

Approved:

Rebecca Rohr  
REBECCA ROHR / LISA ZORNBERG  
Assistant United States Attorneys

Before:

HONORABLE JAMES L. COTT  
United States Magistrate Judge  
Southern District of New York

10 MAG 2467

UNITED STATES OF AMERICA

-v.-

SEMEN DOMNITSER,  
a/k/a "Semyon Domnitser,"  
VALENTINA ROMASHOVA,  
a/k/a "Tina Rome,"  
POLINA STAROSELETSKY,  
POLINA BERENSON,  
POLINA BREYTER, and  
LILIIYA UKRAINSKY,  
GALINA TRUTINA-DEMCHUK,  
a/k/a "Galina Demchuk,"  
MARINA ZAYTSEVA,  
DORA GRANDE,  
POLINA ANOSHINA,  
ABRAM GRINMAN, and  
TATYANA GRINMAN,

Defendants.

SEALED COMPLAINT

Violation of  
18 U.S.C. §§ 1349,  
1512(b)(3),  
1956(a)(1)(b)(i)

COUNTY OF OFFENSE:  
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

STEVEN WINTONICK, being duly sworn, deposes and says  
that he is a Special Agent with the Federal Bureau of  
Investigation ("FBI"), and charges as follows:

COUNT ONE

1. From in or about 1994, up to and including in or about  
October 2010, in the Southern District of New York and elsewhere,  
SEMEN DOMNITSER, a/k/a "Semyon Domnitser," VALENTINA ROMASHOVA,  
a/k/a "Tina Rome," POLINA STAROSELETSKY, POLINA BERENSON, POLINA  
BREYTER, LILYA UKRAINSKY, GALINA TRUTINA-DEMCHUK, a/k/a "Galina  
Demchuk," MARINA ZAYTSEVA, DORA GRANDE, POLINA ANOSHINA, ABRAM  
GRINMAN, and TATYANA GRINMAN, the defendants, and others known

and unknown, unlawfully, wilfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Section 1341 of Title 18, United States Code.

2. It was a part and an object of the conspiracy that SEMEN DOMNITSER, a/k/a "Semyon Domnitser," VALENTINA ROMASHOVA, a/k/a "Tina Rome," POLINA STAROSELETSKY, POLINA BERENSON, POLINA BREYTER, LILYA UKRAINSKY, GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," MARINA ZAYTSEVA, DORA GRANDE, POLINA ANOSHINA, ABRAM GRINMAN, and TATYANA GRINMAN, the defendants, and others known and unknown, unlawfully, wilfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and would and did knowingly cause to be delivered by mail according to the direction thereon, and at the place at which it is directed to be delivered by the person to whom it is addressed, such matter and thing, in violation of Title 18, United States Code, Section 1341.

#### OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about May 27, 2008, SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, approved fraudulent applications, submitted in Manhattan, for funds intended for Holocaust survivors.

b. On or about July 6, 2005, VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant, sent a letter regarding an application for funds intended for Holocaust survivors.

c. On or about March 21, 2005, POLINA STAROSELETSKY, the defendant, signed a report of an interview contained in a case file regarding funds intended for Holocaust survivors.

d. In or about 1994, POLINA BERENSON, the defendant, submitted a fraudulent application in her name, in Manhattan, for funds intended for Holocaust survivors.

e. In or about 2009, POLINA BREYTER, the defendant, spoke to an applicant about an application for funds intended for Holocaust survivors, from Manhattan.

f. On or about 1994 or 1995, LILYA UKRAINSKY, the defendant, processed a fraudulent application, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

g. In or about 2009, GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, obtained copies of identification documents that were used to prepare fraudulent applications, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

h. In or about 2009, MARINA ZAYTSEVA, the defendant, obtained copies of identification documents that were used to prepare fraudulent applications, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

i. In or about 2008, DORA GRANDE, the defendant, prepared a false marriage certificate.

j. In or about 2009, POLINA ANOSHINA, the defendant, obtained copies of identification documents that were used to prepare fraudulent applications, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

k. In or about 2008, ABRAM GRINMAN, the defendant, obtained copies of identification documents that were used to prepare fraudulent applications, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

l. In or about 2008, TATYANA GRINMAN, the defendant, obtained copies of identification documents that were used to prepare fraudulent applications, submitted in Manhattan, to obtain funds intended for Holocaust survivors.

(Title 18, United States Code, Section 1349.)

#### COUNT TWO

4. On or about March 18, 2010, in the Southern District of New York and elsewhere, POLINA BERENSON, the defendant, unlawfully, willfully, and knowingly used intimidation, threatened, and corruptly persuaded, and attempted to do so, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal

offense, to wit, BERENSON offered a witness \$1,000 and instructed that witness not to provide information in connection with the Federal Bureau of Investigation's investigation of fraud committed by BERENSON and others on the Conference on Jewish Material Claims Against Germany, Inc., located in New York, New York.

(Title 18, United States Code, Sections 1512(b)(3) and 2.)

#### COUNT THREE

5. From in or about January 2010 through on or about April 1, 2010, in the Southern District of New York and elsewhere, MARINA ZAYTSEVA, the defendant, unlawfully, willfully, and knowingly used intimidation, threatened, and corruptly persuaded, and attempted to do so, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, ZAYTSEVA instructed two witnesses not to provide information in connection with the Federal Bureau of Investigation's investigation of fraud committed by ZAYTSEVA and others on the Conference on Jewish Material Claims Against Germany, Inc., located in New York, New York.

(Title 18, United States Code, Sections 1512(b)(3) and 2.)

#### COUNT FOUR

6. From in or about January 2004 through in or about November 2009, in the Southern District of New York and elsewhere, VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant, unlawfully, willfully, and knowingly, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducted and attempted to conduct a financial transaction which in fact involved the proceeds of specified unlawful activity knowing that the transaction is designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, ROMASHOVA negotiated hundreds of blank money orders, totaling more than \$100,000, which she demanded and obtained from recipients of funds from the Conference on Jewish Material Claims Against Germany, Inc., located in New York, New York.

(Title 18, United States Code, Section 1956(a)(1)(B)(i).)

The bases for my knowledge and the foregoing charges are, in part, as follows:

7. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed for approximately eight years. I am currently assigned to a squad that investigates mail and wire fraud, among other things. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement agents and witnesses, my examination of reports and records, and my personal participation in the investigation of this matter. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where I indicate in this affidavit that other agents have interviewed a witness, the basis for my knowledge is that I have spoken with the agents about those interviews and/or reviewed the agents' reports of the interviews.

#### THE CLAIMS CONFERENCE

8. I and other FBI agents have been investigating this matter since approximately December 2009, when the Conference on Jewish Material Claims Against Germany, Inc. (the "Claims Conference") brought the matter to the attention of federal authorities. In the course of the investigation, we have reviewed records provided by the Claims Conference and other documents, we have spoken with representatives of the Claims Conference, and we have interviewed numerous witnesses. From my review of documents, my interviews of witnesses, my involvement in this investigation, and my discussions with other FBI agents and witnesses, I know the following:

a. The Claims Conference is a not-for-profit organization, which states that its mission is to secure a small measure of justice for Jewish victims of Nazi persecution. It has pursued this goal through a combination of negotiations, disbursing funds provided by the German government to individuals and organizations, and seeking the return of Jewish property lost during the Holocaust. The Claims Conference maintains offices in Manhattan, and in Germany and Israel. In furtherance of its mission, the Claims Conference supervises and administers several funds which provide payments, either in the form of a monthly pension (paid quarterly) or one-time disbursements, to victims of the Nazis. In connection with this investigation, I believe that

two of those funds, the Hardship Fund and the Article 2 Fund, were victimized by fraud, as described below.

b. The purpose of the Hardship Fund is to make reparations to Jewish survivors of Nazi persecution who were forced to leave their homes and then became refugees when they fled the Nazis. Thus, the majority of payments made by the Hardship Fund are to individuals from former Soviet bloc countries who were not under direct Nazi occupation, but who fled to escape the Nazi advance. Only individuals who were alive (or in utero) during World War II are eligible. Eligible applicants to the Hardship Fund receive a one-time payment of approximately 2556.46 Euros, which when converted to dollars is approximately \$3,600.

c. The purpose of the Article 2 Fund is to make reparations to Jewish survivors of Nazi persecution who were in hiding, living under a false identity, in a ghetto established for Jewish individuals, or who were incarcerated in a forced labor camp or concentration camp. As with the Hardship Fund, only applicants alive (or in utero) during World War II are eligible. To qualify for the Article 2 Fund, applicants must have lived in hiding or under a false identity, under inhumane conditions, for at least 18 months in Nazi-occupied territory; been imprisoned in a ghetto for at least 18 months; or been incarcerated in a concentration camp or forced labor camp for at least six months. The Article 2 Fund targets those in need; accordingly, under the Article 2 Fund's financial eligibility restrictions, applicants are excluded if they earn more than \$16,000 annually after taxes. (Before 2007, the income limit was \$16,000 annually after taxes for an individual and \$21,000 annually after taxes for a couple). Eligible applicants to the Article 2 Fund receive monthly payments (paid on a quarterly basis) of approximately 291 Euros per month, which when converted to dollars is approximately \$411.

d. The Hardship Fund and Article 2 Fund are funded by the German Government. Applications and payments are processed by the Claims Conference, acting as an agent of the German government. Applications by persons living in the United States are processed by the Claims Conference in Manhattan. The Claims Conference generally receives the applications by mail. The applicants must provide, among other things, a copy of their identification, date of birth, and information about their family and experiences escaping Nazi persecution.

e. Since in or about 1994, individuals who receive a monthly pension under the Article 2 Fund cannot also receive a payment from the Hardship Fund.

f. Each application that is received by the Claims Conference goes through a verification process. In particular, an Article 2 Fund caseworker is required to verify the applicant's history and the facts relating to that applicant's persecution by obtaining information from external archives and/or interviewing the applicant. For example, certain outside organizations maintain records concerning some individuals who fled to the Soviet Union, and as part of the verification process, the Article 2 caseworkers are supposed to request proof from those organizations to confirm whether the individual applicants or their parents fled. If approved for payment, a check is mailed to the applicant or electronically deposited into the applicant's bank account. The Claims Conference receives and processes thousands of applications each year.

#### THE FRAUDULENT SCHEMES

9. As explained in greater detail below, I believe that two of the funds administered by the Claims Conference -- the Hardship Fund and the Article 2 Fund -- have been victimized by a long-running scheme involving corrupt employees of the Claims Conference and others. In furtherance of the scheme, members of the conspiracy submitted, and caused to be submitted, fraudulent applications for those funds, which were then approved by the corrupt Claims Conference employees, typically in exchange for a percentage of the money disbursed to the applicant.

10. First, based upon the FBI's investigation and an internal investigation by the Claims Conference, there is probable cause to believe that fraud has been perpetrated on the Hardship Fund, in the form of fraudulent applications for disbursement under the fund, which frequently utilized falsified identification documents and other false statements. Through our investigation, and with the assistance of the Claims Conference, we have identified numerous applications for payment under the Hardship Fund in which the identical photograph appears on different identification documents but with different names. For example, in one instance, the photograph of the same person appears on the alleged passports for multiple applications. We have also identified numerous applications in which the applicants' names and social security numbers are valid, but where the dates of birth were doctored to make the applicant appear to be born during or before World War II, so that the applicant would appear eligible for payment from the Hardship

Fund. Many of the fraudulent applications also appear to have been prepared by the same person or persons, and share common features such as the same notary, the same typeface, and the use of suspiciously similar phrases and descriptions of events in the applicants' lives.

