue, Philadelphia, Pennsylvania;
- (6) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Shamrock Pub, 1400 South 2nd Street, Philadelphia, Pennsylvania;
- (7) two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Spanky's Pub, 4630 Umbria Street, Philadelphia, Pennsylvania;
- (8) thirty-two Dodge City video poker machines seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Ace Vending warehouse, 824-826 Mountain Street, Philadelphia, Pennsylvania;
- (9) one Casino game video poker machine seized by Commonwealth of Pennsylvania law enforcement officers on or about September 16, 2009 from Ace Vending warehouse, 824-826 Mountain Street, Philadelphia, Pennsylvania;
- (10) two Merit table-top video poker machines seized by federal law enforcement officers on or about June 1, 2006 from the First Ward Republican Club;
- (11) one Dodge City video poker machine seized by federal law

- enforcement officers on or about June 1, 2006 from the First Ward Republican Club;
- (12) eleven Dodge City video poker machines, one Tabletop Dodge City machine, one Draw Poker machine, one Table Top video machine seized by federal law enforcement officers on or about April 9, 2001 from Ace Vending Warehouse, 824-826 Mountain Street, Philadelphia, Pennsylvania;
 - (13) four Cherry Master video machines seized by federal law enforcement officers on or about April 9, 2001 from Terry's Variety, 10th & McKean St., Philadelphia, Pennsylvania;
 - (14) one Dodge City video poker machine seized by federal law enforcement officers on or about April 9, 2001 from J & M Variety, 1740 S. 9th St., Philadelphia, Pennsylvania;
 - (15) one Dodge City video poker machine, one "video" electronic gambling machine, and one Cherry Master machine seized by federal law enforcement officers on or about April 9, 2001 from Café Napoli, 1427 W. Passyunk Ave., Philadelphia, Pennsylvania;
 - (16) four Cherry Master machines and one Dodge City video poker machine seized by federal law enforcement officers on or about April 9, 2001 from Vic's Coffee Shop, 1600 S. 8th St., Philadelphia, Pennsylvania;
 - (17) two Dodge City machines seized by federal law enforcement

officers on or about April 9, 2001 from Bay's, 1012 S. 9th St., Philadelphia, Pennsylvania;

(18) one Dodge City machine seized by federal law enforcement officers on or about April 9, 2001 from Whiskey Dick's, 4630 Umbria St., Manayunk, Pennsylvania;

(19) two Dyna Cherry Master machines seized by federal law enforcement officers on or about April 9, 2001 from Santa Fe Club, 2026 S. Hutchinson St., Philadelphia, Pennsylvania; and

(20) two Dodge City machines seized by federal law enforcement officers on or about April 9, 2001 from Matteo's Cuccina, 1900 W. Passyunk Ave., Philadelphia, Pennsylvania.

5. If any of the above-described property, as a result of any act or omission of the defendants:

- A. cannot be located upon the exercise of due diligence;
- B. as 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 commingled with other property which cannot be subdivided without difficulty;

then it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above-described property.

All pursuant to Title 18, United States Code, Section 1955.

NOTICE OF FORFEITURE

Theft from Employee Benefit Plan

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations contained in Count Fifty-One and Count Fifty-Two of this superseding indictment are incorporated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in the event of the defendant's conviction under Count Fifty-One or Count Fifty-Two of this superseding indictment, in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c).

3. Defendant:

**JOSEPH LIGAMBI,
a/k/a "Uncle Joe,"
a/k/a "Unc,"**

has interests in property which constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 371, as averred in Count Fifty-One, and to the violation of Title 18, United States Code, Section 664, as averred in Count Fifty-Two.

4. The interests of the defendant which are subject to forfeiture include, but are not limited to, at least \$224, 424 in United States currency.

5. If any of the above-described property, as a result of any act or omission of the defendant:

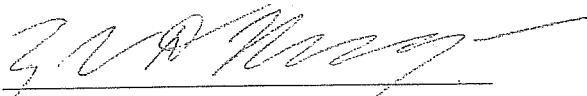
- A. cannot be located upon the exercise of due diligence;
- B. as been transferred or sold to, or deposited with, a third person;
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

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

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:


GRAND JURY FOREPERSON


ZANE DAVID MEMEGER
United States Attorney
Eastern District of Pennsylvania