

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: UNITED STATES OF AMERICA : CONSENT ORDER OF
: : FORFEITURE
-v.- : 13 Cr. (LGS)
JONATHAN WALLY, :
: Defendant. :
: :
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WHEREAS, on or about August 8, 2013, JONATHAN WALLY (the "defendant"), was charged in a four-count Information, 13 Cr. ____ (LGS) (the "Information"), with aiding and assisting in the preparation of false and fraudulent U.S. Individual Income Tax Returns, in violation of 26 U.S.C. § 7206(2) (Count One); subscribing to false and fraudulent U.S. Individual Income Tax Returns, in violation of 26 U.S.C. § 7206(1) (Count Two); identity fraud related to personal identifying information, in violation of 18 U.S.C. §§ 1028(a)(7) and (b)(1)(D) (Count Three); and identify fraud related to the use of social security cards, in violation of 18 U.S.C. §§ 1028(a)(4) and (b)(2)(A) (Count Four);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Four, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, of all property, real and personal, constituting or derived from proceeds obtained directly or indirectly from the commission of the offenses charged in Counts One through Four, and substitute assets;

WHEREAS, on or about August 8, 2013, the defendant pled guilty to Counts One through Four of the Information pursuant to a plea agreement with the Government, wherein the defendant agreed to forfeit a sum of money equal to \$195,808 in United States currency, representing the amount of all proceeds obtained as a result of the offenses alleged in Counts One through Four of the Information;

WHEREAS, the defendant consents to a money judgment in the amount of \$195,808 in United States currency, representing the proceeds traceable to the commission of the offenses charged in Counts One through Four of the Information;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Carrie H. Cohen, of counsel, and the defendant, and his counsel, Arthur Aidala, Esq. that:

1. As a result of his guilty plea to the offenses charged in Counts One through Four of the Information, a money judgment in the amount of \$195,808 shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture shall be final as to the defendant, JONATHAN WALLY, upon entry of this order, and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

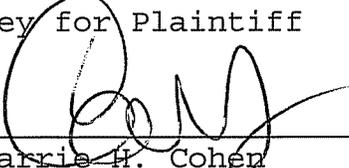
5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

6. The Clerk of the Court shall forward three certified copies of this Consent Order of Forfeiture to Assistant United States Attorney Sharon Cohen Levin, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

7. The signature pages of this order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 
Carrie H. Cohen
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212)637-2264

8/7/13
Date

JONATHAN WALLY
DEFENDANT

By: 
JONATHAN WALLY

By: 
Arthur Aidala, Esq.
Attorney for Defendant
Aidala & Bertuna, P.C.
546 Fifth Avenue, 6th floor
New York, New York 10036
212-750-9700

8/8/13
Date

8-8-2013
Date

SO ORDERED:

HONORABLE LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Date