11. Based upon the investigation of the FBI and the Claims Conference, which investigation is ongoing, from in or about 2000 through in or about 2009, approximately 4,957 Hardship Fund applications appear to be fraudulent, resulting in a loss to the Hardship Fund of approximately \$18 million.

12. Based upon the FBI's investigation and an internal investigation by the Claims Conference, it is also clear that fraud has been perpetrated on the Article 2 Fund. As with the fraud on the Hardship Fund, as part of the scheme, the co-conspirators used and submitted falsified identification documents, with false dates and places of birth, to the Claims Conference. In addition, the documents typically obtained by Article 2 caseworkers employed by the Claims Conference from outside sources to verify the applicant's persecution history have also been altered. Moreover, we have identified applications where the applicant's description of the persecution suffered by the applicant and his/her family at the hands of the Nazis is inconsistent with a Hardship Fund application that had been previously submitted for that person or a close family member. Further, based on witness interviews, we have identified applications in which the description of persecution is fabricated and was not provided by the applicant.

13. Based upon the investigation of the FBI and the Claims Conference, which investigation is ongoing, including Article 2 Fund cases approved in or about 1993 through in or about 2009, approximately 658 cases, processed in the Manhattan office of the Claims Conference, have been determined to be fraudulent, resulting in a loss to the Claims Conference of more than \$24.5 million.

#### THE CLAIMS CONFERENCE EMPLOYEES

14. Based upon information the FBI has received from the Claims Conference, I have learned the following:

a. In the Claims Conference office in Manhattan, in at least approximately 2009, a Director oversaw the Hardship Fund and Article 2 Fund. The Director supervised caseworkers, who were assigned to either the Hardship Fund or the Article 2 Fund, and who reviewed applications submitted to the programs. The



Director also supervised clerks who processed the applications.

b. SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, was an employee of the Claims Conference from on or about April 1, 1994 through on or about February 3, 2010, when he was fired by the Claims Conference. He was an Article 2 Fund caseworker until approximately 1999, when he became the Director of the Hardship Fund and Article 2 Fund. All Hardship Fund and Article 2 Fund caseworkers reported to DOMNITSER.

c. DOMNITSER's responsibilities included distributing Hardship Fund and Article 2 Fund cases among the caseworkers, reviewing cases processed by the caseworkers, and making final recommendations for approval and payment. Those responsibilities included reviewing the entire case file, and making sure the verifications of information were properly performed and documented. DOMNITSER's approval was a prerequisite for sending applications to the German government for payment.

d. POLINA STAROSELETSKY, the defendant, was employed as an Article 2 caseworker at the Claims Conference from on or about May 25, 1989 through on or about December 29, 2006, when she was laid off by the Claims Conference.

e. POLINA BERENSON, the defendant, was employed as a Hardship Fund caseworker at the Claims Conference from on or about October 14, 1992 through on or about February 3, 2010, when she was fired by the Claims Conference.

f. POLINA BREYTER, the defendant, has been employed at the Claims Conference from on or about July 21, 1993 through on or about February 28, 2007, and again beginning on or about October 27, 2008 through the present. BREYTER has been a caseworker for both Hardship Fund and Article 2 cases.

g. LILIYA UKRAINSKY, the defendant, has been employed at the Claims Conference as a clerk since on or about September 13, 1991 through the present. UKRAINSKY began working for the Hardship Fund, and moved to the Article 2 Fund in 1993.

#### OTHER MEMBERS OF THE CONSPIRACY

15. As described further below, I believe that other members of the conspiracy to submit, and cause to be submitted, false applications to the Claims Conference Hardship Fund and Article 2 Fund include, but are not limited to, the following:

a. VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant, who was employed at a law firm that advertised in Russian-language newspapers that it could assist people with applying for compensation from the Claims Conference. ROMASHOVA recruited applicants, and submitted or caused the submission of applications on their behalf, in exchange for tens of thousands of dollars in fees.

b. DORA GRANDE, the defendant, who operates a business in the vicinity of Brighton 12<sup>th</sup> Street, Brooklyn, New York, in which she creates false identification documents, including Russian and Ukrainian marriage certificates and birth certificates, in exchange for cash payments. False documents altered and produced by GRANDE were submitted in many of the fraudulent applications to the Claims Conference.

c. Recruiters who collected identification documents of other people, ultimately passing the documents to a corrupt employee of the Claims Conference, so that the identification documents would be used in support of a fraudulent application to the Hardship Fund. The recruiters collected the documents in exchange for a portion of the money the applicants received. GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," MARINA ZAYTSEVA, POLINA ANOSHINA, ABRAM GRINMAN, and TATYANA GRINMAN, the defendants, each recruited other individuals in this way. In addition, DEMCHUK, ZAYTSEVA, ANOSHINA, and TATYANA GRINMAN each submitted, or caused to be submitted, fraudulent Hardship Fund applications in their own names.

#### OPERATION OF THE HARDSHIP FUND SCHEME

##### POLINA BERENSON

16. I have interviewed a cooperating witness ("CW-1")<sup>1</sup> who has stated, in substance and in part:

a. CW-1 has been involved in recruiting individuals of the Jewish faith in the Russian immigrant community ("the applicants") to provide copies of their identification documents, in return for a promise of money. The applicants did not complete or sign any applications.

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<sup>1</sup> CW-1 has pled guilty pursuant to a cooperation agreement in the Southern District of New York and is cooperating with the Government's investigation in the hope of receiving leniency at sentencing. Much of the information s/he has provided to date has been corroborated by recordings and other witnesses.

b. CW-1 passed the documents to POLINA BERENSON, the defendant.

c. When the applicants received checks from the funds administered through the Claims Conference, at CW-1's instruction, they kept half of the money, and gave the rest to CW-1, in cash.

d. CW-1 then gave the cash to POLINA BERENSON, who in turn gave \$300 of the proceeds to CW-1 to keep.

e. In this way, CW-1 gave BERENSON the identity documents of some of CW-1's family members, so that they could receive monies from the Hardship Fund. Later, BERENSON offered that CW-1 could submit CW-1's family members' documents again, but advised CW-1 to supply different addresses for them. CW-1's family members then received monies from the Hardship Fund a second time. At no time were CW-1's family members eligible to receive funds from the Hardship Fund.

17. On or about March 18, 2010, CW-1 recorded a meeting with POLINA BERENSON, the defendant. I have spoken to CW-1 about the contents of the recording, and I have reviewed a draft translation of the recording. The following excerpts are summaries of matters discussed during the recorded conversation. Words appearing in quotations are draft translations of the spoken Russian. Where necessary, I have included, in brackets, my interpretations of the discussions based on context, my participation in the investigation, and my experience and training:

a. CW-1 said that CW-1 spoke with his/her lawyer yesterday [in connection with the FBI's investigation of fraud at the Claims Conference]. POLINA BERENSON, the defendant, said that she no longer works [at the Claims Conference] but she talks to people there on the phone every day and "everything is quiet."

b. BERENSON said, "So, you know no one, you know nothing; or did you mention my name already?" CW-1 replied that BERENSON's name arose when the FBI interviewed CW-1. BERENSON again asked whether CW-1 mentioned BERENSON's name and the fact that CW-1 gave BERENSON money and documents. CW-1 said that CW-1's lawyer will be asking more questions, and CW-1 does not know how to explain where half of the money has gone. Later in the conversation, CW-1 again said that CW-1 does not know what to do if someone tells the FBI that they gave half [of the money they received from the Hardship Fund]. BERENSON replied that they [the FBI] will not be talking to those people anymore.

c. BERENSON told CW-1 that CW-1 does not need a lawyer and to get rid of the lawyer immediately. CW-1 asked BERENSON what to do if the FBI wants CW-1 to go to the FBI's offices. BERENSON told CW-1 not to go to the FBI. BERENSON said that she is giving CW-1 \$1,000 to pay CW-1's lawyer and close the case.

d. BERENSON asked, "Have you already named me that I have accepted the money and I accepted the documents?" CW-1 replied that s/he has not, but asked what s/he should do if s/he is called in [to the FBI]. BERENSON told CW-1 to finish with the lawyer so that the lawyer does not call anyone or go anywhere. BERENSON said that no one [the FBI] is talking to anyone anymore; those who have been interviewed have said they know nothing, and it ended.

e. BERENSON said that she is "registered" with a psychiatrist, and asked if CW-1 had done the same, advising, "let the psychiatrist write that you suffer from schizophrenia and depression, and you know nothing." BERENSON added, "[I]f I need to, that will be the answer the psychiatrist will give - that I have depression and schizophrenia." Later in the conversation, BERENSON said that she is prepared, just in case, and has a note from the psychiatrist that she suffers from depression and schizophrenia.

f. BERENSON advised CW-1 not to go anywhere, that she should say nothing. BERENSON said, "I don't know anybody, I haven't accepted anything from anybody. I don't know you, and I don't know anybody. I haven't accepted money or documents." Later in the conversation, BERENSON again advised CW-1 to tell "them" [the FBI], "I have said everything I knew. I gave it to one person and that was it. Where, what, I don't know." BERENSON added: "There should only be one answer: 'I don't know.'"

g. CW-1 told BERENSON that an acquaintance of CW-1 told [the FBI] that she would take half [of the money received from the Hardship Fund] and give the other half. BERENSON said that was fine, but they [the FBI] should not know who it [the money] was given to.

h. A few times during the conversation, CW-1 told BERENSON that CW-1's children hired a lawyer for CW-1. BERENSON asked CW-1 if CW-1's daughter would like for BERENSON to take away "mother's pension." [CW-1 receives an Article 2 Fund pension]. Later in the conversation, BERENSON said that she would call CW-1's daughter and tell her that she will take away "mother's pension."

i. Near the end of the conversation, BERENSON asked CW-1 again if CW-1 was going to reveal BERENSON. CW-1 said that half of the money was going somewhere. BERENSON replied that she was giving it away and was not keeping it herself.

j. As the conversation ended, BERENSON asked CW-1 if CW-1 understood BERENSON's instructions. BERENSON repeated, "You don't know anybody, you don't know anything, whatever you've said is what you know, and you have nothing else to say." BERENSON said that a lawyer is unnecessary because everything is getting back to normal and a lawyer will stir things up.

POLINA BREYTER

18. A witness ("Witness-1") sent a letter in Russian to the Claims Conference in or about December 2009, and I have reviewed a draft English translation of the letter provided to the FBI by the Claims Conference. I have spoken with other FBI agents who have interviewed Witness-1. Based upon Witness-1's letter and interview, I have learned the following:

a. In approximately 2007 or 2008, Witness-1 submitted an application to the Claims Conference Hardship Fund for free through a New York Jewish organization. Witness-1 completed the application and supplied the required identification documents.

b. After the Claims Conference received the application, Witness-1 received a call from POLINA BREYTER, the defendant. BREYTER informed Witness-1 that Witness-1 had to prove his/her Jewish heritage. Witness-1 sent to the Claims Conference photographs of the cemetery where his/her mother is buried and a copy of Witness-1's birth certificate.

c. BREYTER then informed Witness-1 that the proof of Witness-1's Jewish heritage was not strong enough. BREYTER told Witness-1 to call another woman ("CC-1") and provided her phone number.

d. Witness-1 called CC-1, who said that she would help Witness-1 apply for the funds in exchange for half of the money Witness-1 received.

e. Witness-1 declined to use CC-1's assistance, and called BREYTER. BREYTER told Witness-1 that she would send Witness-1's application materials to Germany, and Germany would decide if the materials were sufficient.

f. Approximately ten months later, in approximately September or October 2009, Witness-1 called BREYTER about the status of Witness-1's application. BREYTER told Witness-1 that she never sent his/her application to Germany because Witness-1 had refused the services of CC-1.

