

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Clair C. Cecchi  
v. : Criminal No.: 14-  
JOSEPH GRAZIANO : 18 U.S.C. § 1962(d)

**INFORMATION**  
(Racketeering Conspiracy)

The defendant having waived in open court prosecution by  
Indictment, the United States Attorney for the District of New Jersey charges:

Background

1. At all times relevant to this Information:

The Racketeering Enterprise

a. The Genovese Crime Family was one of the five families that  
comprised La Cosa Nostra or the “Mafia.” The members and associates of the  
Genovese Crime Family of La Cosa Nostra constituted an “enterprise,” as that  
term is defined by Title 18, United States Code, Section 1961(4), that is, a  
group of individuals associated in fact (hereinafter the “Genovese Crime  
Family” or the “Enterprise”). The Enterprise constituted an ongoing  
organization whose members functioned as a continuing unit for a common  
purpose of achieving the objectives of the Enterprise. The Genovese Crime  
Family engaged in, and its activities affected, interstate and foreign commerce.  
The Enterprise operated in the District of New Jersey and elsewhere.

b. The Genovese Crime Family had a hierarchy and structure. The head of the Genovese Crime Family was known as the “boss.” The Genovese Crime Family boss was assisted by an “underboss” and a counselor known as a “consigliere.” Together, the boss, underboss and consigliere were the crime family’s “administration.” The Genovese Crime Family further operated through smaller groups, sometimes referred to as “crews,” that operated in northern New Jersey and elsewhere. Each crew was headed by a “captain,” “capo,” or “skipper.” Each captain’s crew consisted of “soldiers” and “associates.” The captain was responsible for supervising the criminal activities of his crew and providing the crew with support and protection. In return, the captain often received a share of the crew’s earnings.

c. The principal purpose of the Genovese Crime Family was to generate money for its members and associates through various criminal activities, including but not limited to the theft of goods and cargo, the receipt of stolen property in interstate commerce, illegal gambling, and the collection of unlawful debt.

#### The Defendant and Other Parties and Entities

d. Co-Conspirator One, an individual not named as a defendant herein, was a “capo” and a made member of the Genovese Crime Family of La Cosa Nostra. Co-Conspirator One was in charge of and directed the various criminal activities of a group of associates or crew of the Genovese Crime Family (hereinafter the “Crew”), which activities included the theft of goods and

cargo, the receipt of stolen property in interstate commerce, illegal gambling, and the collection of unlawful debt.

e. A website (hereinafter the "Website") was used by members and associates of the Crew to profit through the operation of an illegal gambling business that operated in northern New Jersey and elsewhere. The Website was maintained in Costa Rica and, at times, referred to as the "office." The Crew conspired and agreed with individuals who operated and directed the activities of the Website to profit through the use of the Website to conduct an illegal gambling business in New Jersey and elsewhere. High-level associates of the Crew acted as "agents" of an illegal gambling business that was operated through the Website. Through the use of a username and password, the agents accessed the Website and tracked the bets or wagers placed by their bettors. This "electronic portfolio" was referred to as the agent's "package." The agent also had the ability, through the Website, to create packages for sub-agents. Sub-agents, who also were members or associates of the Crew, operated under the agent, maintained their own bettors, had access to the Website related to their package, and were required to share their profits with the agent and ultimately, Co-Conspirator One. Accordingly, an agent could have several sub-agents under him.

f. Defendant Joseph Graziano operated and maintained an interest in the Website.

g. Co-Conspirator Two, an individual not named as a defendant herein, was an associate of the Genovese Crime Family and a member of the Crew. Co-Conspirator Two reported directly to Co-Conspirator One and assisted in carrying out the Crew's racketeering activities, including illegal gambling business, the collection of unlawful debt, and cargo theft.

h. Co-Conspirator Three, an individual not named as a defendant herein, was an associate of the Genovese Crime Family and a member of the Crew. Co-Conspirator Three assisted Co-Conspirator One in carrying out the Crew's racketeering activities, including conducting an illegal gambling business through the Website and other illegal gambling rackets and the collection of unlawful debt. Co-Conspirator Three was, at various times, an agent and sub-agent of the illegal gambling business that was operated through the Website.

