

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Criminal No. 14-287 (FLW)
	:	
v.	:	18 U.S.C. § 1201(a)(1), 1201(c), 1201(d)
	:	and 18 U.S.C. § 2
MENDEL EPSTEIN,	:	
JAY GOLDSTEIN a/k/a "Yaakov,"	:	
DAVID EPSTEIN a/k/a "Ari," and	:	
BINYAMIN STIMLER	:	

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AT 8:30 M
WILLIAM T. WALSH
CLERK

AMENDED REDACTED

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Trenton, charges:

COUNT 1

(Conspiracy to Commit Kidnapping)

1. At all times relevant to Count 1 of this Indictment:
 - a. Defendant MENDEL EPSTEIN was an Orthodox Jewish Rabbi who facilitated Jewish divorce proceedings and maintained residences in Brooklyn, New York and Lakewood, New Jersey.
 - b. Defendant JAY GOLDSTEIN a/k/a "Yaakov" was an Orthodox Jewish Rabbi who facilitated Jewish divorce proceedings and resided in Brooklyn, New York.
 - c. Defendant DAVID EPSTEIN a/k/a "Ari" was the son of defendant MENDEL EPSTEIN and resided in Lakewood, New Jersey.
 - d. Defendant BINYAMIN STIMLER was an Orthodox Jewish Rabbi who participated in Jewish divorce proceedings and resided in Brooklyn, New York.

e. “CC-1” was a co-conspirator of the defendants and resided in Lakewood, New Jersey.

f. “CC-2” was an Orthodox Jewish Rabbi who was a co-conspirator of the defendants and resided in Lakewood, New Jersey.

g. According to Jewish law, in order to effect a divorce, a husband must provide his wife with a document known as a “*get*.” A *get* serves as documentary proof of the dissolution of a marriage under Jewish law, and divorce cannot be effected until a *get* is given by the husband. The *get* is a dated and witnessed document wherein the husband expresses his unqualified intention to divorce his wife and sever all ties with her. The *get* is written by an expert scribe, known as a “*sofer*,” who acts as the husband’s agent. After the *get* is written by the *sofer*, the husband hands it to his wife in the presence of two witnesses. A wife may also have an agent accept the *get* on her behalf. At this point the marriage has been dissolved and a rabbinical court, known as a “*beth din*,” will give both parties a certificate confirming their new marital status. If a husband refuses to give his wife a *get*, the wife has the right to sue for divorce in a *beth din*, which may order the husband to issue the *get*. If the husband refuses to comply with the *beth din*’s order, he may be subjected to various penalties to pressure him into giving his wife a *get* and thereby consenting to the divorce. A woman whose husband will not give her a *get* and consent to a divorce is known as an “*agunah*” (“*agunot*” in plural).

The Conspiracy

2. From at least in or about 2009 to in or about October 2013, in the District of New Jersey, and elsewhere, defendants

MENDEL EPSTEIN,
JAY GOLDSTEIN a/k/a “Yaakov,”

DAVID EPSTEIN a/k/a "Ari," and
BINYAMIN STIMLER

conspired and agreed, together and with others known and unknown, to knowingly and unlawfully seize, confine, inveigle, decoy, kidnap, abduct, and hold a person for ransom, reward and otherwise, that is, to threaten and coerce Jewish husbands to give *gets* to their wives, and, in committing and in furtherance of the commission of the offense, traveled in interstate commerce and used means, facilities and instrumentalities of interstate and foreign commerce, contrary to Title 18, United States Code, Section 1201(a)(1).

The Object of the Conspiracy

3. The object of the conspiracy was for defendants to obtain money and other things of value from *agunot* and their families by kidnapping the husbands of the *agunot* and violently coercing the husbands to give *gets* to their wives and thereby consent to Jewish divorces.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendants MENDEL EPSTEIN, JAY GOLDSTEIN, and others charged *agunot* and their families thousands of dollars to obtain *gets* from recalcitrant husbands by means of violence.

5. It was further part of the conspiracy that defendants DAVID EPSTEIN, BINYAMIN STIMLER, CC-1, CC-2, and others assisted defendants MENDEL EPSTEIN, JAY GOLDSTEIN and others in obtaining *gets* from recalcitrant husbands by means of violence.