SEMEN DOMNITSER

19. I have reviewed a transcript of testimony of SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, at an unemployment insurance hearing, in which he stated, in substance and in part:

a. DOMNITSER agreed that his responsibilities included slow and careful review of all Article 2 Fund and Hardship Fund claims submitted to him by his staff for approval, rejection, or withdrawal, and ensuring that those claims have been processed in accordance with Article 2 Fund and Hardship Fund rules and procedures.

b. DOMNITSER's responsibilities including reviewing the work of the case workers, and making a recommendation on the approval or rejection of the applications to Germany. Typically, every Hardship Fund case in New York was reviewed by him before it was sent to Germany.

c. The case workers are supposed to validate the documents submitted in support of the applicant's eligibility by conducting outside research, for example, to prove a person's date of birth. For Hardship Fund cases, the date of birth and city of birth of the applicant are critical for eligibility, along with something to prove flight from the Nazis.

20. Representatives of the Claims Conference, in connection with its review of fraudulent Hardship Fund applications, had shown SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, certain applications in which the passport photographs of applicants did not appear to correspond to the purported age of the applicant. DOMNITSER testified at the unemployment insurance hearing, in substance and in part, that he agreed that the pictures did not correspond to the purported age, but he did not notice the discrepancy at the time of each application's review. He also said that the purpose of a passport submitted with an application is only to show that the applicant is a citizen or permanent resident.

21. During the unemployment insurance hearing, SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, was shown approximately ten Hardship Fund applications. In approximately six of those, the applicants provide strikingly similar written descriptions of the persecution they suffered and flight from Odessa, Ukraine to Tashkent, Uzbekistan. DOMNITSER testified in response that millions of people fled along that same route. He also said that maybe the same people from a Jewish agency helped the applicants fill out the form.

22. I have reviewed those approximately ten applications shown to SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, at the unemployment insurance hearing, and I have seen that the applicants are from at least three different cities in the United States. I have also seen that four of the applications with strikingly similar language, from two different families in two different parts of the country, were approved by DOMNITSER on the same day.

GALINA TRUTINA-DEMCHUK

23. In the course of this investigation, I and another FBI agent interviewed a witness ("Witness-2"), in whose name an application was received by the Hardship Fund. Witness-2 stated, in substance and in part:

a. GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, called Witness-2 and said that DEMCHUK had a business proposition for Witness-2. Witness-2 met with DEMCHUK, and DEMCHUK stated that Witness-2 could receive money from a fund offered by the German government. DEMCHUK told Witness-2 that Witness-2 could keep \$1,000 of the money s/he received and the rest of the money would be passed to others involved in obtaining the funds.

b. Witness-2 received funds from the program approximately three months after the conversation with DEMCHUK. Witness-2 kept \$1,000 and gave the remainder of the money received to DEMCHUK, in cash.

c. Witness-2 provided the FBI with a phone number used by DEMCHUK.

d. Witness-2 reviewed a copy of the photograph on the photocopied Certificate of Naturalization in the name of Witness-2 submitted with the Hardship Fund application in his name, and he stated, in substance and in part, that the photograph was not a photograph of Witness-2. Witness-2 provided to the FBI a copy

of his actual Certificate of Naturalization, which contained a different photograph.

24. I have reviewed the application and accompanying documents in the name of Witness-2 submitted to the Claims Conference Hardship Fund. I have determined that the date of birth on the application is not the same as the date of birth of Witness-2 contained in a database of records available to law enforcement.

25. Other FBI agents who have interviewed a witness ("Witness-3"), in whose name an application was received by the Hardship Fund. Witness-3 stated, in substance and in part:

a. GALINA TRUTINA-DEMCHUK, the defendant, informed Witness-3 that s/he could receive money from the Hardship Fund. At DEMCHUK's instruction, Witness-3 gave copies of his/her passport, birth certificate, marriage certificate, and social security card. Witness-3 asked DEMCHUK what would happen with the documents, and DEMCHUK stated that she did not know. DEMCHUK told Witness-3 that they would share in the funds received.

b. Later, DEMCHUK called Witness-3 and asked if Witness-3 had received a letter from Germany. In approximately September or October 2009, Witness-3 received a check in the amount of approximately \$3,800.

c. DEMCHUK instructed Witness-3 to keep \$1,300 from the check. Witness-3 met DEMCHUK and gave DEMCHUK the remainder of the money.

d. Witness-3 provided DEMCHUK's phone number to the FBI.

26. Witness-3 reviewed a copy of the Hardship Fund application submitted in his/her name, and stated, in substance and in part:

a. The date of birth, income, and siblings listed on the application were incorrect.

b. The birth dates on the copy of the birth certificate and passport submitted with the application were incorrect, and the photograph on the copy of the passport submitted with the application was not a photograph of Witness-3.



27. I have reviewed records on a database available to law enforcement, and I have learned that the phone number provided by Witness-2 and Witness-3 as belonging to GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, is associated with DEMCHUK.

28. I have interviewed GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, and I have learned as follows:

a. GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, stated, in substance and in part, that she applied to the Hardship Fund in her name in 2009; she received a check in the mail in the approximate amount of \$3,500; and she cashed the check at a check cashing facility, then deposited the cash into her bank account. When asked why she did not deposit the check into her bank account instead of using a check cashing facility, DEMCHUK stated that she did not know.

b. DEMCHUK reviewed a copy of the Hardship Fund application in her name. DEMCHUK stated, in substance and in part, that she did not recognize the signature on the application; the application DEMCHUK reviewed was typed but the application DEMCHUK submitted was handwritten; the birth date on the application and the birth certificate submitted with the application was not accurate; and her parents' names on the application were not accurate. DEMCHUK also reviewed a letter submitted with the application and stated, in substance and in part, that DEMCHUK did not submit that letter.

c. DEMCHUK stated, in substance and in part, that she did not know anyone else, including family or friends, who filled out an application or received money, and DEMCHUK never helped anyone else fill out an application.

29. Later in the same day as my interview of GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, DEMCHUK called me to tell me that she made colored copies and submitted them with her Hardship Fund application, as opposed to the black and white copies that I had shown DEMCHUK during our interview.

30. Another FBI agent has interviewed a witness ("Witness-4"), who contacted the FBI and who stated, in substance and in part, that he had heard that GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, had offered to help people apply to the Hardship Fund, and that DEMCHUK was nervous because she had applied to the Hardship Fund in the name of her ex-husband without his knowledge. Witness-4 provided the address and cellphone number of DEMCHUK.

31. Subsequent to the other FBI agent's conversation with Witness-4, I interviewed GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk, the defendant, again and she stated, in substance and in part:

a. DEMCHUK is married but has lived separately from her husband ("Husband-1") for six years. DEMCHUK applied for money from the Hardship Fund in Husband-1's name without his knowledge. DEMCHUK received a check in Husband-1's name, endorsed the check by writing Husband-1's name, and deposited the check into an account shared with Husband-1. DEMCHUK did not tell Husband-1 about the money.

b. DEMCHUK reviewed the application submitted in Husband-1's name and stated, in substance and in part, that the birth date of Husband-1 stated in the application is incorrect.

c. DEMCHUK did not know anyone else, other than Husband-1, who received money from the Hardship Fund; DEMCHUK did not help anyone else; and no one paid DEMCHUK for her help with a Hardship Fund application.

MARINA ZAYTSEVA

32. In the course of this investigation, other FBI agents have interviewed a witness ("Witness-5"), in whose name an application was received by the Hardship Fund. I have reviewed a report of their conversation with Witness-5, and I have learned that Witness-5 stated, in substance and in part:

a. In late 2008, Witness-5's mother ("Mother-1") referred to a fund offered by the German government, and instructed Witness-5 to give Mother-1 copies of Witness-5's birth certificate, passport, and other identification documents. Mother-1 would then pass them on to "Marina."

b. In approximately January 2009, "Marina" told Mother-1 that they would be receiving their checks soon. Later that month, Witness-5 received a check in the approximate amount of \$3,500. Witness-5 cashed the check and gave half of the amount to Mother-1, so that she could give it to "Marina."

33. I have compared the Hardship Fund application of Witness-5 to records on a database available to law enforcement, and I have learned that the date of birth on Witness-5's Hardship Fund application is not his/her actual date of birth.

34. In the course of this investigation, I and another FBI agent have interviewed a witness ("Witness-6"), in whose name an application was received by the Hardship Fund. Witness-6 stated, in substance and in part:

a. Witness-6 needed money, and a friend of Witness-6 introduced him/her to "Marina," saying that "Marina" could help Witness-6 apply to programs to receive money. In approximately Summer 2009, Witness-6 met "Marina" and gave her copies of Witness-6's identity documents. Witness-6 did not fill out or sign an application.

b. Approximately three months after Witness-6 gave "Marina" the documents, Witness-6 received a check in the mail. Witness-6 kept \$1,000, and gave the remainder to "Marina."

35. I have compared the Hardship Fund application of Witness-6 to records on a database available to law enforcement, and I have learned that the date of birth on Witness-6's Hardship Fund application is not his/her actual date of birth.

36. In the course of this investigation, other FBI agents have interviewed a witness ("Witness-7"), in whose name an application was received by the Hardship Fund. I have reviewed a report of their conversation with Witness-7, and I have learned that Witness-7 stated, in substance and in part:

a. Witness-6 and Witness-6's daughter told Witness-7 that they received compensation from Germany, and they gave Witness-7 the name and cellular telephone number for MARINA ZAYTSEVA, the defendant, to arrange to receive compensation.

b. Witness-7 called ZAYTSEVA and met her. ZAYTSEVA told Witness-7, in substance and in part, that the whole city gets the money and it is nothing unusual. ZAYTSEVA directed Witness-7 to give ZAYTSEVA copies of Witness-7's Social Security card, driver's license, and passport, and to bring the documents for Witness-7's spouse so that s/he could apply as well.

c. Witness-7 brought his/her identity documents to ZAYTSEVA. Witness-7 met ZAYTSEVA a few more times to provide additional documents. ZAYTSEVA asked for \$120 from each of Witness-7 and his/her spouse for processing the documents. In approximately November or December 2009, ZAYTSEVA said that Witness-7 would receive money in approximately two months.

d. ZAYTSEVA later told Witness-7 that Witness-7 should give ZAYTSEVA 50% of the money Witness-7 received.

e. In approximately December 2009 or January 2010, Witness-7 received a letter saying that s/he would be receiving a certain sum, in Euros. ZAYTSEVA called Witness-7 the same day and already knew about the letter.

f. Witness-7 never received a check from the Hardship Fund. In approximately January 2010, ZAYTSEVA called Witness-7 to ask if s/he had received a check, and told him/her to double check when Witness-7 said that s/he had not received it.

g. In approximately February 2010, Witness-7 called ZAYTSEVA to ask why s/he had not received the money. ZAYTSEVA did not want to speak on the phone and asked Witness-7 to meet her. At the meeting, ZAYTSEVA said that there were unpleasant things going on at the organization that distributed the funds. ZAYTSEVA said that the FBI or other law enforcement may be involved and that ZAYTSEVA and Witness-7 needed to keep quiet.

h. On or about April 1, 2010, Witness-7 called ZAYTSEVA to tell her that FBI agents had come to his/her apartment that day. ZAYTSEVA did not want to discuss the matter over the telephone so she arranged a meeting. During that meeting, ZAYTSEVA told Witness-7 that Witness-7 needed to tell the FBI that Witness-7 did not remember anything. ZAYTSEVA also said that a woman involved in "all of this" left the country in December 2009.

