

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA : 3:16-cr-11 (AWT)
: :
YUVAL MARSHAK : July 19, 2016

FILED
2016 JUL 19 PM 3 34
U.S. DISTRICT COURT

**MOTION AND [PROPOSED] ORDER TO
UNSEAL CASE**

On January 21, 2016, a grand jury sitting in this District returned a five-count indictment charging Yuval Marshak (the “defendant”) with one count of mail fraud, in violation of 18 U.S.C. § 1341, two counts of wire fraud, in violation of 18 U.S.C. § 1343, one count of major fraud against the United States, in violation of 18 U.S.C. § 1031, and one count of international money laundering, in violation of 18 U.S.C. § 1956. The following day, and in connection with the filing of the indictment, this Court issued an arrest warrant. At the government’s request, the case (including the indictment and the arrest warrant) was sealed to permit federal authorities to locate the defendant and initiate his extradition to the United States prior to these documents becoming a matter of public record.

On February 10, 2016, the Court unsealed the case for the limited purpose of allowing the government to share the indictment and the arrest warrant with the International Criminal Police Organization (“INTERPOL”) as part of the government’s request to lodge a Red Notice for the defendant. As the government explained in its motion for a partial unsealing of the case, a Red Notice is an international wanted notice that INTERPOL circulates to member countries listing persons who are wanted for extradition. The name of a person listed on a Red Notice is placed on a “lookout list” (*e.g.*, NCIC or its foreign counterpart), and when a person whose name is listed comes to the attention of law enforcement abroad, the country that sought the listing is notified through INTERPOL and can request the target’s provisional arrest and/or file a formal request for extradition.

At the government's request, INTERPOL placed the defendant on a Red Notice on June 6, 2016. On July 12, 2016, the defendant, an Israeli citizen, was arrested in Sofia, Bulgaria pursuant to the Red Notice. The defendant has since retained counsel in both Bulgaria and the United States and currently is weighing whether to waive extradition. To facilitate this process, the government respectfully moves the Court to unseal this case and its underlying documents so that the indictment can be shared with counsel for the defendant.

Respectfully submitted,

DEIRDRE M. DALY
UNITED STATES ATTORNEY



DAVID T. HUANG
ASSISTANT UNITED STATES ATTORNEY
Federal Bar No. phv07247
157 Church Street, 25th Floor
New Haven, CT 06510
Tel.: (203) 821-3700

Rebecca Meiklejohn
Patricia Jannaco
Sean Farrell
Trial Attorneys
United States Department of Justice
Antitrust Division
New York, NY 10278
(212) 335-8016

[PROPOSED] ORDER

A motion having been made on July 19, 2016, by the United States of America for an Order to unseal the case, including the indictment and arrest warrant previously filed in the above-captioned matter, this Court finds that the requested unsealing is proper to make these documents a matter of public record.

Therefore, it is hereby ORDRED that the case, the indictment, and arrest warrant be unsealed.

SO ORDERED.

Dated: July _____, 2016

Hartford, Connecticut

ALVIN W. THOMPSON
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2016, the foregoing was filed with the Court. A copy of this filing will be sent to all parties of record by United States Postal Service, First-Class, postage pre-paid.



DAVID T. HUANG
ASSISTANT UNITED STATES ATTORNEY