6. It was further part of the conspiracy that in order to obtain the defendants' assistance in obtaining a *get* from a recalcitrant husband, the family of an *agunah* made contact with one or more of the defendants to discuss the details of the divorce. The *agunah's* family then made payment to one or more of the defendants to obtain the *get*. The defendants then

convened a *beth din*, which issued a contempt order, known as a “*seruv*,” against the husband. If the husband failed to respond, the *beth din* issued a ruling, known as a “*psak din*,” authorizing the use of coercion and force to obtain the *get*. The defendants then arranged to kidnap the recalcitrant husband and violently coerce him to give his wife a *get*.

Overt Acts In Furtherance of the Conspiracy

7. In furtherance of the conspiracy, and to accomplish its object, one or more of the defendants and others engaged in the following overt acts, among others:

The 2009 Forced Get

a. In or about late November 2009, CC-1 lured a man (“Victim 1”) from Brooklyn, New York to Lakewood, New Jersey under the pretense of an employment offer. Victim 1 stayed several days in a temporary residence in Lakewood. On or about December 1, 2009, while Victim 1 was in Lakewood, New Jersey, he was assaulted by defendant DAVID EPSTEIN and others, placed in a van, tied up, beaten and shocked with a stun-gun until he agreed to give his wife a *get*.

The 2010 Forced Get

b. On or about October 16, 2010, CC-2 lured a man (“Victim 2”) from Brooklyn, New York to Lakewood, New Jersey under the pretense of helping CC-2 with Talmudic research. On or about October 17, 2010, at the direction of defendant MENDEL EPSTEIN, defendant DAVID EPSTEIN, CC-2 and others assaulted Victim 2, tied him up and beat him until he agreed to give his wife a *get*. While Victim 2 was being assaulted, defendant JAY GOLDSTEIN arrived to officiate and record the *get*.

The 2011 Forced Get

c. On or about August 22, 2011, defendants JAY GOLDSTEIN, BINYAMIN STIMLER, and others forced their way inside the residence of a man (“Victim 3”) and his roommate (“Victim 4”) in Brooklyn, New York. Defendants JAY GOLDSTEIN, BINYAMIN STIMLER, and others then assaulted Victim 3 and Victim 4, punched them in the face, handcuffed them, blindfolded them, and bound their legs until Victim 3 agreed to give his wife a *get*.

The 2013 Forced Get

d. On or about August 7, 2013, defendant MENDEL EPSTEIN participated in a telephone conference call with two undercover FBI agents who purported to be an *agunah* (“UCE-1”) and her brother (“UCE-2”) (collectively, the “UCEs”). During that recorded call, defendant MENDEL EPSTEIN and the UCEs discussed the possibility of using violence to force UCE-1’s purported husband (“the Husband”) to give her a *get*. Also during that call, defendant MENDEL EPSTEIN agreed to meet with the UCEs in person at a later date because, according to defendant MENDEL EPSTEIN, “I don’t think this is a phone conversation, am I correct?”

e. On or about August 14, 2013, defendant MENDEL EPSTEIN met with the UCEs at his home in Lakewood, New Jersey to discuss kidnapping the Husband to force him to give the *get*. During that recorded meeting, defendant MENDEL EPSTEIN spoke about kidnapping, beating, and torturing husbands in order to force them into giving *gets* to their wives:

Sup, suppose we, ya know this is an expensive thing to do. It's not simply . . . basically what we are going to be doing is kidnapping a guy for a couple of hours and beating him up and torturing him and then getting him to give the *get*.

f. At the August 14, 2013 meeting, defendant MENDEL EPSTEIN also talked about employing "tough guys" who utilize electric cattle prods, karate and handcuffs, and place plastic bags over the heads of the husbands to coerce them to give *gets* to their wives.

Defendant MENDEL EPSTEIN and UCE-2 also engaged in the following conversation:

Defendant MENDEL EPSTEIN ("ME"): Wait, wait, wait a minute. Wait a second here. I guarantee you that if you're in the van, you'd give a *get* to your wife. You probably love your wife, but you'd give a *get* when they finish with you. So, and it's, hopefully, there won't even be a mark on him.

UCE-2: You can leave a mark.

ME: No, no, no, no, we --

UCE-2: I know. I understand what you're saying.

