

JUDGE SCHEINDLIN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
- v. -
:
RIMMA VOLOVNICK,
:
Defendant.
:
----- X

INFORMATION
11 CRIM 150

COUNT ONE

(Mail Fraud)

The United States Attorney charges:

1. From in or about 2006 through and including in or about August 2010, in the Southern District of New York and elsewhere, RIMMA VOLOVNICK, the defendant, unlawfully, 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, for the purpose of executing such scheme and artifice and attempting so to do, 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 took and received therefrom such matter and thing, and knowingly caused to be delivered by mail according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matter and thing, to wit, VOLOVNICK

caused certain documents to be sent by United States mail as part of a scheme to make corrupt payments to certain New York City employees in exchange for those employees engaging in certain fraudulent acts, including, among other things, (1) enrolling children in day care centers so that the day care centers would receive tuition payments when the children did not in fact attend the day care centers, and (2) amending licenses of day care centers so that the day care centers would receive money to which they were not entitled.

(Title 18, United States Code, Sections 1341 and 2.)

COUNT TWO

(Mail Fraud Conspiracy)

The United States Attorney further charges:

2. From in or about 2006, through and including in or about August 2010, in the Southern District of New York and elsewhere, RIMMA VOLOVNICK, the defendant, and others known and unknown, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 18, United States Code, Section 1341.

3. It was a part and object of the conspiracy that RIMMA VOLOVNICK, the defendant, and others known and unknown, unlawfully, knowingly, and willfully, 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 take and receive therefrom, such matter and thing, and knowingly would and did cause to be delivered by mail according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matter and thing, in violation of Title 18, United States Code, Section 1341.

Overt Act

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

a. In or about June 2010, RIMMA VOLOVNICK, the defendant, caused fraudulent documents to be submitted to a New York City agency so that VOLOVNICK could receive money to which she was not entitled.

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

COUNT THREE

(Bribery)

The United States Attorney further charges:

5. From in or about 2006 through in or about 2010, in the Southern District of New York and elsewhere, RIMMA VOLOVNICK,

the defendant, did unlawfully, willfully, knowingly, and corruptly give, offer, and agree to give something of value to a person, with intent to influence and reward an agent of a local government and an agency thereof that received in a one-year period benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, the New York City Human Resources Administration ("HRA"), in connection with a business, transaction, and series of transactions of such government and agency involving things of value of \$5,000 and more, to wit, VOLOVNICK paid various HRA employees to provide a number of services to day care centers that VOLOVNICK and her friends and family owned, including, among other things, fraudulently enrolling children in day care centers so that the day care centers would receive reimbursements from a federally funded program when the children did not in fact attend the day care centers.

(Title 18, United States Code, Sections 666(a)(2) and 2.)

COUNT FOUR

(Bribery)

The United States Attorney further charges:

6. From in or about 2006 through in or about 2010, in the Southern District of New York and elsewhere, RIMMA VOLOVNICK, the defendant, did unlawfully, willfully, knowingly, and

corruptly give, offer, and agree to give something of value to a person, with intent to influence and reward an agent of a local government and an agency thereof that received in a one-year period benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, the New York City Department of Health and Mental Hygiene ("DOH"), in connection with a business, transaction, and series of transactions of such government and agency involving things of value of \$5,000 and more, to wit, VOLOVNICK paid various DOH employees to provide a number of services to day care centers that VOLOVNICK and her friends and family owned, including, among other things, issuing amended licenses for certain day care centers so that VOLOVNICK could enroll a greater number of children in those day care centers and receive reimbursements from a federally funded program to which she was not entitled.

(Title 18, United States Code, Sections 666(a)(2) and 2.)

COUNT FIVE

(Bribery Conspiracy)

The United States Attorney further charges:

7. From in or about 2006, through and including in or about August 2010, in the Southern District of New York and elsewhere, RIMMA VOLOVNICK, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine,

conspire, confederate and agree together and with each other to commit offenses against the United States, to wit, giving bribes in violation of Title 18, United States Code, Section 666(a)(2).

8. It was a part and object of the conspiracy that RIMMA VOLOVNICK, the defendant, and others known and unknown, would and did unlawfully, willfully, knowingly, and corruptly give, offer, and agree to give something of value to a person, with intent to influence and reward an agent of a local government and an agency thereof that received in a one-year period benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, various New York City agencies, in connection with a business, transaction, and series of transactions of such government and agency involving things of value of \$5,000 and more, in violation of Title 18, United States Code, Section 666(a)(2).

Overt Act

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

a. In or about June 2010, RIMMA VOLOVNICK, the defendant, caused a \$5,000 cash bribe to be delivered to an employee of the New York City Department of Health and Mental Hygiene.

(Title 18, United States Code, Section 371).

FORFEITURE ALLEGATIONS

10. As a result of committing the offenses alleged in Counts One through Five of this Information, RIMMA VOLOVNICK, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

Substitute Assets Provision

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

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value;
- or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981 and
Title 28, United States Code, Section 2461)

Preet Bharara

PREET BHARARA

United States Attorney

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RIMMA VOLOVNICK,

Defendant.

INFORMATION

11 Cr.

(18 U.S.C. §§ 371, 666(a)(2), 1341, 1349 &
2.)

PREET BHARARA

United States Attorney.
