

ence, Cathy A. Walcott
Signature of Judicial Officer

ATTACHMENT A

I, Hosam M. Hashem, am a Special Agent with Immigration & Customs Enforcement, Homeland Security Investigations Division ("HSI"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

THE DEFENDANTS

1. Defendants BRETT STROTHERS and EVAN STROTHERS are United States citizens residing in New Jersey.
2. Defendant JOSEPH CUOZZO ("CUOZZO") is a United States citizen residing in Thailand.
3. Defendant HARESH AILDASANI ("AILDASANI") is an Indian citizen residing in Hong Kong.

INVESTIGATION OVERVIEW

4. Throughout the relevant period, brothers BRETT and EVAN STROTHERS purchased large quantities of sports jerseys bearing counterfeit National Football League ("NFL") and National Basketball Association ("NBA") trademarks from suppliers abroad. The investigation revealed that BRETT and EVAN STROTHERS used the counterfeit jerseys as contest prizes for at least three amusement park games they are associated with on the Wildwood and North Wildwood Boardwalk in Cape May County, New Jersey.¹ The games are basketball and football tossing contests wherein counterfeit jerseys, represented as authentic, are given away as prizes. Each game prominently displays numerous counterfeit jerseys.
5. As set forth in greater detail below, between 2010 and 2012, BRETT and EVAN STROTHERS purchased approximately 16,700 counterfeit jerseys from defendant CUOZZO and another supplier. The total Manufacturer Suggested Retail Price ("MSRP") of the jerseys purchased by BRETT and EVAN STROTHERS during this period is approximately \$4,000,000.
6. BRETT and EVAN STROTHERS purchased counterfeit jerseys from, among others, JOSEPH CUOZZO ("CUOZZO"), an American citizen residing in Thailand. CUOZZO, who acted as a middleman for his customers, in turn

¹ Attached hereto as Exhibit 1 is a photograph taken by HSI agents of one of the Boardwalk game stands operated by BRETT and EVAN STROTHERS.

purchased the jerseys from defendant AILDASANI in China, with CUOZZO keeping for himself a percentage of the purchase price.

7. Neither BRETT STROTHERS nor EVAN STROTHERS nor JOESEPH CUOZZO nor HARESH AILDASANI was authorized to import, sell, or distribute authentic NFL or NBA merchandise.

Brett and Evan Strothers

8. On or about July 11, 2011, a law enforcement officer from HSI acting in an undercover capacity (the "U/C") attended a trade show in Miami, Florida where individuals involved in the trafficking and illegal importation of counterfeit trademarked goods were believed to be in attendance. There, a man identifying himself as "Jack" told the U/C that he operates a company in China dealing in counterfeit merchandise. The U/C told "Jack" he had a connection who could help get shipments of counterfeit goods into the United States.
9. On or about July 12, 2011 the U/C received a phone call from BRETT STROTHERS, who stated that he had received the U/C's number from "Jack." BRETT STROTHERS stated that he had two air shipments of sports jerseys currently being held by U.S. Customs and Border Protection ("CBP"). The U/C told BRETT STROTHERS that if he gave the U/C the tracking numbers for the packages, the U/C would try to get the packages through CBP.
10. On or about July 13, 2011, BRETT STROTHERS sent the U/C a text message containing the tracking numbers for the two packages being held by CBP. On or about July 18, 2011, CBP agents searched the two packages BRETT STROTHERS had identified to the U/C. The packages contained a total of 174 jerseys with NBA trademarks. Based on my knowledge, training, and experience, and based in part on the quality of the stitching of the jerseys as well as the presence of incomplete holograms affixed to the jerseys and/or the lack of a hologram entirely, it is my belief that the jerseys are counterfeit.
11. On or about July 22, 2011, the U/C told BRETT STROTHERS that he was unable to help him with the two packages on such short notice. BRETT STROTHERS told the U/C he would notify the U/C if he needed help with future shipments.
12. On or about July 20, 2011, an individual ("Individual 1") emailed the U/C and explained that he is Jack's partner and deals primarily in counterfeit sports jerseys. Individual 1 wrote, "jack work with only for legal business. not reebok jerseys. i do it myself. Because I have an other jersey factory...my msn ID is: nflshopcn@hotmail.com."²

² Throughout this Complaint, all spelling and punctuation are as they appear in the quoted text or email message.

