

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Susan D. Wigenton
	:	
v.	:	Crim. No. 18-
	:	
FRANK AIELLO	:	18 U.S.C. § 1349

I N F O R M A T I O N
(Conspiracy to Commit Wire Fraud)

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

1. At all times relevant to this Information:

Individuals and Entities

- a. Defendant FRANK AIELLO was a Senior Vice President at Corporate Victim 1. Defendant AIELLO resided in or around Wyckoff, New Jersey.

- b. Corporate Victim 1 was a demolition and remediation services company with offices throughout the United States, including New Jersey.

- c. Cinelli Iron & Metal Co., Inc. ("CIMCO") purchased scrap metal for resale. CIMCO was headquartered in Secaucus, New Jersey, and operated three scrap metal recycling facilities in New Jersey.

- d. CC-1 was the Chief Executive Officer and co-owner of CIMCO.

- e. CC-2 was the President and co-owner of CIMCO.

The Conspiracy

2. From in or about 2013 through in or about 2016, in Hudson County, in the District of New Jersey, and elsewhere, defendant

FRANK AIELLO

did knowingly and intentionally conspire and agree with CC-1, CC-2, and others (the "CIMCO Co-Conspirators") to devise a scheme and artifice to defraud Corporate Victim 1 of its right to defendant FRANK AIELLO's honest services in the performance of defendant FRANK AIELLO's duties, and, for the purpose of executing such scheme and artifice to defraud, to transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Sections 1343 and 1346.

Goal of the Conspiracy

3. The principal goal of the conspiracy was for defendant FRANK AIELLO to use his position at Corporate Victim 1 to enrich himself by soliciting and accepting gifts, payments, and other things of value from the CIMCO Co-Conspirators in exchange for favorable action in his capacity as an employee of Corporate Victim 1, and for the CIMCO Co-Conspirators to enrich themselves by secretly obtaining favorable action for their company, CIMCO, through corrupt means.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant FRANK AIELLO solicited and accepted payments totaling approximately \$341,052.

5. It was further part of the conspiracy that defendant FRANK AIELLO provided favorable action in his capacity as an employee of Corporate Victim 1 on behalf of the CIMCO Co-Conspirators as requested and as opportunities arose, including selecting CIMCO for contracts with Corporate Victim 1.

6. It was further part of the conspiracy that defendant FRANK AIELLO took steps to hide, conceal, and cover up his activity and the nature and scope of his dealings with the CIMCO Co-Conspirators, including accepting payments in cash at various locations away from the offices of Corporate Victim 1 and failing to disclose the payments to Corporate Victim 1.

7. It was further part of the conspiracy that, to execute and attempt to execute the conspiracy, defendant FRANK AIELLO and CC-1 sent and caused to be sent numerous interstate wire communications, which were transmitted into and out of the District of New Jersey.

All in violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATION

1. As the result of committing the offenses constituting specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7), as alleged in this Information, defendant FRANK AIELLO shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said wire fraud conspiracy offenses, and all property traceable thereto, including, but not limited to, a sum of money equal to at least \$341,052 in United States currency.

Substitute Assets Provision

2. 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 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.


CRAIG CARPENITO
United States Attorney

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v.

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INFORMATION FOR

18 U.S.C. § 1349

**CRAIG CARPENITO
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY**

**DANIEL SHAPIRO
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 353-6087**