37. Witness-7 reviewed a copy of the Hardship Fund application submitted in his/her name, and stated, in substance and in part:

a. The date of birth, place of birth, and immigration date on the application were incorrect.

b. The birth certificate submitted with the application was not that of Witness-7; the passport submitted with the application contained an incorrect place of birth and birthdate; and the photograph on the copy of the passport was not that of Witness-7.

38. Based upon my involvement in this investigation and other FBI agents' discussions with Witness-7, I believe that the "organization" MARINA ZAYTSEVA, the defendant, discussed with Witness-7 refers to the Claims Conference, and that ZAYTSEVA's reference to "all of this" referred to the fraud on the Claims Conference Hardship Fund. Furthermore, I know that a female

employee of the Claims Conference, Faina Davidson,<sup>2</sup> departed the United States on an international flight on or about January 5, 2010, and I believe that the woman to whom ZAYTSEVA referred to as having left the country in fact was this employee.

39. In the course of this investigation, I and other FBI agents have interviewed Mother-1. Mother-1 stated, in substance and in part:

a. "Marina" told Mother-1 that Mother-1 and her children could receive benefits from Germany. Mother-1 gave to "Marina" the birth certificates, social security cards, and other documents for Mother-1 and her family members.

b. Mother-1 received a letter from the organization that distributes the funds, and later, Mother-1 received a check. The day after Mother-1 received a check, "Marina" called Mother-1 and said that Mother-1 would receive a check.

c. Mother-1 informed "Marina" that she had already received a check. "Marina" told Mother-1 to share the funds with "Marina."

d. "Marina" also knew when the checks arrived for Mother-1's family members. "Marina" instructed Mother-1 to cash the checks and give a portion of the money to her. "Marina" said that she gave money to someone else, and that she had a friend who worked for the organization and could fill out documents.

e. At "Marina's" request, Mother-1 collected identity documents of two others and gave them to "Marina." When those individuals received their checks, they paid a total of approximately \$3,200 or \$3,300 to Mother-1 to give to "Marina."

f. In approximately January or February 2010, "Marina" called Mother-1 and instructed Mother-1 that "they" might come to Mother-1 with a translator and will ask to whom Mother-1 gave documents. "Marina" instructed Mother-1 not to say anything about splitting the money with "Marina," and asked Mother-1 not to talk about "Marina." Based upon my participation in this investigation, I believe that "Marina" was referring to the FBI when she said "they."

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<sup>2</sup> Faina Davidson is separately charged in a complaint, United States v. Faina Davidson, 10 Mag. 618, in connection with the fraud on the Claims Conference.

g. Mother-1 provided "Marina's" phone number to the FBI.

40. I have reviewed phone records of the cellphone provided by Witness-7 as being used by MARINA ZAYTSEVA, the defendant, and the phone number that Mother-1 said was used by "Marina." That phone number is the same, and is subscribed to a name at the address of ZAYTSEVA. Based upon my review of records from approximately January 1, 2009 through approximately May 2010, I have seen approximately 83 telephone calls between ZAYTSEVA and Mother-1; approximately ten phone calls between ZAYTSEVA and Witness-6; and approximately 20 phone calls between ZAYTSEVA and Witness-7.

41. I have interviewed MARINA ZAYTSEVA, the defendant, and I have learned the following:

a. MARINA ZAYTSEVA stated, in substance and in part, that she submitted an application to receive money from the German government approximately two or two-and-a-half years ago. ZAYTSEVA used her color printer to copy her Social Security card and other identification documents. Later, ZAYTSEVA received a check in the amount of approximately \$3,400.

b. ZAYTSEVA reviewed a copy of the Hardship Fund application and supporting documents in her name. ZAYTSEVA stated, in substance and in part, that she did not recognize the signature on the application; the application ZAYTSEVA reviewed was typed but the application ZAYTSEVA submitted was handwritten; the birth date on the application and the Certificate of Naturalization submitted with the application was not accurate; names of her family members stated on the application were not accurate; the birth certificate submitted with the application was not her own; and the last name listed on the marriage certificate submitted with the application was not hers.

c. ZAYTSEVA stated, in substance and in part, that she did not know anyone else who filled out an application or received money and she never told anyone about the application process.

d. ZAYTSEVA declined to provide her cell phone number.

42. In addition to my review of phone records of MARINA ZAYTSEVA, the defendant, I have reviewed phone records of the cellphone used by GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant. Based upon my review of phone records from approximately January 1, 2009 through approximately May 2010, I

have learned that DEMCHUK and ZAYTSEVA have regular phone contact and have over one hundred calls between them.

43. I have reviewed materials provided by the Claims Conference, and I have learned that the caseworker assigned to the applications of Witness-2, Witness-3, Witness-5, Witness-6, Witness-7, GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," the defendant, and Husband-1, was POLINA BREYTER, the defendant.

DORA GRANDE

44. Other FBI agents have interviewed a cooperating witness ("CW-2")<sup>3</sup> who has stated, in substance and in part:

a. CW-2 participated in a scheme to make money through the submission of applications to the Claims Conference.

b. A co-conspirator ("CC-2") asked CW-2 to recruit Jewish individuals in the Russian community to provide copies of their identification documents, in return for a promise of money. CW-2 gave those identification documents to CC-2 after receiving them. CW-2 knew that the identification documents would be used to submit applications of some kind. The individuals who supplied their identification documents did not fill out, sign, review, or verify, the applications that were submitted.

c. When the applicants received their checks (of approximately \$3,800) from the Hardship Fund, they were instructed by CW-2 (who in turn was acting upon direction from CC-2) to give \$2,000 of the proceeds to CW-2, in the form of cash. CW-2 kept a portion of the money, and gave the majority of the money to CC-2. CC-2 informed CW-2 that she, too, kept a portion of the money, and gave the remainder to one or more co-conspirators who were higher up in the scheme.

d. In approximately 2008, CW-2 lost her Ukrainian marriage certificate. CC-2 suggested that CW-2 call "Dora," who had an office in the vicinity of Brighton 12<sup>th</sup> Street, in Brooklyn, New York, and provided a telephone number. CW-2 went to "Dora's" office and paid her \$60 for a new marriage certificate. CW-2 went to "Dora's" office twice.

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<sup>3</sup> CW-2 has pled guilty pursuant to a cooperation agreement in the Southern District of New York and is cooperating with the Government's investigation in the hope of receiving leniency at sentencing. Much of the information s/he has provided to date has been corroborated by recordings and other witnesses.

e. CW-2 gave "Dora's" name and contact information to two individuals ("Witness-8" and "Witness-9") who needed documentation in order to receive payments from the Claims Conference.

45. At the FBI's direction, CW-2 has participated in recorded meetings and phone calls with DORA GRANDE, the defendant. Other agents have spoken with CW-2 about those meetings and phone calls, and I have spoken with those agents and reviewed draft translations of the recordings from the spoken Russian. The following descriptions are summaries of matters discussed during the recorded conversations. Words appearing in quotations are from draft translations. Where necessary, I have included, in brackets, my interpretations of the discussions based on context, my participation in the investigation, and my experience and training:

46. On or about February 17, 2010, at the direction of the FBI, CW-2 met with DORA GRANDE, the defendant, at GRANDE's business, A&D Enterprises, in the vicinity of 3021 Brighton 12 Street, Brooklyn, New York. Among other things, the following took place at the meeting:

a. CW-2 brought to GRANDE the marriage certificate that GRANDE had prepared for CW-2 approximately two years ago. CW-2 told GRANDE that her year of birth is 1948, her birth certificate shows 1948 as her year of birth, but the year of birth on the marriage certificate appears to be 1943. GRANDE said that the "8" in the last digit was not typed hard enough. GRANDE then used a typewriter to type an "8" over the last digit on the marriage certificate.

b. CW-2 asked whether GRANDE would put a year of birth of 1943 on her birth certificate. GRANDE said, "I can do anything for you that you would like, but what will you gain from it?" CW-2 said that she wanted a birth certificate to reflect a year of birth of 1943 for the purpose of applying for Social Security benefits. CW-2 said that she wanted to alter her birth certificate. GRANDE said that she will alter the marriage certificate and make an identical birth certificate. GRANDE further said that Social Security will look at the naturalization papers and data on a computer, and CW-2's submission will not be accepted. CW-2 said that she would like to try, and GRANDE agreed: "Yes, I can do it for you, for \$100, I will do September of 43." GRANDE said it would take a couple of days. CW-2 said that she would consider whether she wants to proceed.



47. On or about February 18, 2010, at the FBI's direction, CW-2 placed two telephone calls to DORA GRANDE, the defendant, at A&D Enterprises. CW-2 advised GRANDE that she wanted to proceed with the purchase of the birth certificate.

48. On or about February 23, 2010, at the FBI's direction, CW-2 met with DORA GRANDE, the defendant, at A&D Enterprises. Among other things, the following took place at the meeting:

a. CW-2 gave GRANDE a copy of her true birth certificate and the marriage certificate that GRANDE had made for CW-2 approximately two years ago. GRANDE verified the need to change "this" back to a "three." CW-2 then pointed out that there were two places to change. GRANDE said that she would make "the exact same kind," and CW-2 said, "so there is a three." GRANDE confirmed that and asked for CW-2's phone number.

b. GRANDE asked if CW-2 would like to have the document certified, and CW-2 agreed. GRANDE asked if CW-2 would like to have the documents translated. GRANDE said the translation can be done at any time. CW-2 asked about the price, and GRANDE said that it will cost \$100. CW-2 confirmed that price is for both papers. GRANDE said that she will take "this off here" and will put a "three" there. GRANDE said that the documents would be ready on Friday.

c. CW-2 paid GRANDE a deposit of \$40 cash.

49. On or about February 24, 2010, at the FBI's direction, CW-2 placed three calls to A&D Enterprises. During those calls, CW-2 requested that the marriage certificate be changed to reflect a year of birth of 1943, to match the new birth certificate. CW-2 also requested English translations of the documents. CW-2 agreed on a price of \$150.

50. On or about March 1, 2010, CW-2 met with DORA GRANDE, the defendant, at A&D Enterprises. The meeting included the following:

a. CW-2 received from GRANDE a false birth certificate, a notarized English translation of that birth certificate, an altered marriage certificate, and a notarized English translation of the marriage certificate.

b. CW-2 inspected the papers and noticed that one of the English translations said 1946. CW-2 said that the numerals were correct but the number was not correctly written in letters. GRANDE corrected the mistake with a typewriter.

c. CW-2 asked how much she needs to pay. GRANDE said that CW-2 had a balance of \$60, and the translation was \$50, so the total is \$110. GRANDE said that there's a "43" there and everywhere else. GRANDE said that if this helps CW-2, her company will be delighted. CW-2 said that she is going to try.

d. CW-2 started to say, "If any of CW-2's friends are interested . . ." but GRANDE interrupted and said, "If anybody wants to, please come in, we'll do everything." GRANDE also said, "It won't be a problem; we'll even be grateful." CW-2 said that she thinks her friends need to receive money from Germany, and asked if GRANDE could alter their documents as well. GRANDE answered yes.

e. CW-2 paid GRANDE \$110 cash.

