

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

SUPERSEDING INFORMATION

JOHN R. REYNOLDS, :

S1 12 Cr. 708 (HB)

Defendant. :

- - - - - x

COUNT ONE
(Wire Fraud)

The United States Attorney charges:

1. From in or about March 2000, up to and including on or about September 19, 2005, in the Southern District of New York and elsewhere, JOHN R. REYNOLDS, the defendant, willfully 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, did transmit and cause to be transmitted by means of wire, radio, and television communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, REYNOLDS, while the Chief Executive Officer of the Hospital for Special Surgery, Inc. (the "Hospital"), used and caused to be used certain wire communications in the course of his fraudulent scheme to obtain monies from an employee ("Employee-1") of the Hospital arising out of bonuses that the Hospital had paid to Employee-1.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT TWO

(False Statements to the Federal Government)

The United States Attorney further charges:

2. On or about May 8, 2008, in the Southern District of New York and elsewhere, JOHN R. REYNOLDS, the defendant, in matters within the jurisdiction of the executive branch of the Government of the United States, willfully and knowingly did falsify, conceal and cover up by trick, scheme and device a material fact, and did make materially false, fictitious and fraudulent statements and representations to a special agent of the U.S. Department of Health and Human Services, Office of the Inspector General (the "Agent"), to wit, following an in-person interview of REYNOLDS conducted by the Agent in Beverly Hills, California on or about May 5, 2008, REYNOLDS telephoned the Agent in Manhattan, New York, and falsely stated, in sum and substance and among other things, that he had never worked with Employee-1 in any capacity such that Employee-1 would be paying him in any way.

(Title 18, United States Code, Section 1001.)

FORFEITURE ALLEGATION

(As to Count One)

3. As a result of committing the offense alleged in Count One of this Superseding Information, JOHN R. REYNOLDS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property

constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the wire fraud offense alleged in Count One of this Superseding Information.

Substitute Asset Provision

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

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

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

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

d. has been substantially diminished in value;
or

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

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A) and pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of JOHN R. REYNOLDS, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(a)(2)(A);
and Title 21, United States Code, Section 853.)

Preet Bharara

PREET BHARARA

United States Attorney

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(18 U.S.C. §§ 1343 and 2, 1001.)

PREET BHARARA
United States Attorney.
