

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Criminal No. 18-
 :
 v. : 26 U.S.C. § 7201
 : 31 U.S.C. §§ 5314, 5322(b)
 CARLO AMATO : 18 U.S.C. § 2

INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
(Attempting to Evade Assessment of Income Tax)

1. At all times relevant to this Information:
 - a. Defendant CARLO AMATO was a United States citizen and a resident of Ocean County, New Jersey.
 - b. Defendant CARLO AMATO was a chiropractor with an office located in Lakewood, New Jersey. Defendant CARLO AMATO operated his chiropractic practice in the name of, and through, two corporate entities known as Chiropractic Care Consultants, Inc. (hereinafter, “Chiropractic Care”) and Accident Recovery Physical Therapy (hereinafter, “Accident Recovery”).

2. From in or about January 2012 to in or about December 2015, defendant CARLO AMATO deposited, or caused to be deposited, into financial accounts associated with his minor children checks that were payments for services rendered by defendant CARLO AMATO and therefore were taxable as income. Defendant CARLO AMATO, however, did not disclose to his tax preparer and did not report as income: (1) the funds that were deposited into financial accounts associated with his minor children and (2) certain additional funds that were deposited into Chiropractic Care's and Accident Recovery's business bank accounts.

3. On or about September 14, 2015, defendant CARLO AMATO filed a 2014 tax return, with the filing status of married filing separately. That return stated that his taxable income for the calendar year 2014 was \$0 and the amount of tax due and owing was \$0.

4. In fact, defendant CARLO AMATO had approximately \$561,258 in taxable income in 2014. Based on this income, taxes in the amount of approximately \$197,036 were due and owing to the United States.

5. On or about September 14, 2015, in the District of New Jersey and elsewhere, the defendant,

CARLO AMATO,

knowingly and willfully did attempt to evade and defeat a substantial part of the income tax due and owing to the United States in that he signed and caused to be filed a false and fraudulent 2014 U.S. Individual Income Tax

Return, Form 1040, knowing it to be false and fraudulent as described in paragraph 2 of this Count.

In violation of Title 26, United States Code, Section 7201.

COUNT TWO
(Failure to File Report of Foreign Bank and Financial Accounts)

1. Paragraphs 1 through 5 of Count One of this Information are hereby repeated, re-alleged, and incorporated as if fully set forth herein.
2. At all times relevant to this Information:
 - a. Citizens and residents of the United States who had a financial interest in, or signature authority over, a financial account in a foreign country with an aggregate value of more than \$10,000 at any time during a particular year were required to file with the U.S. Department of Treasury a Report of Foreign Bank and Financial Accounts on FinCEN Form 114 (the "FBAR"). The FBAR for the applicable year was due by June 30 of the following year.
 - b. The FBAR report requirement was separate from the obligation of a United States citizen or resident to indicate on the Schedule B of a Form 1040 Federal income tax return whether that individual had an interest in a financial account in a foreign country by checking "Yes" or "No" in the appropriate box.
3. During calendar year 2014, defendant CARLO AMATO had a financial interest in, and signature and other authority over, at least one

financial account, having an aggregate value exceeding \$10,000 at UniCredit Bank, a bank in Russia.

4. During the period of January 1, 2013 through December 7, 2016, in operating his chiropractic practice, defendant CARLO AMATO overbilled at least six insurance companies, for instance, by billing for services that were never in fact rendered.

5. Defendant CARLO AMATO was charged with this overbilling, among other crimes, by the Ocean County, New Jersey Prosecutor's Office, in Superseding Indictment No. 17-10-1560 (the "Ocean County Indictment").

6. On or about April 9, 2018, defendant CARLO AMATO pled guilty to Count Fourteen of the Ocean Count Indictment, which charged defendant CARLO AMATO with First Degree Financial Facilitation of Criminal Activity. Under oath, defendant CARLO AMATO admitted, among other things, that he had overbilled the six insurance companies by over \$1 million and had wired in excess of \$1.5 million to Russia during the period of January 1, 2013 through December 7, 2016. Defendant CARLO AMATO further admitted that he understood that overbilling insurance companies is a crime and that those funds were therefore derived from criminal activity.

7. On or before June 30, 2015, in Ocean County, in the District of New Jersey, and elsewhere, the defendant,

CARLO AMATO,

did knowingly and willfully fail to file with the U.S. Department of Treasury a Report of Foreign Bank and Financial Accounts on FinCEN Form 114 (the "FBAR"), disclosing that he had a financial interest in, and signature and other authority over, a financial account in a foreign country, namely a Russian bank account at UniCredit Bank, which had an aggregate value of more than \$10,000 during the year 2014, while violating another law of the United States and as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period.

In violation of Title 31, United States Code, Sections 5314 and 5322(b); and Title 18, United States Code, Section 2.


CRAIG CARPENITO
United States Attorney

CASE NUMBER: 18-_____

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District of New Jersey**

UNITED STATES OF AMERICA

v.

CARLO AMATO

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