51. CW-2 provided copies of the documents received from DORA GRANDE, the defendant, to the FBI.

52. I have reviewed a copy of the Hardship Fund application in the name of Witness-8 provided by the Claims Conference, and I have spoken with representatives of the Claims Conference, and I have learned the following:

a. The application states a date of birth of Witness-8 as May 13, 1941.

b. The description of persecution in the application bears strikingly similar language to other Hardship Fund applications that this investigation has determined to be fraudulent.

c. A copy of a Russian marriage certificate is submitted with the application.

53. I have seen that the date of birth on the application of Witness-8 is not the same as the date of birth for Witness-8 contained in records available to law enforcement.

54. Based on my review of the false birth certificate and marriage certificate that DORA GRANDE, the defendant, provided to CW-2, and to the marriage certificate supporting the Hardship Fund application of Witness-8, I believe that the marriage certificate in the name of Witness-8 was prepared by DORA GRANDE, the defendant. Among other things, the forms used, stamp used, and the signatures at the ends of the documents appear to be the same.

55. Other FBI agents have interviewed a witness ("Witness-10") who stated, in substance and in part, the following:

a. Witness-10 learned about the Hardship Fund from another person ("CC-3"). CC-3 told Witness-10 that CC-3 worked at the organization that processes claims for payment from the Hardship Fund.

b. Witness-10 asked CC-3 which documents s/he should provide. CC-3 instructed Witness-10 to provide a copy of his/her green card, Social Security card, and birth certificate. Witness-10 paid CC-3 \$100 initially.

c. After Witness-10 received the check from the Hardship Fund, s/he cashed the check and gave CC-3 approximately \$1,600 to \$1,900.

56. During the FBI interview of Witness-10, s/he reviewed a copy of the identification documents submitted to the Claims Conference in support of his/her application. Witness-10 stated, in substance and in part, that the birth certificate looked different from his/her own birth certificate; Witness-10's birth certificate is two-sided and folded like a booklet. Witness-10 said that s/he never bought a false birth certificate.

57. I have reviewed a copy of the birth certificate submitted with the application in the name of Witness-10, provided to the FBI by the Claims Conference. By comparing that birth certificate with the documents CW-2 received from DORA GRANDE, the defendant, I believe that the birth certificate in the name of Witness-10 was prepared by GRANDE. Among other things, the form used, stamp used, and the signatures at the end of the documents appear to be the same.

58. Other agents have interviewed a cooperating witness ("CW-3")<sup>4</sup>, who has stated, in substance and in part, that she heard that "Dora" was a woman who worked at an office located on Brighton 12<sup>th</sup> Street, who helped people when documents were missing, such as birth certificates, and that "Dora" can produce any document that someone needs.

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<sup>4</sup> CW-3 has pled guilty pursuant to a cooperation agreement in the Southern District of New York and is cooperating with the Government's investigation in the hope of receiving leniency at sentencing. Much of the information s/he has provided to date has been corroborated by recordings and other witnesses.

59. Other agents with whom I have spoken have interviewed a cooperating witness ("CW-4")<sup>5</sup>, who has stated, in substance and in part, that CW-4 learned that "Dora" was a notary in Brighton where people went to get documents made.

POLINA ANOSHINA

60. Other FBI agents have interviewed CW-3, who has stated, in substance and in part:

a. Other people recruited individuals in the Russian immigrant community ("the applicants") to provide copies of their identification documents, in return for a promise of money. The applicants did not complete or sign any applications. The applicants' identification documents were received by CW-3, who, in turn, passed the documents to an employee at the Claims Conference.

b. CW-3 received identification documents from "Polina," who had received some of them from another person ("CC-4"). "Polina" and CC-4 had collected the documents from other individuals. CW-3, in turn, passed them to CW-3's Claims Conference employee contact.

c. CW-3 sometimes discussed with "Polina" the fact that a person was technically not eligible because they had not been evacuated during World War II.

d. In approximately August 2009, a woman ("Woman-1") gave her identity documents to CC-4, who gave them to "Polina," "Polina" gave them to CW-3, and CW-3 gave them to her employee contact at the Claims Conference.

e. On or about January 25, 2010, CW-3 spoke with "Polina." "Polina" said that Woman-1 was visited by the FBI, and "Polina" asked CW-3 to come over. CW-3 met with "Polina" and CC-4. "Polina" said that she and CC-4 had collected documents from Woman-1, and had taken half of her money in exchange.

f. CW-3 provided the FBI with the last name (phonetically) of Woman-1.

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<sup>5</sup> CW-4 has pled guilty pursuant to a cooperation agreement in the Southern District of New York and is cooperating with the Government's investigation in the hope of receiving leniency at sentencing. Much of the information s/he has provided to date has been corroborated by recordings and other witnesses.

61. CW-3 provided to the FBI the approximate location in which "Polina" lives. I have reviewed an application to the Claims Conference Hardship Fund in the name of POLINA ANOSHINA, the defendant, and I have seen that the address on the application is similar to the approximate location provided by CW-3.

62. On or about September 16, 2010, at the direction of the FBI, CW-3 recorded a meeting with POLINA ANOSHINA, the defendant. I have reviewed a draft translation from Russian to English of the recording. The following excerpts are summaries of matters discussed during the recorded conversation. Words appearing in quotations are draft translations of the spoken Russian. Where necessary, I have included, in brackets, my interpretations of the discussions based on context, my participation in the investigation, and my experience and training:

a. ANOSHINA said, in substance and in part, that she wanted to talk with CW-3 to find out what kind of information is out there. ANOSHINA mentioned that she talks with CC-4.

b. ANOSHINA said, in substance and in part, that another person ("CC-5") had called and discussed letters that some people had received. CC-5 said it was all set up, they were waiting for a committee from Israel or Germany. ANOSHINA said that there were announcements in the newspapers regarding the demand of the return of money, and no one is returning money. ANOSHINA said that CC-4 heard one thing on the radio about how you can say, "I lost money, what do I do?" CW-3 said, "I help . . . people of pension age, who were in concentration camps." ANOSHINA said that CC-5 told her not to worry, that this is a private organization, that it's interesting that it's not American money.

63. I have spoken to representatives of the Claims Conference and I have reviewed letters sent by the Claims Conference on or about June 30, 2010, to certain recipients of money from the Article 2 Fund based on applications believed to be fraudulent. Based on my participation in this investigation, I believe that the "letters" POLINA ANOSHINA, the defendant, referred to in her conversation with CW-3 are the letters sent by the Claims Conference on or about June 30, 2010, relating to the Article 2 Fund. Further, I believe that ANOSHINA's reference to "a private organization" refers to the Claims Conference.

64. I have spoken with other FBI agents and read a report written by them, and I have learned that on or about January 7, 2010, two FBI agents interviewed a witness ("Witness-11") at her

residence concerning an application to the Hardship Fund. During the interview, Witness-11 denied having signed the application to the Hardship Fund and denied ever having expected to receive funds from the Hardship Fund.

65. On or about April 26, 2010, other agents interviewed Witness-11, who, stated the following, in substance and in part:

a. CC-4 is an acquaintance of Witness-11. In approximately July 2009, CC-4 told Witness-11 that there was a fund called the "Hungry Children of War" and CC-4 could help Witness-11 apply to receive compensation from the fund. CC-4 asked Witness-11 for copies of identification documents and said that she would pass them on to someone else. Witness-11 provided the documents to CC-4 approximately one week later.

b. In approximately September 2009, CC-4 told Witness-11 that she had given Witness-11's identification documents to someone. Shortly thereafter, CC-4 told Witness-11 that a check would come in the mail if the documents had been accepted. CC-4 instructed Witness-11 to call her if the check came.

c. At some point, CC-4 told Witness-11 that the amount of the check would be approximately \$2,500 or \$3,000.

d. Witness-11 provided the FBI with the phone number of CC-4.

66. During the FBI's interview, Witness-11 reviewed the application to the Hardship Fund in her name. Witness-11 stated, in substance and in part, that the signature on the Hardship Fund application is not Witness-11's signature; Witness-11 was not born in the place of birth stated on the application; Witness-11's parents' names on the application and supporting birth certificate are not correct; Witness-11 was not involved in the Holocaust; Witness-11 is not Jewish; and the ethnicity of her parents listed on Witness-11's actual birth certificate is "Russian," not "Jewish" as stated in the copies supporting the application.

67. Based on my participation in this investigation, including the phonetic last name of Woman-1, I believe that Woman-1, who was discussed by "Polina" and CC-4 in their meeting with CW-3, is Witness-11.

68. I have reviewed telephone records provided by Verizon New York for a phone number subscribed in the name of POLINA ANOSHINA, the defendant, and I have learned the following:

a. On the day of the first FBI interview of Witness-11, January 7, 2010, at approximately 9:46 p.m., POLINA ANOSHINA, the defendant, spoke with CC-4.

b. The next day, January 8, 2010, at approximately 6:30 p.m., ANOSHINA spoke with Witness-11. At approximately 9:54 p.m., ANOSHINA spoke with CW-3.

c. The next morning, on January 9, 2010, at approximately 9:15 a.m., ANOSHINA spoke with CC-4 again.

69. I have reviewed the application for the Hardship Fund in the name of POLINA ANOSHINA, the defendant, that was provided to the FBI by the Claims Conference. The application states that ANOSHINA's date of birth is January 4, 1940.

70. I have reviewed a database of records available to law enforcement, through which I have learned that the date of birth of POLINA ANOSHINA, the defendant, is January 4, 1948.

71. Based on information I have received from the Claims Conference, I have learned that because POLINA ANOSHINA, the defendant, was born after World War II, she is not eligible for the Hardship Fund.

ABRAM AND TATYANA GRINMAN

72. I have spoken with other FBI agents who have interviewed a witness ("Witness-12"). Witness-12 stated, in substance and in part:

a. In approximately 2008, Witness-12 learned of the Hardship Fund from TATYANA GRINMAN, the defendant. Witness-12 provided copies of Witness-12's social security card and passport to TATYANA GRINMAN in order to obtain money from the Hardship Fund.

b. When Witness-12 received a check from the Hardship Fund, Witness-12 contacted TATYANA GRINMAN. Witness-12 cashed the check, kept \$1,000, and gave the remainder of the money to TATYANA GRINMAN.

c. Witness-12 knows of other people ("Witness-13," among others) whose documents TATYANA GRINMAN collected for submission to the Hardship Fund.

73. On or about January 14, 2010, in a phone call monitored by FBI agents, Witness-12 called TATYANA GRINMAN to speak about the FBI's investigation of the Hardship Fund. TATYANA GRINMAN instructed Witness-12 to call ABRAM GRINMAN, the defendant.

