

JDB:JMR
F.#2011R00002

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JAN 11 2011

PROSECUTOR'S OFFICE

UNITED STATES OF AMERICA

- against -

PATRICK CICALESE,
ROBERT MORENO and
MANUEL SALGADO,

Defendants.

INDICTMENT
CR 11-0027

Cr. No. (T. 18, U.S.C., §§
1512(c)(2), 1623(a), and
3551 et seq.)

VITALIANO, J.

DOLLAK M.J.

THE GRAND JURY CHARGES:

COUNT ONE
(Obstruction of Justice)

1. On or about November 18, 2009, within the Eastern District of New York and elsewhere, the defendant ROBERT MORENO did knowingly, intentionally and corruptly attempt to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York.

(Title 18, United States Code, Sections 1512(c)(2) and 3551 et seq.)

COUNT TWO
(Perjury)

2. On or about November 18, 2009, within the Eastern District of New York, the defendant ROBERT MORENO, while under oath in a proceeding before a grand jury of the United States, to wit: a Federal grand jury in the Eastern District of New York,

did knowingly and intentionally make a false material declaration as set forth below:

Q: Has [Nunzio] LaGrasso ever asked you to cover for an employee who was not at work?

A: No.

(Transcript, page 55, lines 21 through 24)

3. The testimony identified above by the defendant ROBERT MORENO, as he then and there well knew and believed, was false in that, on or about October 19, 2009, during a call intercepted pursuant to court-authorized wiretapping, Nunzio LaGrasso, the Vice President of International Longshoremen's Association ("ILA") Local 1478, asked the defendant ROBERT MORENO, a shop steward at ILA Local 1478, to "cover up" for an ILA Local 1478 member who was not at work.

(Title 18, United States Code, Sections 1623(a) and 3551 et seq.)

COUNT THREE

(Obstruction of Justice)

4. On or about January 28, 2010, within the Eastern District of New York and elsewhere, the defendant PATRICK CICALESE did knowingly, intentionally and corruptly attempt to obstruct, influence and impede an official proceeding, to wit: a

proceeding before a Federal grand jury in the Eastern District of New York.

(Title 18, United States Code, Sections 1512(c)(2) and 3551 et seq.)

COUNT FOUR
(Perjury)

5. On or about January 28, 2010, within the Eastern District of New York, the defendant PATRICK CICALÉSE, while under oath in a proceeding before a grand jury of the United States, to wit: a Federal grand jury in the Eastern District of New York, did knowingly and intentionally make a false material declaration as set forth below:

Q: Have you ever arranged a meeting with Stephen Depiro to run things by him?

A: No.

(Transcript, page 42, lines 13 through 15)

6. The testimony identified above by the defendant PATRICK CICALÉSE, as he then and there well knew and believed, was false in that, on or about November 8, 2009, during a call intercepted pursuant to court-authorized wiretapping, the defendant PATRICK CICALÉSE arranged a meeting with Stephen Depiro, a member of the Genovese organized crime family of La Cosa Nostra, to "run a few things" by him.

(Title 18, United States Code, Sections 1623(a) and 3551 et seq.)

COUNT FIVE
(Obstruction of Justice)

7. On or about April 8, 2010, within the Eastern District of New York and elsewhere, the defendant MANUEL SALGADO did knowingly, intentionally and corruptly attempt to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York.

(Title 18, United States Code, Sections 1512(c)(2) and 3551 et seq.)

COUNT SIX
(Perjury)

8. On or about April 8, 2010, within the Eastern District of New York, the defendant MANUEL SALGADO, while under oath in a proceeding before a grand jury of the United States, to wit: a Federal grand jury in the Eastern District of New York, did knowingly and intentionally make a false material declaration as set forth below:

Q: So it is your testimony, sir, under oath before this grand jury that you never had a conversation with anyone about paying money around Christmas on the port?

A: That's correct.

(Transcript, page 45, lines 4 through 8)

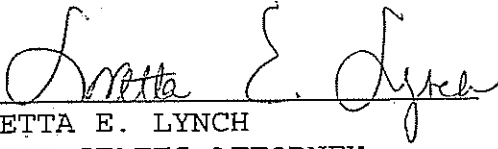
9. The testimony identified above by the defendant MANUEL SALGADO, as he then and there well knew and believed, was false in that MANUEL SALGADO, a member of ILA Local 1235, had a conversation with one or more members of ILA Local 1235 in or

about December 2008 about paying money to other union members
around Christmas.

(Title 18, United States Code, Sections 1623(a) and
3551 et seq.)

A TRUE BILL

nada



LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

PATRICK CICALESE, ROBERT MORENO and MANUEL SALGADO,

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 1512(c)(2), 1623(a) and 3551 et seq.)

A true bill.

... A / / /

Filed in open court this _____

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Jacquelyn M. Rasulo, Assistant U.S. Attorney, (718) 254-6103