ME: We prefer not to leave a mark, right. Because then when they do go to the police, the police look at the guy --

UCE-2: Yeah, what's wrong --

ME: You look the same. You know, ah, what's so terrible. They did this to give a *get*. How long didn't you give a *get*. Ah, two years, yeah. I mean, I, I've traveled, I've been in South America too, and basically the reaction of the police is, if the guy does not have a mark on him, then uh, is there some Jewish crazy affair here, they don't get involved.

* * *

ME: We take an electric cattle prod.

UCE-2: Electric cattle prod, okay.

ME: If it can get a bull that weighs five tons to move, you put it in certain parts of his body and in one minute the guy will know.

g. At the August 14, 2013 meeting, defendant MENDEL EPSTEIN also admitted that he committed similar kidnappings every year to year and a half.

h. At the August 14, 2013 meeting, defendant MENDEL EPSTEIN stated that the kidnapping would cost \$10,000 to pay for the *beth din* to approve the kidnapping and use of violence, and an additional \$50,000 to \$60,000 to pay for the “tough guys” who would conduct the beating of the Husband to coerce him to give the *get*.

i. On or about August 14, 2013, UCE-2 made a payment of approximately \$10,000 to defendant MENDEL EPSTEIN for defendant MENDEL EPSTEIN to arrange for the kidnapping and beating of the Husband to coerce him to give the *get*.

j. On or about September 25, 2013, UCE-2 called defendant MENDEL EPSTEIN. During that recorded call, defendant MENDEL EPSTEIN and UCE-2 discussed a warehouse in Middlesex County, New Jersey (the “Warehouse”) as the location of the kidnapping and beating of the Husband to coerce him to give the *get*. Defendant MENDEL EPSTEIN indicated that he wanted to investigate the Warehouse to ensure that it was an appropriate location. Defendant MENDEL EPSTEIN further told UCE-2 that UCE-2 would have to pay him a portion of the fee prior to the investigation. In response, UCE-2 told defendant MENDEL EPSTEIN that he would wire \$20,000 to defendant MENDEL EPSTEIN

after the *psak din* was issued.

k. During the September 25, 2013 call, defendant MENDEL EPSTEIN and UCE-2 also discussed whether it was necessary for the Husband to actually enter the Warehouse before he was kidnapped. Defendant MENDEL EPSTEIN stated that it might not be necessary for the Husband to enter the Warehouse because “they don’t need him for long, believe me. They’ll have him in the van, hooded, and it will happen.”

l. During the September 25, 2013 call, defendant MENDEL EPSTEIN and UCE-2 further discussed luring the Husband to the Warehouse and how the Husband was going to get home after the kidnapping. Defendant MENDEL EPSTEIN told UCE-2 that UCE-2 should bring the Husband home so there would be “no police involvement.”

m. On or about September 29, 2013, defendants MENDEL EPSTEIN and JAY GOLDSTEIN traveled from New York to New Jersey to inspect the Warehouse. Shortly thereafter, defendant MENDEL EPSTEIN sent an e-mail to UCE-2. In that e-mail, defendant MENDEL EPSTEIN told UCE-2 that the Warehouse was “[r]eally out of the way great.” Defendant MENDEL EPSTEIN also noted that there was a police station nearby, and asked whether the police or other security regularly patrolled the area around the Warehouse.

n. On or about September 30, 2013, defendant MENDEL EPSTEIN and UCE-2 had a telephone call, which was recorded. In response to defendant MENDEL EPSTEIN’s question in the September 29, 2013 e-mail about police or security patrols, UCE-2 told defendant MENDEL EPSTEIN that there would be no security patrols. Defendant MENDEL EPSTEIN told UCE-2 that the Warehouse was “better than good” and that it would be better if the Husband were brought inside the Warehouse for the kidnapping. Defendant

MENDEL EPSTEIN then outlined the plan for the kidnapping of the Husband, according to which defendant MENDEL EPSTEIN's co-conspirators would enter the Warehouse on the evening of October 9, 2013, after UCE-2 had unlocked it, and wait there for UCE-2 to bring the Husband to the Warehouse, after which the Husband would be kidnapped and forced to give the *get*.