74. On or about January 14, 2010, Witness-12 recorded a call with ABRAM GRINMAN, the defendant. The following excerpts are summaries of matters discussed during the recorded conversation. Words appearing in quotations are taken from draft translations of the spoken Russian and Yiddish. Where necessary, I have included, in brackets, my interpretations of the discussions based on context, my participation in the investigation, and my experience and training:

a. Witness-12 told ABRAM GRINMAN that "they [the FBI] should be at my place shortly" and asked, "What should I tell them?" ABRAM GRINMAN instructed, "Tell them that you read the newspaper and it [the Hardship Fund] was all in the newspaper." He continued to explain that Witness-12 should say, "We sent it [copies of identity documents] ourselves, because . . . if you gave it to someone it means you paid money. So, don't even say anything about money." He further explained, "That it was in the newspaper and you decided to send it and you got it [the money]. That's it. There is nothing scary here."

b. Witness-12 asked ABRAM GRINMAN, "And who filled out the application for me? I gave. . ." ABRAM GRINMAN said, "There's no application here." Witness-12 replied, "What do you mean no application? I gave my social security [number] and my passport, and I got money without an application?" ABRAM GRINMAN said, "Listen to me, you didn't give it. You didn't give it. You didn't give it. You made copies [of identity documents] and send the copies there."

c. Witness-12 asked, "Then what? How did I get the money?" ABRAM GRINMAN stated, "You sent in the copies and all the [information] is in the copies, the year you were born, your address. You wrote your address and you got everything."

d. Witness-12 referred to a woman whom Witness-12 said was approached by the FBI and said, "[W]hen they [the FBI] came to see that [woman] they asked her when she gave the money, before that, or after that. They asked about the money." Witness-12 continued, "If she doesn't think it through, she will do [prison] time." ABRAM GRINMAN replied, "She will not do time. Nobody will."



e. ABRAM GRINMAN told Witness-12, "Listen to me, this is, this is what you should say and this is how you should say it."

f. ABRAM GRINMAN asked Witness-12, "Do you have the address you sent [the copies of identity documents] to?" Witness-12 responded, "The Claims Conference in Manhattan?" ABRAM GRINMAN said, "That's the one."

75. Based upon my review of the translation of the recording, the debriefing of Witness-12, and my involvement in this investigation, I believe that ABRAM GRINMAN, the defendant, is referring to the Claims Conference, and explaining what Witness-12 should say to the FBI to avoid prosecution for participation in the submission of a false claim for compensation.

76. On or about January 20, 2010, ABRAM GRINMAN, the defendant, was interviewed by other FBI agents. I have spoken with the interviewing FBI agents and I have learned that ABRAM GRINMAN stated, in substance and in part, the following:

a. ABRAM GRINMAN's wife, TATYANA GRINMAN, had applied to the Hardship Fund after seeing information about it in the newspaper.

b. ABRAM GRINMAN gave copies of his wife's passport, social security card, and other documents to another individual ("CC-6").

c. ABRAM GRINMAN gave to CC-6 copies of identity documents needed to apply to the Hardship Fund for other individuals as well.

77. I have reviewed records on a database available to law enforcement containing information about the date of birth of TATYANA GRINMAN, the defendant. I have reviewed an application to the Hardship Fund in the name of TATYANA GRINMAN. In that application to the Hardship Fund, TATYANA GRINMAN's year of birth is falsified to make it appear that she is eligible for the Hardship Fund benefits, when she actually is not.

78. I have spoken with another FBI agent who has interviewed Witness-13, who stated, in substance and in part:

a. TATYANA GRINMAN, the defendant, had asked Witness-13 if s/he was interested in receiving money from the Hardship Fund. In approximately 2007, Witness-13 provided copies of

Witness-13's birth certificate, passport, marriage certificate, and social security card to TATYANA GRINMAN in order to obtain money from the Hardship Fund.

b. When Witness-13 received a check from the Hardship Fund, Witness-13 contacted TATYANA GRINMAN, who instructed Witness-13 to cash the check. Witness-13 kept \$1,000, and gave the remainder of the money to TATYANA GRINMAN.

c. Witness-13 reviewed a copy of the Hardship Fund application submitted in his/her name, and stated that the date of birth, employment, and names of family members on the application were incorrect.

#### OPERATION OF THE ARTICLE 2 FUND SCHEME

##### Witness-14

79. I have spoken with other FBI agents who have interviewed a witness ("Witness-14"), who stated, in substance and in part, the following:

a. Witness-14 responded to an advertisement in a Russian-language newspaper by contacting a law firm (the "Law Firm") about receiving a one-time compensation payment for evacuees of the Holocaust. Witness-14 spoke with VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant. Following ROMASHOVA's instructions, Witness-14 completed a two-page application and sent his/her identification information, a written description of his/her persecution during the Holocaust, and other records to ROMASHOVA.

b. ROMASHOVA subsequently advised Witness-14 that s/he did not qualify for a one-time payment of funds, but that she could arrange for Witness-14 to receive a lifetime payment. ROMASHOVA did not require anything additional from Witness-14.

c. In approximately 2003, ROMASHOVA called Witness-14 and said that s/he had "passed." Witness-14 then received a card from the Claims Conference providing Witness-14 with a registration number.

d. In approximately 2005, ROMASHOVA called Witness-14 and said again that s/he had "passed" and would receive a payment of approximately \$10,000. ROMASHOVA told Witness-14 that s/he would need to pay \$8,000 out of that payment to ROMASHOVA for "processing."

e. Witness-14 subsequently received a payment of approximately \$10,640. Next, Witness-14 received written instructions from ROMASHOVA and two pre-paid mailing envelopes. Following those instructions, Witness-14 purchased money orders from the United States Post Office and agents of MoneyGram and Western Union. Witness-14 sent the money orders to ROMASHOVA in two separate packages.

f. Witness-14 did not deal directly with anyone at the Claims Conference. Witness-14 was not interviewed by anyone, even ROMASHOVA, concerning his/her situation during the Holocaust or otherwise relating to his/her application. Witness-14 did not deal with anyone at the Law Firm other than ROMASHOVA.

g. Witness-14's sibling ("Witness-15") also applied for what s/he believed was a one-time compensation payment relating to the Holocaust through the Law Firm, and Witness-15 dealt with ROMASHOVA there.

80. I have reviewed a letter, translated from Russian, that VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant, sent to Witness-14, and that was provided to the FBI. The letter is dated July 6, 2005, and states that it is from "Tina (Valentina)." Based on my review of the letter, I have learned the following:

a. In the letter, ROMASHOVA instructed Witness-14 to purchase 16 money orders of \$500 each. ROMASHOVA instructed, "It is better to buy money orders gradually (rather than all at the same time) and in different places. The best choice would be regular money orders purchased at a post office or Western Union money orders. Please do not fill out money orders, and do not write any names."

b. ROMASHOVA further directed Witness-14 to send eight money orders in each of two express mail envelopes that ROMASHOVA provided, and stated, "Of course the post office should not know what exactly you are sending."

c. Concerning the payment from the Claims Conference, ROMASHOVA wrote, "Please do not worry about your future receiving of the pension. This is a done deal. From now on every three months the pension will be transferred to the bank account." In the letter, she also provided the address of the Claims Conference in Manhattan.

d. ROMASHOVA wrote, "My offer regarding the compensation for your [spouse] is still in effect. Call me, when (if) the decision is made."

e. ROMASHOVA enclosed \$40.00 for the purpose of purchasing stamps and money orders.

f. ROMASHOVA advised that she officially changed her name, and that "Valentina and Tina Rome are both my names."

81. I have reviewed copies of fifteen money orders purchased by Witness-14 and photocopied by Witness-14 before sending them to VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant. The money orders each contain a serial number or other identification number (except for one, which was illegible), and the payee of each money order was left blank.

82. I have reviewed a translation of the written description of Witness-14's experience during the Holocaust that Witness-14 sent to VALENTINA ROMASHOVA, a/k/a "Tina Rome," and I have spoken with Witness-14 about his/her experience during the Holocaust. Witness-14 stated, in substance and in part, that s/he was born in Irkutsk, Siberia, and was on a family vacation visiting relatives in Shumyachi [in the former Soviet Union] when they learned of the Nazi invasion. Witness-14 and his/her family managed to evacuate and return to Irkutsk.

83. I have reviewed the Article 2 application materials in the name of Witness-14 provided to the FBI by the Claims Conference, and I have learned the following:

a. The explanation of Witness-14's experience during the Holocaust in the application is different from the written explanation provided to ROMASHOVA by Witness-14 and in the FBI's interview of Witness-14. Witness-14's Article 2 Fund application stated that Witness-14 was born in Shumyachi and lived in hiding there during the Holocaust, from July 1941 through September 1943.

b. The place of birth stated in the application and in the copy of the birth certificate submitted with the application is listed as Shumyachi, Smolensk region, U.S.S.R.

84. I have reviewed materials from the Claims Conference regarding the Article 2 Fund application in the name of Witness-14, and I have learned the following:

a. The assigned caseworker was POLINA STAROSELETSKY, the defendant. On or about April 29, 2005, STAROSELETSKY signed a document stating that part of the supporting evidence for Witness-14's claim for payment was a telephone interview. Handwritten notes purporting to be of a telephone interview are contained in the case file. A typewritten translation of a purported phone interview dated on or about March 21, 2005, is also contained in the file and signed by STAROSELETSKY, with a "caseworker's note" stating that the "applicant's account of persecution sounded truthful and compelling." Based on my interview of Witness-14, however, I have learned that no one had interviewed Witness-14 about his/her family's experience during the Holocaust.

b. SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, approved the application and authorized it for payment.

85. I have spoken with representatives from the Claims Conference, and I have learned that Witness-14 is not eligible for payments from the Article 2 Fund. Witness-14's flight from the Nazi advance may qualify him for a one-time payment from the Hardship Fund, but not a lifetime pension from the Article 2 Fund.

86. I have reviewed records from the Claims Conference and I have learned that Witness-14 received payments from the Article 2 Fund from 2005 through 2010, in a total amount of approximately \$32,373.35, including an initial payment of \$10,640.32 in 2005.

87. I have obtained from the United States Postal Service, Travelers Express Money Gram, and Western Union copies of the negotiated money orders that had been purchased by Witness-14 and sent to VALENTINA ROMASHOVA, a/k/a "Tina Rome," and I have learned the following:

a. SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, signed three \$500 Western Union money orders, that were made payable to American Express.

b. VALENTINA ROMASHOVA, a/k/a "Tina Rome," signed ten money orders, as follows:

i. Four \$500 Western Union money orders, two made payable to American Express, and two payable to "Chase Platinum M/C."

ii. Five \$500 Travelers Express Money Gram money orders, two of which were made payable to Wachovia Bank; one to New West Condo; one to Cablevision; and one to Chase Platinum M/C.

iii. One \$1,000 United States Postal Service money order, made payable to Chase Platinum M/C.

c. Two \$500 Western Union money orders were signed by a co-conspirator ("CC-7") who owns a condominium with ROMASHOVA and shares a bank account with ROMASHOVA.