i. Co-Conspirator Four, an individual not named as a defendant herein, was employed by and acted as an agent for the Website and collected money from members of the Crew derived through their illegal gambling business that was conducted through the Website.

j. Co-Conspirator Five, an individual not named as a defendant herein, was an individual who collected and delivered money that was the proceeds derived from the illegal gambling conducted through the Website, from members of the Crew to individuals who operated and controlled the Website.

k. Co-Conspirator Six, an individual not named as a defendant herein, was an associate of the Genovese Crime Family and a member of the Crew who assisted in carrying out the Crew's racketeering activities, including the illegal gambling business conducted through the Website and other illegal gambling rackets. Co-Conspirator Six was a sub-agent of the illegal gambling business that was operated through the Website.

l. Co-Conspirator Seven, an individual not named as a defendant herein, was an associate of the Genovese Crime Family.

m. Co-Conspirator Eight, an individual not named as a defendant herein, was an associate of the Genovese Crime Family.

n. Co-Conspirator Nine, a co-conspirator not named as a defendant herein, was an associate of the Genovese Crime Family.

#### The Purposes of the Enterprise

2. The purposes of the Enterprise included the following: (a) enriching the leaders, members, and associates of the Enterprise through various criminal activities, including the operation of an illegal gambling business; (b) preserving and protecting the power, control, and revenue of the Enterprise through violence, threats of violence, and intimidation; and (c) avoiding law enforcement detection of their illegal activities and the proceeds derived through those activities.

### The Racketeering Conspiracy

3. From in or about early 2008 and continuing through in or about May 2012, in Hudson County, in the District of New Jersey and elsewhere, defendant

JOSEPH GRAZIANO

being a person employed by and associated with the Genovese Crime Family of La Cosa Nostra, an enterprise that was engaged in, and the activities of which affected, interstate and foreign commerce, knowingly and intentionally conspired and agreed with Co-Conspirator One, Co-Conspirator Two, Co-Conspirator Three, Co-Conspirator Four, Co-Conspirator Five, Co-Conspirator Six, Co-Conspirator Seven, Co-Conspirator Eight, Co-Conspirator Nine, and others to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the enterprise's affairs through a pattern of racketeering activity.

4. The pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and 1961(5), through which defendant Joseph Graziano, together with others, agreed to conduct, and participate, directly and indirectly, in the conduct of the affairs of the enterprise consisted of multiple acts indictable under federal law, namely, Title 18, United States Code, Sections 1084 (transmission of wagering information related to sports betting in interstate and foreign commerce) and 1955 (prohibition of illegal gambling businesses). It was part of the conspiracy that defendant Joseph Graziano and his co-conspirators each agreed that a

conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

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

## FORFEITURE ALLEGATION

1. The allegations set forth in Count One of this Information are hereby realleged as if fully set forth herein for the purpose of alleging forfeiture to the United States of America of property in which defendant Joseph Graziano has an interest.

2. Upon conviction of the offense alleged in Count One of this Information and under Title 18, United States Code, Sections 1963, 981(a)(1)(C), and Title 28, United States Code, Section 2461, defendant Joseph Graziano shall forfeit to the United States any and all right, title, and interest in any and all property constituting or derived from any proceeds said defendant obtained, directly or indirectly, as a result of the offense alleged in Count One of the Information, and any and all property traceable to such property, namely, a forfeiture money judgment in the amount of \$1 million in United States currency, in that this sum represents the amount of proceeds obtained by defendant Joseph Graziano as a result of the offense alleged in Count One of the Information.

### 3. Substitute Asset

If any of the above-described forfeitable property, as a result of any act or omission of defendant Joseph Graziano:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

then the United States shall be entitled to forfeiture of substitute property under Title 18, United States Code, Section 1963(m) and Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(b).

All pursuant to Title 18, United States Code, Sections 1963 and 981(a)(1)(C), Title 28, United States Code, Section 2461, and the procedures set forth in Fed. R. Crim. P. 32.2.

  
PAUL J. FISHMAN  
United States Attorney

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UNITED STATES OF AMERICA

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INFORMATION FOR

Title 18, United States Code, Section 1962(d)

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