

NEWS

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Three New Jersey Men Charged with Conspiring to Extort the Manager of a Pizzeria Through Threat of Violence

(More)

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NEWARK – Two of three New Jersey men charged in a one-count criminal Complaint were arrested today for their involvement in an extortion conspiracy in which they threatened the manager of Washington Township (Warren County) pizzeria to force him to turnover the restaurant’s daily proceeds, U.S. Attorney Paul J. Fishman announced.

The Complaint, which was issued on Feb. 17 and unsealed with today’s arrests, alleges that on July 3, 2009, Francesco “Frank” Guarraci, 55, of Elizabeth, Michael Nobile, 29, of Manalapan, and John Koster, 29, of Washington Township, conspired and agreed with each other to obstruct, delay, and affect interstate commerce by inducing the manager of the Washington Township pizzeria, through actual and threatened force, violence, and fear, to relinquish the daily proceeds of the pizzeria at which he was employed.

Nobile and Koster were arrested earlier today by Special Agents with the FBI. Authorities expect Guarraci to surrender tomorrow morning.

According to the Complaint, the owner of Lenny’s Pizza, Lenny Palermo, had recently passed away. On July 3 at approximately 9:00 p.m., Guarraci, Nobile, Koster and two others arrived at the pizzeria and Koster informed the restaurant employees that Guarraci was “the guy in charge.” Allegedly, Guarraci approached the manager and demanded the restaurant’s money and receipts. Guarraci also told the manager that every night he was to give the restaurant’s proceeds to Koster. According to the Complaint, the manager refused to engage Guarraci in any conversation and his demeanor angered Guarraci, who began yelling and cursing at the manager. Guarraci screamed “I run the show,” and Nobile walked behind the counter to where the manager was standing, put his hand on the manager’s chest, and asked “so this is the tough guy?” Allegedly, when the manager picked up the telephone to call 911, Nobile prevented him from making the call.

According to the Complaint, two uncharged associates silently stood near the entrance. During this incident, several customers became alarmed and exited the restaurant without paying their bills. One customer dialed 911 and indicated that it appeared to be a scene from the “Sopranos” TV series. Several of the restaurant’s waitresses, young women in their late teens, began to cry. Police quickly arrived and questioned all five individuals, only one of whom had any form of identification on his person, according to the Complaint.

The charge set forth in the Complaint carries a maximum statutory sentence of 20 years in prison and a fine of up to \$250,000.

In determining an actual sentence, the judge to whom the case is assigned would, upon a conviction, consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Despite the charge set forth in the Complaint, every defendant is presumed innocent, unless and until found guilty beyond a reasonable doubt, following a trial at which the defendant has all of the trial rights guaranteed by the U.S. Constitution and federal law.

Fishman credited Special Agents of the Federal Bureau of Investigation's Newark Division, under the direction of Acting Special Agent in Charge Kevin B. Cruise; and an Agent from the State Commission of Investigation, headed by Executive Director Alan Rockoff with the investigation leading to the arrests.

The Government is represented by Assistant U.S. Attorney V. Grady O'Malley, Chief of the Strike Force Unit, in Newark and Assistant U.S. Attorney Jonathan W. Romankow.

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