Witness-15

88. I have spoken with other FBI agents who have interviewed Witness-15, who stated, in substance and in part, the following:

a. Witness-15 responded to an advertisement in a newspaper about compensation programs for individuals relocated during World War II. Witness-15 sent documents to the Law Firm, and received a call from VALENTINA ROMASHOVA, a/k/a "Tina Rome."

b. Next, Witness-15 received a post card dated on or about June 9, 2003, stating that Witness-15 was "registered." Approximately one week later, ROMASHOVA called Witness-15 to ask if s/he had received the post card.

c. In approximately April 2005, Witness-15 received a letter from the Claims Conference requesting bank account information and a document called a Life Certificate. In approximately May 2005, ROMASHOVA called Witness-15 and asked if s/he had been contacted by the Claims Conference or by Germany. ROMASHOVA also asked Witness-15 if his/her spouse was interested in applying. Witness-15 explained that his/her spouse was born in 1948 (after World War II), but ROMASHOVA said that "it would be done correctly" and attempted to convince Witness-15 that his/her spouse should apply.

d. In approximately June 2005, ROMASHOVA called Witness-15 and said that s/he would soon receive money deposited directly into his/her bank account. Shortly thereafter, Witness-15 received a letter from ROMASHOVA. Following the instructions in the letter, Witness-15 purchased 16 money orders in the amount of \$500 each, and sent two envelopes containing approximately eight money orders each to ROMASHOVA. ROMASHOVA called Witness-15 to confirm receipt of the envelopes. Witness-15 had sent the money orders to ROMASHOVA by approximately July 2005.

e. Witness-15 purchased the money orders in at least three locations in Denver, Colorado, and Witness-15 provided the names of the stores and addresses of those locations to the FBI.

f. Witness-15 was born in Irkutsk. In approximately 1941, s/he and his/her family went on vacation to the Shumyachi village in Russia to visit family. When the Nazis advanced, Witness-15 and his/her family evacuated, traveling through several towns on different trains, eventually returning to Irkutsk.

89. I have reviewed the case file from the Claims Conference regarding the Article 2 Fund application in the name of Witness-15, and I have learned the following:

a. The assigned caseworker was POLINA STAROSELETSKY, the defendant.

b. On or about April 29, 2005, STAROSELETSKY signed a document stating that part of the supporting evidence of Witness-15's application is an interview with Witness-15's sibling, Witness-14. Handwritten notes of a purported phone interview and a typewritten translation of a purported interview with Witness-14, signed by STAROSELETSKY, are contained in the case file of Witness-15. I have learned from Witness-14, however, that no one interviewed Witness-14 about his/her family's experience during the Holocaust.

c. The application and birth certificate submitted with the application states that the place of birth of Witness-15 is Shumyachi, Smolensk region, U.S.S.R.

d. The application states that Witness-15 lived in hiding in Smolensk from July 1941 through September 1943.

e. SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, approved the application and authorized it for payment.

90. I have spoken with representatives from the Claims Conference, and I have learned that, for reasons similar to Witness-14, Witness-15 is not eligible for payments from the Article 2 Fund.

91. I have reviewed records from the Claims Conference and I have learned that Witness-15 received payments from the Article 2 Fund from 2005 through 2010, in a total amount of approximately \$32,373.35.

92. I have obtained records from Western Union of money orders purchased in the names of the stores and approximate locations identified by Witness-15, and near the approximate dates that Witness-15 stated s/he purchased the money orders. I have learned that five money orders, in the amount of \$500 each, were purchased at one of the stores identified by Witness-15. Two of those money orders were dated on or about July 31, 2005; one on August 1, 2005; one on August 3, 2005; and one on August 4, 2005. Those five money orders were made payable to POLINA STAROSELETSKY, the defendant, and signed in the name of STAROSELETSKY.

Witness-16

93. Another FBI agent has interviewed a witness ("Witness-16") who said, in substance and in part, the following:

a. In approximately 2003, Witness-16 responded to an advertisement in a Russian newspaper by the Law Firm directed at individuals affected by World War II. Witness-16 called and spoke with VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant.

b. ROMASHOVA sent Witness-16 a blank form to complete. Witness-16 completed the form, describing his/her experience during the Holocaust, provided copies of his/her birth certificate and passport, and returned it to ROMASHOVA.

c. Witness-16 then received a completed form, in English. Witness-16 has limited ability to read English. ROMASHOVA instructed Witness-16 to sign the document and have it notarized but to direct the notary to leave the document undated. Witness-16 signed the form, had it notarized, and mailed it to ROMASHOVA.

d. ROMASHOVA told Witness-16 that s/he was eligible to receive money "from now on" because the war had started when s/he was born.

e. Witness-16 received a payment of approximately \$9,000. After receiving the payment, Witness-16 received a letter and two mailing envelopes from ROMASHOVA. The letter instructed Witness-16 to send ROMASHOVA \$8,000 in blank money orders, in two packages of \$4,000 each. ROMASHOVA called Witness-16 and explained that the money orders were a standard fee for the application.



f. Witness-16 purchased money orders from different places and sent ROMASHOVA \$8,000 in money orders. Witness-16 provided the FBI with the names of the stores where s/he purchased the money orders.

g. Witness-16's only contact concerning his/her application was ROMASHOVA. Witness-16 was not in contact with anyone at the Claims Conference. Witness-16 was not interviewed regarding his/her persecution during the Holocaust by ROMASHOVA or anyone else.

h. During World War II, Witness-16's mother was pregnant with Witness-16 in Moldova. Witness-16's family evacuated, and Witness-16 was born near Stalingrad while his/her family was traveling. Witness-16's family eventually arrived in Chu, Kazakhstan.

94. I have reviewed records from the Claims Conference and I have learned that Witness-16 received payments from the Article 2 Fund from in or about 2004 through in or about 2010, in a total amount of approximately \$32,861.27.

95. I have spoken with representatives from the Claims Conference, and I have learned that Witness-16 is not eligible for payments from the Article 2 Fund. Witness-16 may be eligible for the Hardship Fund, but not for the Article 2 Fund, because s/he was evacuated during World War II.

96. I have reviewed the application submitted in the name of Witness-16, which application was approved by SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, on or about August 25, 2004. I have learned that according to the application, Witness-16 was born in Bendery, Moldova, and lived in hiding in Moldova. The application materials contain a detailed description of Witness-16's life in hiding, which is completely different from Witness-16's description of his/her evacuation as stated during his/her interview with the FBI.

97. I have reviewed records provided by an outside source ("Source-1")<sup>6</sup> containing biographical information about Witness-16, which states that Witness-16 was born in Volgograd (formerly Stalingrad).

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<sup>6</sup> Records maintained by Source-1 are considered reliable, historical records.

98. I have reviewed copies of four negotiated money orders provided by Western Union, which were purchased at a store where Witness-14 stated that s/he purchased money orders. The money orders were dated on or about July 11, 12, and 14, 2005. Each was signed by VALENTINA ROMASHOVA, a/k/a "Tina Rome," the defendant. Two were made payable to American Express Optima, and two were made payable to Chase Platinum MasterCard.

#### OTHER MONEY ORDERS

99. I have reviewed copies of money orders obtained from the United States Postal Service, MoneyGram, Western Union, and other sources, and I have reviewed copies of money orders used as payment towards various credit card and bank accounts. I have learned that SEMEN DOMNITSER, a/k/a "Semyon Domnitser," VALENTINA ROMASHOVA, a/k/a "Tina Rome," and POLINA STAROSELETSKY, the defendants, used money orders that were purchased from different vendors around the country, as payments on their accounts or to be deposited into their accounts. For example:

a. I have reviewed records provided by American Express pertaining to an account of SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, and I have seen that from in or about July 2003 through in or about July 2009, at least approximately 15 money orders signed in the name of DOMNITSER were made payable to American Express, in the amounts of \$500 or \$1,000 each.

b. I have reviewed records provided by the United States Postal Service, and I have learned that on or about January 11, 2007, SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, used a \$1,000 money order to pay Washington Mutual, and on or about July 23, 2009, DOMNITSER used a \$500 money order to pay Citi Cards. I have also learned that another person who provided the same address as DOMNITSER used a \$500 money order on or about April 21, 2004, and a \$1,000 money order on or about February 14, 2009.

c. I have reviewed records from Citibank pertaining to a Citi Cards account of SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, and I have learned that from in or about April 2005 through in or about July 2009, approximately ten money orders, in amounts of \$500 or \$1,000, were used as payment on the account.

d. I have reviewed copies of negotiated money orders obtained from several entities, including the United States Postal Service, Western Union, and Travelers Express Money Gram,

and I have seen that from in or about January 2004 through in or about November 2009, at least approximately 250 money orders signed in the name of "Tina Rome," or "T. Rome" were made payable to "Chase Platinum M/C," Chase Card Services, American Express, American Express Optima, Saks Fifth Avenue, Wachovia, Con Edison, "Seabreeze Condo," "Oceana Condo," and Bank of America, among others. The money orders totaled approximately \$125,000.

e. I have reviewed records provided by JP Morgan Chase Bank pertaining to a savings account in the name of POLINA STAROSELETSKY, the defendant, and I have learned that from in or about December 2003 through in or about October 2006, at least approximately eight money orders signed in the name of POLINA STAROSELETSKY, the defendant, were made payable to STAROSELETSKY, and at least one other money order with an illegible signature was made payable to STAROSELETSKY and to "cash," in amounts of \$500 each.

100. I have seen that one of the \$1,000 money orders signed in the name of SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, was dated the same day - January 11, 2007 -- and purchased in the same city as two of the \$1,000 money orders signed in the name of "Tina Rome" or "T. Rome."

101. I have reviewed phone records provided by AT&T of a phone subscribed to VALENTINA ROMASHOVA, a/k/a "Tina Rome, the defendant, and I have seen phone calls between ROMASHOVA and a phone number used by SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant. For example, from on or about November 25, 2009 through on or about February 3, 2010, there are approximately twelve phone calls between them.

#### THE BERENSON FAMILY'S ARTICLE 2 FUND APPLICATIONS

102. I have spoken to representatives of the Claims Conference, and I have reviewed materials provided by them, and I have learned the following about POLINA BERENSON, the defendant:

a. BERENSON signed an application to the Claims Conference, dated or about April 25, 1994, for payments from the Article 2 Fund. Above BERENSON's signature was a declaration that all of the statements in the application are true.

b. BERENSON's written explanation of her experience during the Holocaust stated that she resided with her family in a ghetto that the Germans organized for Jewish individuals in Bershad, Ukraine. She described in detail the persecution she purportedly experienced in the Bershad ghetto.

c. As part of its review of fraudulent applications, the Claims Conference has determined that BERENSON's application and supporting information contained false information and that she is ineligible for the Article 2 Fund. Verification information that the Claims Conference recently obtained from an outside source ("Source-2")<sup>7</sup> shows that BERENSON did not live in the Bershad ghetto.

d. As of approximately June 2010, BERENSON received approximately \$57,319.09 from the Article 2 Fund.

e. On or about June 30, 2010, the Claims Conference sent a letter to BERENSON stating that the information in her application was fraudulent and that she was not eligible for payments from the Article 2 Fund.

103. I have spoken to representatives of the Claims Conference, and I have reviewed materials provided by them, and I have learned the following about the sister of POLINA BERENSON, the defendant ("Sister-1"):

a. Sister-1 applied to the Article 2 Fund in an application dated on or about June 25, 1999. In her application materials, Sister-1 claimed that she and her family resided in the Bershad ghetto during the Holocaust.

b. As part of its review of fraudulent applications, the Claims Conference has determined that Sister-1's application and supporting information contained false information and that she is ineligible for the Article 2 Fund. Information received by the Claims Conference from Source-2 shows that Sister-1 did not live in the Bershad ghetto. Further, Sister-1 had already applied for a Hardship Fund payment - which, if the statements in that application were true, would make her ineligible for the Article 2 Fund.

