

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
: SUPERSEDING
UNITED STATES OF AMERICA : INFORMATION
:
-v- :
: S1 12 Cr. 529 (LAP)
RAYMOND BITAR, :
:
Defendant. :
- - - - -x

COUNT ONE

(Unlawful Internet Gambling Enforcement Act)

The United States Attorney charges:

1. From in or about October 2006 up to and including on or about April 15, 2011, in the Southern District of New York and elsewhere, RAYMOND BITAR, the defendant, with persons engaged in the business of betting and wagering, would and did knowingly accept, in connection with the participation of another person in unlawful internet gambling, to wit, gambling through Full Tilt Poker in violation of New York Penal Law Sections 225.00 and 225.05 and the laws of other states where Full Tilt Poker operated, credit, and the proceeds of credit, extended to and on behalf of such other person, including credit extended through the use of a credit card, and an electronic fund transfer and the proceeds of an electronic fund transfer from and on behalf of such other person, and a check, draft and similar instrument which was drawn by and on behalf of such other person and was

drawn on and payable at and through any financial institution.

(Title 31, United States Code, Sections 5363 and 5366;
Title 18 United States Code, Section 2).

COUNT TWO

(Conspiracy to Commit Bank Fraud and Wire Fraud)

The United States Attorney further charges:

2. From at least in or about 2006, up to and including on or about June 29, 2011, in the Southern District of New York and elsewhere, RAYMOND BITAR, the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344, and wire fraud, in violation of Title 18, United States Code, Section 1343, to wit, BITAR conspired with others at Full Tilt Poker, an unlawful poker company, to deceive United States banks and financial institutions into processing hundreds of millions of dollars in transactions for the company and to make false representations to potential customers regarding the security of funds deposited with Full Tilt Poker in order to induce customers to entrust funds with the company.

3. It was a part and an object of the conspiracy that RAYMOND BITAR, the defendant, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were insured by the Federal Deposit

Insurance Corporation, and to obtain monies, funds, credits, assets, securities, and other property owned by and under the custody and control of that financial institution by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

4. It was a further part and object of the conspiracy that RAYMOND BITAR, the defendant, and others known and unknown, 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, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

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

FORFEITURE ALLEGATION

5. As the result of committing the offense of conspiring to commit bank fraud and wire fraud in violation of Title 18, United States Code, Section 1349, as alleged in Count Two of this Superseding Information, RAYMOND BITAR, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2) and

Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants,
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2); Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461.)


PREET BHARARA
United States Attorney

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(18 U.S.C. § 1349,
31 U.S.C. §§ 5363, 5366)

PREET BHARARA
United States Attorney.