o. During the September 30, 2013 call, defendant MENDEL EPSTEIN confirmed that the *beth din* would issue the *psak din* on October 2, 2013, after which UCE-2 would wire \$20,000 to defendant MENDEL EPSTEIN as payment. Defendant MENDEL EPSTEIN also instructed UCE-2 to bring a check in the amount of \$30,000, and made out to defendant MENDEL EPSTEIN, with him to the Warehouse on October 9, 2013 because the participants in the kidnapping and beating "need to be paid within twenty-four hours."

p. On or about October 2, 2013, defendants MENDEL EPSTEIN, JAY GOLDSTEIN, and Martin Wolmark convened a *beth din* at Martin Wolmark's office in Monsey, New York. The purpose of the *beth din* was to issue a *psak din* authorizing the use of violence to obtain a *get* from the Husband. That *beth din* proceeding was recorded by UCE-1.

q. During the October 2, 2013 *beth din* proceeding, UCE-1 asked defendant JAY GOLDSTEIN who he was. Defendant JAY GOLDSTEIN refused to answer UCE-1's question, explaining that it was better "the less information you [UCE-1] know about myself."

r. During the October 2, 2013 *beth din* proceeding, Martin Wolmark asked UCE-1 to explain her situation, asking "Why do you have to be released from this marriage, even if your husband has to be coerced?" UCE-1 explained her situation and why she was desperate for a divorce from her husband, who refused to give her a *get*. Defendant MENDEL EPSTEIN

directed defendant JAY GOLDSTEIN to write down everything for the *psak din*.

s. At the end of the October 2, 2013 *beth din*, Martin Wolmark asked UCE-1 about “the plan” for the forced *get* and whether UCE-1 knew the location and the timing. Defendant MENDEL EPSTEIN told UCE-1 that the plan to force the Husband to give the *get* was good, stating that “it’s at night, and it’s a weird place, it’s very good ... hopefully the patrol will not be out on patrol that night.” Defendant MENDEL EPSTEIN further told UCE-1 that on October 9, 2013, she “should be out in public” among a lot of people.

t. On or about October 2, 2013, the *beth din* issued the *psak din* authorizing the use of coercion and force to obtain a *get* from the Husband.

u. On or about October 2, 2013, a payment of approximately \$20,000 was wired to defendant MENDEL EPSTEIN by UCE-2.

v. On or about October 8, 2013, defendant MENDEL EPSTEIN and UCE-2 met at defendant MENDEL EPSTEIN’s home in Brooklyn, New York. That meeting was recorded by UCE-2. Defendant MENDEL EPSTEIN told UCE-2 that eight people would be present for the October 9, 2013 kidnapping and beating of the Husband, to include four “tough guys,” two witnesses, a *sofer*, and a person to accept the *get* on behalf of UCE-1. Defendant MENDEL EPSTEIN further stated that he would not be present at the Warehouse on October 9, 2013. Defendant MENDEL EPSTEIN told UCE-2 that he would be in some public place, so that witnesses could confirm his alibi if he were later questioned by the police. Defendant MENDEL EPSTEIN again directed UCE-2 to bring a check in the amount of \$30,000, made out to him, and that UCE-2 was to give the check to the *sofer* at the Warehouse.

w. At the October 8, 2013 meeting, defendant MENDEL EPSTEIN also

discussed other similar kidnappings that defendant MENDEL EPSTEIN had previously orchestrated.

x. On or about October 9, 2013, defendant JAY GOLDSTEIN, defendant BINYAMIN STIMLER, and six other individuals (collectively, the “Kidnap Team”) traveled from New York to the Warehouse in Middlesex County, New Jersey to execute the planned kidnapping of the Husband to force him to give the *get*. The Kidnap Team arrived at the Warehouse in two dark minivans shortly after 8:00 p.m. Upon exiting the minivans, some of the Kidnap Team members put on masks and entered the Warehouse office with UCE-2. The remaining Kidnap Team members walked around the outside of the Warehouse with flashlights. Over the next fifteen minutes, members of the Kidnap Team went in and out of the Warehouse office wearing disguises, including ski masks, Halloween masks and bandanas. While inside the Warehouse office, the Kidnap Team members discussed their plan for assaulting the Husband. Specifically, they discussed how they planned to grab the Husband, pull him down, tie him up, and take his phone, as well as where they would grab him and drag him, making sure to keep him away from the windows. Members of the Kidnap Team brought with them to the Warehouse rope, surgical blades, a screwdriver, plastic bags, and items used to ceremonially record the *get*.