13. Beginning in 2011 and continuing through 2012, phone conversations between BRETT STROTHERS, EVAN STROTHERS, and the U/C confirmed that BRETT and EVAN STROTHERS ordered counterfeit sports jerseys from Individual 1. The investigation revealed numerous email communications among BRETT STROTHERS, EVAN STROTHERS, and Individual 1 discussing orders for counterfeit jerseys and electronic wire transfers to pay for those jerseys, as well as financial records confirming the same.
14. For example, during a recorded meeting with the U/C on or about March 6, 2012, BRETT and EVAN STROTHERS told the U/C that they have ordered counterfeit sports jerseys from Individual 1 for the past few years and that, during their busy season, they sell approximately 500 jerseys per week.
15. Financial records revealed that BRETT and EVAN STROTHERS are co-account holders for a Crest Savings Bank account under the name "STROS BROS INC" (the "Stros Bros account"), which was formerly held at TD Bank. The investigation revealed that BRETT and EVAN STROTHERS repeatedly used their Stros Bros account to purchase counterfeit sports jerseys, including from Individual 1.
16. The investigation revealed numerous examples of the BRETT and EVAN STROTHERS placing orders for jerseys from Individual 1 and then wiring payment to him shortly thereafter. For example, on or about July 14, 2010, EVAN STROTHERS emailed Individual 1 stating, "...on June 28 Brett sent a wire to you for \$9900 to [an account held by Individual 1]³. The woman at the bank entered an additional 9 somewhere in your account number so it never made it to your account because the account # was input incorrectly...In the meantime if you could continue to send out the order. I have a total count of what I've received from you so far and it is 242 pieces received. The wire I'm sending is for \$9900. So I should receive $\$9900/\$17.5 = 565$ pieces before I owe you any more money."
17. Subpoenaed bank records revealed that on or about July 13, 2010, a wire transfer in the amount of \$9,900 was, in fact, sent from the Stros Bros account to a Bank of China account believed to belong to Individual 1.
18. Emails and financial records revealed that from 2010 through 2012, BRETT and EVAN STROTHERS wired from their Stros Bros Inc. account approximately \$175,000 to Individual 1 in China for the purchase of approximately 10,000 counterfeit jerseys from Individual 1. The MSRP of the authentic versions of these jerseys is estimated at approximately \$2.5 million.
19. In or around April 2012, BRETT and EVAN STROTHERS offered to pay the U/C in exchange for allowing them to use the U/C's post office box to receive

³ Bracketed items throughout this Complaint represent personal account or other identifying information and has not been included herein.

counterfeit jerseys ordered from Individual 1 and CUOZZO, another of their suppliers. BRETT and EVAN STROTHERS also requested that the U/C deliver to them any shipments that might be placed on hold by CBP. BRETT and EVAN STROTHERS also told the U/C they would introduce the U/C to CUOZZO so that the U/C could order counterfeit jerseys directly from CUOZZO.

20. On approximately 17 occasions from in or about May 2012 to September 2012, the U/C delivered boxes of counterfeit sports jerseys to BRETT and EVAN STROTHERS at a rest stop on the Garden State Parkway. During the first such recorded meeting on or about May 2, 2012, EVAN STROTHERS asked the U/C if he was a police officer and said that, if so, the U/C should “blink both your eyes and we’ll walk away.”
21. During at least two such meetings, BRETT and EVAN STROTHERS paid the U/C cash for the U/C’s assistance in getting boxes of counterfeit jerseys into the country.

Joseph Cuozzo

22. Recorded discussions between the U/C, BRETT STROTHERS, and EVAN STROTHERS, as well as financial records and email communications among BRETT STROTHERS, EVAN STROTHERS and CUOZZO, revealed that in addition to Individual 1, BRETT and EVAN STROTHERS also purchased counterfeit sports jerseys from CUOZZO, who resides in Thailand.
23. The investigation revealed that CUOZZO functioned as a middleman between BRETT and EVAN STROTHERS, who wished to purchase counterfeit merchandise from abroad and AILDASANI, a foreign manufacturer of such merchandise. For a portion of the purchase price, CUOZZO arranged for the importation of counterfeit merchandise into the United States and oversaw delivery of that merchandise via ground shipping once it was within the United States.
24. To cite but one example of CUOZZO’s role in supplying and overseeing the delivery of counterfeit merchandise, on or about June 6, 2011, BRETT STROTHERS emailed CUOZZO complaining about a delay in his order, to which CUOZZO replied that CUOZZO’s truck driver had been delayed coming to New Jersey from Michigan. CUOZZO wrote, “...this s fake stuff not legal these guys don’t want to get busted.”
25. There are numerous examples of BRETT and EVAN STROTHERS ordering counterfeit jerseys from CUOZZO and then paying him shortly thereafter. For example, on or about April 16, 2011, EVAN STROTHERS emailed CUOZZO a list of jerseys that EVAN and BRETT STROTHERS wanted to order. CUOZZO replied to EVAN STROTHERS later that day and wrote, “here is my account info