104. I have spoken to representatives of the Claims Conference, and I have reviewed materials provided by them, and I have learned the following about the husband of POLINA BERENSON, the defendant ("Husband-2"):

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<sup>7</sup> Records from Source-2 are considered to be reliable, historical records.

a. Husband-2 signed an application to the Article 2 Fund, dated on or about July 17, 1999. In his application materials, Husband-2 claimed that his annual household income was approximately \$7,044. He also claimed that during the Holocaust, he and his family lived in hiding in Vinnitsa, Ukraine.

b. As part of its review of fraudulent applications, the Claims Conference has determined that Husband-2's application and supporting information contained false information and that he is ineligible for the Article 2 Fund. Husband-2 was married to BERENSON and their household income was higher than stated in the application and exceeded the income limitations for eligibility at the time. In addition, information received by the Claims Conference from an outside source ("Source-3")<sup>8</sup> indicates that Husband-2 and his mother had fled and escaped from Vinnitsa.

105. From my review of materials provided by the Claims Conference and my conversations with representatives of the Claims Conference, I have learned that POLINA STAROSELETSKY, the defendant, was the assigned caseworker on the Article 2 Fund applications of POLINA BERENSON, the defendant, Sister-1, and Husband-2, and each of those applications was approved by SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant.

106. On or about July 2, 2010, CW-1 recorded a meeting with POLINA BERENSON, the defendant. I have reviewed the draft translation of this recording. The following excerpts are summaries of matters discussed during the recorded conversation:

a. BERENSON told CW-1 that there was an audit of the pension cases [the Article 2 Fund cases] being conducted. BERENSON said that she, her husband, and her sister were "rejected" as part of the audit. BERENSON said that she was informed that she needs to return \$57,319.09, and her husband, \$42,175.15. BERENSON said that applicants who first apply as "an evacuation" [a Hardship Fund applicant] then "for the ghetto" [an Article 2 Fund applicant] are immediately rejected because of the two versions of the applicant's experience. Later in the meeting, BERENSON said that she will pay but that her husband is refusing to pay back anything.

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<sup>8</sup> Records from Source-3 are considered to be reliable, historical records.

b. BERENSON asked CW-1 if CW-1 was going to give BERENSON up. CW-1 said that she was not planning on it and that she was hoping things had blown over. CW-1 asked about the other people BERENSON had worked with. BERENSON said that the other people had gone through much earlier, and none of them had been flagged [interviewed by law enforcement] except for CW-1. BERENSON said that she had done ten people this last time, and only CW-1 was flagged. Later in the conversation, BERENSON again asked whether CW-1 was going to give BERENSON up. Husband-2 had joined the conversation and said that he thinks everything has blown over and now they're [the FBI] is investigating the other article [Article 2]. Based on my participation in this investigation, I believe that BERENSON was discussing the FBI's investigation of fraud on the Hardship Fund.

107. I have reviewed letters and/or draft translations of letters received by the Claims Conference and provided to the FBI by the Claims Conference, and I have learned the following:

a. On or about July 21, 2010, POLINA BERENSON, the defendant, wrote to the Claims Conference in response to its letter of approximately June 30, 2010. BERENSON wrote that she had applied to the Claims Conference Article 2 Fund and that the Claims Conference approved her case without her participation. BERENSON offered to make a payment of \$50 per month in order to repay the amounts owed.

b. Despite the July 21, 2010 letter, on or about October 22, 2010, BERENSON wrote to the Claims Conference and claimed that the Claims Conference approved her case without her participation, and that she lived in the Bershad ghetto during the war. She stated that a certificate from an outside source ("Source-4") in her case file proves that she lived in the Bershad ghetto. She further stated that all of the money has been spent and she cannot return any amount of money.

c. Despite BERENSON's October 22, 2010 letter, on or about October 26, 2010, BERENSON entered into an agreement with the Claims Conference to repay a total of approximately \$57,319.09 for the full amount of money received through the Article 2 Fund.

d. On or about October 20, 2010, Sister-1 wrote to the Claims Conference and stated that the Claims Conference made its decision and approved her application, and that she had lived in the Bershad ghetto. She stated that a certificate from Source-4 in her case file proves that she lived in the Bershad ghetto.

e. On or about October 19, 2010, Husband-2 wrote to the Claims Conference and stated that the Claims Conference made its decision and approved his application, and that he lived in hiding in Vinnitsa. He stated that a certificate from Source-4 in his case file proves that he lived there. He further stated that all of the money has been spent and he cannot repay it.

108. I have reviewed materials provided by the Claims Conference, and I have learned the following:

a. On or about June 21, 2001, the German office of the Claims Conference wrote to SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, and enclosed an anonymous letter stating that Hardship Fund "rules were broken for many office employees." The anonymous letter specifically referred to the applications of POLINA BERENSON, the defendant, and Sister-1, among others, and provided information about their falsity. The German office asked DOMNITSER to respond to the letter.

b. On or about June 28, 2001, DOMNITSER responded and defended the payments. Referring to the facts that Sister-1 had already submitted a claim for the Hardship Fund, DOMNITSER wrote, "The applicant's intentions seem absolutely illogical, especially in the view of the sister's claim [POLINA BERENSON, the defendant] existing since 1994. However, it rather testifies to the applicant's psychological conditions, than to a well-elaborate scheme."

#### LILIYA UKRAINSKY

109. I have spoken with representatives of the Claims Conference, and I have reviewed materials provided by them, and I have learned the following:

a. In the performance review of LILIYA UKRAINSKY, the defendant, dated on or about June 30, 2009, SEMEN DOMNITSER, a/k/a "Semyon Domnitser," the defendant, wrote that UKRAINSKY's responsibilities included data entry, scanning, new case registration, and initial screening, and that where necessary, UKRAINSKY handles many caseworker's duties. In a performance review dated December 21, 2007, DOMNITSER wrote that UKRAINSKY was very good in handling contacts related to case management and payments. In a performance review dated on or about December 22, 2005, DOMNITSER wrote that UKRAINSKY deals with huge volumes of queries and complaints regarding Article 2 payments. In the 2009 performance review, DOMNITSER concluded that UKRAINSKY was "one of the most important members of the Article 2/H[ardship] F[und] team."

110. I have reviewed an application to the Claims Conference for payments from the Article 2 Fund submitted in the name of the husband of LILIYA UKRAINSKY, the defendant ("Husband-3"), and I have learned the following:

a. An application was submitted in the name of Husband-3 to the Claims Conference for payments from the Article 2 Program dated on or about December 25, 1994. Above Husband-3's signature was a declaration that all of the statements in the application are true.

b. The application said that Husband-3 was born on March 21, 1942 in Minsk, U.S.S.R. It also said that he experienced persecution during the Holocaust because from 1942 to 1943 he was born in and lived in a ghetto for Jewish individuals in Minsk, and from 1943 to 1994 he lived in the Soviet partisan detachment in Minsk. A copy of a birth certificate in the name of Husband-3 was submitted in support of the application.

c. A document dated on or about March 27, 2000 in the Claims Conference case file approving Husband-3's application states that Husband-3's household income was approximately \$15,600.

111. I have reviewed salary information for LILIYA UKRAINSKY, the defendant, provided by the Claims Conference, and I have learned that in 1994, UKRAINSKY's annual salary after taxes was approximately \$14,334.79, and in 2000, her annual salary after taxes was approximately \$19,389.71.

112. I have reviewed a document from Source-1, and I have learned that Husband-3 was born on March 21, 1944, in Baku<sup>9</sup>. I have also reviewed records from Government sources available to the FBI and I have seen that according to those records, Husband-3 was born on March 21, 1944 in Baku.

113. I have spoken to representatives of the Claims Conference, and I have reviewed materials provided by them, and I have learned the following:

a. As part of its review of fraudulent applications, the Claims Conference has determined that Husband-3's application and supporting information contained false statements and that he is ineligible for the Article 2 Fund, in part for the following reasons:

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<sup>9</sup> Baku is now in Azerbaijan and was formerly in the U.S.S.R.



i. Husband-3's household income exceeded the income maximum, due in part to the salary received by LILIYA UKRAINSKY, the defendant, at the Claims Conference; and

ii. An individual born on March 21, 1944 would not have been in hiding for the required eighteen months to be eligible for the Article 2 Fund as an applicant in hiding.

b. From 2000 through 2010, Husband-3 received a total of approximately \$55,532.40 from the Article 2 Fund.

114. I have read a report of an interview conducted by representatives of the Claims Conference of LILIYA UKRAINSKY, the defendant, on or about June 30, 2010, in which UKRAINSKY stated, in substance and in part, the following:

a. As part of her job responsibilities, UKRAINSKY reviews Article 2 Fund applications when they arrive at the Claims Conference to determine where the individual was located during World War II. She then enters the appropriate code on the front page of the application, depending on whether the applicant was in a concentration camp, ghetto, or in hiding, for example.

b. UKRAINSKY "processed" Husband-3's application when it came to the Claims Conference, then she gave it to her supervisor.

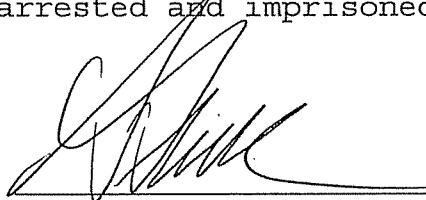
c. Husband-3's application, which stated that he was born in Minsk in 1942, is correct. Husband-3's family moved to Baku shortly after he was born in Minsk because his father was a commander in the Soviet army and needed to flee. When the family arrived in Baku in 1944, Husband-3's mother got a new birth certificate showing Baku as the birth city to hide the fact that they had fled from Minsk. In 1989, Husband-3 went to an organization in Russia and got a copy of the "original" birth certificate showing he was born in 1942 in Minsk.

d. UKRAINSKY said that she lived with Husband-3 in the 1990s, at the time of his application.

115. I have reviewed forms submitted to a life insurance company regarding life insurance benefits and signed by LILIYA UKRAINSKY, the defendant. I have learned that on or about April 9, 1997, UKRAINSKY signed an enrollment/change form which stated that Husband-3's birthdate was March 21, 1944. On or about August 5, 2009, UKRAINSKY signed an enrollment form stating that Husband-3's birthdate was March 21, 1944.

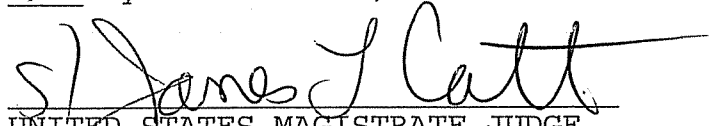
116. Other agents have interviewed CW-3 who has stated, in substance and in part, that a Claims Conference employee who was part of the Hardship Fund scheme informed CW-3 that she or "Lilya" tried to answer the phones (i.e., when people who had been recruited to provide identification documents in support of fraudulent applications called the Claims Conference asking about their checks) because they did not want anyone else to answer those calls.

WHEREFORE, I respectfully request that arrest warrants be issued for SEMEN DOMNITSER, a/k/a "Semyon Domnitser," VALENTINA ROMASHOVA, a/k/a "Tina Rome," POLINA STAROSELETSKY, POLINA BERENSON, POLINA BREYTER, LILYA UKRAINSKY, GALINA TRUTINA-DEMCHUK, a/k/a "Galina Demchuk," MARINA ZAYTSEVA, DORA GRANDE, POLINA ANOSHINA, ABRAM GRINMAN, and TATYANA GRINMAN, the defendants, and that they be arrested and imprisoned, or bailed, as the case may be.



STEVEN WINTONICK  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
5 day of November, 2010

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK

HON. JAMES L. COTT