

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : SUPERSEDING
 : INFORMATION
 - v. - :
 : S5 13 Cr. 15 (PKC)
 SCOTT FAPPIANO, and :
 ANTHONY BAZZINI, :
 :
 Defendants. :
 :
 - - - - - x

COUNT ONE
(Communication of Interstate Threats)

The United States Attorney charges:

1. From in or about September 2011 up to and including in or about March 2012, in the Southern District of New York and elsewhere, SCOTT FAPPIANO, the defendant, willfully and knowingly transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, FAPPIANO, while located in New York, used a telephone to communicate an implied threat of bodily harm to an individual ("Victim-1"), who was located in New Jersey.

(Title 18, United States Code, Section 875(c).)

COUNT TWO
(Communication of Interstate Threats)

The United States Attorney further charges:

2. From in or about September 2011 up to and including in or about March 2012, in the Southern District of New York and elsewhere, ANTHONY BAZZINI, the defendant, willfully and knowingly

transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, BAZZINI, while located in New York, used a telephone to communicate an implied threat of bodily harm to Victim-1, who was located in New Jersey.

(Title 18, United States Code, Section 875(c).)

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

3. As a result of committing the offenses charged in Counts One and Two of this Information, SCOTT FAPPIANO and ANTHONY BAZZINI, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to such offenses.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

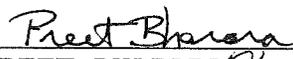
c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)



PREET BHARARA *km*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SCOTT FAPPIANO, and
ANTHONY BAZZINI

Defendants.

SUPERSEDING INFORMATION

S5 13 Cr. 15 (PKC)

(18 U.S.C. § 875(c).)

PREET BHARARA
United States Attorney.