joseph arthur cuozzo account [xxxx] state is michigan city is clawson and zip code is 48017 if u walk into the bank then u ave to tell them it is in virginia my account [xxxx] checking account [xxxx] savings account [xxxx] bussiness savings account [xxxx] checking and paypal info [CUOZZO's email address]."

26. On or about April 18, 2011, EVAN STROTHERS emailed CUOZZO and wrote, "Just spoke to Brett, he told me you sent over several bank accounts to put cash into so we're going to start making deposits into your account starting tomorrow."
27. Bank records associated with CUOZZO revealed that on or about April 19 and April 20, 2011, two \$8,000 cash deposits were, in fact, made into CUOZZO's bank account.
28. On or about April 27, 2011, EVAN STROTHERS emailed CUOZZO and wrote, "...so far we've deposited \$16,000, so I'm trying to get the total count of whats being made." This email confirms that BRETT and EVAN STROTHERS were responsible for making the April 19 and April 20, 2011 deposits for \$8,000 each into CUOZZO's account, as there were no other cash deposits into CUOZZO's bank account in April 2011.
29. A review of email communications and financial records revealed that in 2011 and 2012, BRETT and EVAN STROTHERS paid CUOZZO approximately \$118,000 to purchase approximately 6,700 counterfeit jerseys. The total MSRP of authentic versions of these jerseys is approximately \$1.6 million.

Haresh Aildasani

30. The investigation revealed that throughout at least 2011 and 2012, AILDASANI was CUOZZO's primary supplier of counterfeit jerseys.
31. For example, on or about April 19, 2011, CUOZZO emailed AILDASANI requesting the same list of jerseys, discussed above, which EVAN STROTHERS had emailed to CUOZZO on or about April 16, 2011. On or about April 20, 2011, AILDASANI emailed CUOZZO confirming the order and writing, "Here is my other Paypal [CUOZZO's email address]... You can mix the payments up. Direct Deposit Bank info Address Bank of America 2356 Catasauqua Road Bethlehem PA 18018 Name Haresh Aildasani Acct # [xxxx]."
32. CUOZZO replied to AILDASANI, "ok sent u over another 3000 to each so 6000 total..." Financial records associated with CUOZZO revealed that on or about April 21, 2011, CUOZZO made two Paypal payments of \$3,005 each to AILDASANI.
33. The investigation revealed that on at least one occasion, AILDASANI also shipped counterfeit jerseys directly to EVAN STROTHERS. In an email sent from CUOZZO to AILDASANI on or about June 19, 2011, CUOZZO wrote: "not

sure if you have the address for ups because it is different then load by truck, evan strothers, [EVAN STROTHERS' address]."

Throughout 2011 and 2012, AILDASANI supplied all of the counterfeit jerseys that BRETT and EVAN STROTHERS ordered through CUOZZO.

FORFEITURE ALLEGATIONS

1. The allegations contained in this Complaint are incorporated by reference as though set forth in full herein for the purposes of alleging forfeiture pursuant to Title 18, United States Code, Section 2323.
2. The United States hereby gives notice to the defendant, that upon conviction of the offense charged in this Complaint, the government will seek forfeiture in accordance with 18 U.S.C. § 2323, which requires the forfeiture of (i) any article, the making or trafficking of which is prohibited under 18 U.S.C. § 2320, (ii) any property used, or intended to be used, in any manner or part to commit or facilitate the commission of an offense in violation of 18 U.S.C. § 2320, or (iii) any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of an offense in violation of 18 U.S.C. § 2320.
3. If any of the above-reference forfeitable property, as a result of any act or omission of the defendant;
 - (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be divided without difficulty;it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described above.

Exhibit 1