All in violation of Title 18, United States Code, Section 1201(c).

COUNT 2

(Kidnapping)

1. The allegations contained in paragraphs 1, 4, 5, 6 and 7a of Count 1 are re-alleged and incorporated as if fully set forth herein.

2. From in or about November 2009 to on or about December 1, 2009, in Ocean County, in the District of New Jersey and elsewhere, defendant

DAVID EPSTEIN a/k/a “Ari,”

did knowingly and unlawfully seize, confine, inveigle, decoy, kidnap, abduct, and hold a person, “Victim 1,” for ransom, reward and otherwise, that is, to threaten and coerce Victim 1 to give a *get*, and, in committing and in furtherance of the commission of the offense, did cause Victim 1 to be willfully transported in interstate commerce from New York to New Jersey and did use any means, facility, and instrumentality of interstate and foreign commerce.

In violation of Title 18, United States Code, Section 1201(a)(1), and Title 18, United States Code, Section 2.

COUNT 3

(Kidnapping)

1. The allegations contained in paragraphs 1, 4, 5, 6 and 7b of Count 1 are re-alleged and incorporated as if fully set forth herein.

2. On or about October 17, 2010, in the District of New Jersey, and elsewhere, defendants

MENDEL EPSTEIN
JAY GOLDSTEIN a/k/a “Yaakov,” and
DAVID EPSTEIN a/k/a “Ari”

did knowingly and unlawfully seize, confine, inveigle, decoy, kidnap, abduct, and hold a person, “Victim 2,” for ransom, reward and otherwise, that is, to threaten and coerce Victim 2 to give a *get*, and, in committing and in furtherance of the commission of the offense, did cause Victim 2 to be willfully transported in interstate commerce from New York to New Jersey, did travel in interstate commerce from New York to New Jersey, and did use any means, facility, and instrumentality of interstate and foreign commerce.

In violation of Title 18, United States Code, Section 1201(a)(1), and Title 18, United States Code, Section 2.

COUNT 4

(Kidnapping)

REDACTED

COUNT 5

(Attempted Kidnapping)

1. The allegations contained in paragraphs 1, 4, 5, 6 and 7d-x of Count 1 are re-alleged and incorporated as if fully set forth herein.

2. On or about October 9, 2013, in the District of New Jersey, and elsewhere, defendants

MENDEL EPSTEIN,
JAY GOLDSTEIN a/k/a “Yaakov,” and
BINYAMIN STIMLER

did knowingly and unlawfully attempt to seize, confine, inveigle, decoy, kidnap, abduct, and hold a person, “the Husband,” for ransom, reward and otherwise, that is, to threaten and coerce the Husband to give a *get*, and, in committing and in furtherance of the commission of the offense, did travel in interstate commerce from New York to New Jersey, and did use any means, facility, and instrumentality of interstate and foreign commerce.

In violation of Title 18, United States Code, Section 1201(d), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of Counts 1 through 5 of this Indictment are hereby re-alleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

2. Upon conviction of the any of the offenses alleged in Counts 1, 2, 3, or 5 of this Indictment, defendants MENDEL EPSTEIN, JAY GOLDSTEIN a/k/a “Yaakov,” and DAVID EPSTEIN a/k/a “Ari,” BINYAMIN STIMLER shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), any property, real or personal, that constitutes or was derived from any proceeds traceable to the commission of the above offenses, including but not limited to, approximately \$30,000 in United States currency, in that such sum constituted and was derived, directly and indirectly, from proceeds traceable to the commission of a violation of Title 18, United states Code, Section 1201(c).

3. If any of the above-described forfeitable property, as a result of any act or omission of defendants MENDEL EPSTEIN, JAY GOLDSTEIN a/k/a “Yaakov,” DAVID EPSTEIN a/k/a “Ari,” and BINYAMIN STIMLER:

- 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 it is the intent of the United States of America to seek forfeiture of any other property of defendants MENDEL EPSTEIN, JAY GOLDSTEIN a/k/a “Yaakov,” DAVID EPSTEIN a/k/a “Ari,” and BINYAMIN STIMLER up to the value of the forfeitable property described above, pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 28, United States Code, Section 2461(c).

Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

A TRUE BILL

FOREPERSON

PAUL J. FISHMAN
United States Attorney