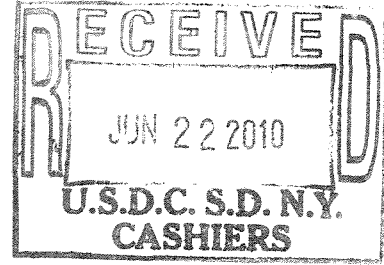


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Southern District of New York
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

- against -

ALL RIGHT, TITLE AND INTEREST IN
THE REAL PROPERTY AND
APPURTENANCES KNOWN AS 1081
BARNEGAT LANE, MANTOLOKING,
NEW JERSEY, 08738, SHOWN ON THE
MUNICIPAL TAX MAP OF THE
BOROUGH OF MANTOLOKING, OCEAN
COUNTY, NEW JERSEY, AS LOT 33,
BLOCK 24;

UP TO APPROXIMATELY \$21,935.19 ON
DEPOSIT IN ACCOUNT NO. 7870002792
AT TD BANK, F/K/A COMMERCE BANK,
HELD IN THE NAME OF JUDITH BOWEN,

UP TO APPROXIMATELY \$4,715.00 ON
DEPOSIT IN ACCOUNT NO. 7850349338
AT TD BANK, F/K/A COMMERCE BANK,
HELD IN THE NAME OF JUDITH BOWEN;

and all property traceable thereto,

Defendants in rem.

VERIFIED COMPLAINT

No. 10 Civ. _____

ECF Case

Plaintiff the United States of America (the "Government"), by its attorney Preet Bharara, United States Attorney for the Southern District of New York, for its verified complaint (the "Complaint") alleges, upon information and belief, as follows:

INTRODUCTION

1. This action is brought by the Government pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(a)(1)(A) seeking the forfeiture of certain property traceable to the massive Ponzi scheme orchestrated by Bernard L. Madoff ("Madoff") paid to or on behalf of long-time Madoff employee Joann Crupi, a/k/a "Jodi" ("CRUPI").

2. By this Complaint, the Government seeks forfeiture of all right, title and interest in the following property:

ALL RIGHT, TITLE AND INTEREST IN THE REAL PROPERTY AND APPURTENANCES KNOWN AS 1081 BARNEGAT LANE, MANTOLOKING, NEW JERSEY, 08738, SHOWN ON THE MUNICIPAL TAX MAP OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AS LOT 33, BLOCK 24 (the "Defendant Real Property");

UP TO APPROXIMATELY \$21,935.19 ON DEPOSIT IN ACCOUNT NO. 7870002792 AT TD BANK, F/K/A COMMERCE BANK, HELD IN THE NAME OF JUDITH BOWEN (the "792 Account"),

UP TO APPROXIMATELY \$4,715.00 ON DEPOSIT IN ACCOUNT NO. 7850349338 AT TD BANK, F/K/A COMMERCE BANK, HELD IN THE NAME OF JUDITH BOWEN (the "338 Account," and together with the 792 Account, the "Defendant Funds"); and

all property traceable thereto,

(collectively, the "Defendants in rem").

3. Upon entry of a final order forfeiting the Defendants in rem to the United States, the Government intends to distribute the net sale proceeds to victims of the fraud,

consistent with the applicable Department of Justice regulations. *See* 21 U.S.C. § 853(i)(1) and 28 C.F.R. Part 9.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355(a).

5. Venue is proper pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts and omissions giving rise to the forfeiture took place in the Southern District of New York.

FACTUAL ALLEGATIONS

6. The Government's claims for forfeiture arise out of the investigation of Bernard L. Madoff Investment Securities LLC, and its predecessor, Bernard L. Madoff Investment Securities (collectively and separately, "BLMIS").

7. At all times relevant to this Complaint, BLMIS had its principal place of business in New York, New York, most recently at 885 Third Avenue, New York, New York. BLMIS was a broker-dealer that engaged in three principal types of operations: (1) market making, (2) proprietary trading, and (3) investment advisory ("IA") services.

8. BLMIS was registered with the United States Securities and Exchange Commission ("SEC") as a broker-dealer and was, beginning in or about 2006, registered with the SEC as an investment advisor.

9. At all times relevant to this Complaint, Madoff was the founder of BLMIS, and served as its sole member and principal. In that capacity, Madoff controlled the business activities of BLMIS. Madoff also owned the majority of the voting shares and served as the Chairman of the Board of Directors of Madoff Securities International Ltd. ("MSIL"), a BLMIS affiliate established in the United Kingdom.

The Fraud

10. From at least as early as the 1980s through on or about December 11, 2008, Madoff and others perpetrated a scheme to defraud the clients of the BLMIS IA business (the "IA Clients") by accepting billions of dollars from them under false pretenses, and then failing to invest their money as promised. To conceal the fact that the IA business was, in fact, a massive Ponzi scheme, Madoff and others created and disseminated fake account statements and other fraudulent documents to IA Clients purporting to show that their funds had been invested, and lied to regulators and others. In truth, the IA Client funds were misappropriated and converted to the use of Madoff, BLMIS, and others for, among other things, their personal enrichment and to conceal the growing fraud.

11. Madoff used IA Clients' funds (i) to meet periodic redemption requests; (ii) to purchase and maintain property and services for the personal use and benefit of Madoff, his family members, and associates; and (iii) to fund wire transfers (including to and from MSIL) intended to give the false appearance that he was conducting securities transactions in Europe on behalf of the IA Clients and to support the market-making and proprietary trading businesses of BLMIS.

12. To execute the scheme, Madoff solicited, and caused others to solicit, prospective clients to open trading accounts with BLMIS by promising to use investor funds to purchase shares of common stock, options, and other securities of large, well-known corporations to achieve high rates of return for clients, with limited risk. These representations were false.

13. In connection with the scheme, Madoff accepted billions of dollars of IA Client money, cumulatively, from individual investors, charitable organizations, trusts, pension

funds, and hedge funds, among others, and established on their behalf thousands of accounts at BLMIS.

14. Madoff used an account in the name of BLMIS at JP Morgan Chase, New York, New York for the receipt and disbursement of client funds for the IA business (the “BLMIS IA Client Account”). Substantially all funds transferred to BLMIS by clients of the IA business were deposited, by wire or by check, into the BLMIS IA Client Account, and substantially all redemptions sent to clients were made from this account.

15. From the outset of the scheme, and continuing throughout its operation, Madoff obtained IA Client funds through interstate wire transfers from financial institutions located outside New York State and through mailings delivered by the United States Postal Service.

16. In furtherance of the scheme, Madoff made and caused to be made false representations on tens of thousands of account statements and other documents sent through the United States Postal Service to BLMIS IA Clients throughout the operation of the fraud.

17. As of on or about November 30, 2008, BLMIS had approximately 4,800 client accounts. On or about December 1, 2008, BLMIS issued account statements for the calendar month of November 2008, reporting that those client accounts held a total balance of approximately \$64.8 billion. In fact, BLMIS had approximately \$200 million to \$300 million in cash in the BLMIS IA Client Account, and IA Clients had informed BLMIS of their intent to redeem sums that far exceeded BLMIS’s cash on hand.

18. Madoff created and caused to be created a broad infrastructure at BLMIS to generate the impression and support the appearance that BLMIS was operating a legitimate

investment advisory business in which client funds were actively traded as he had promised, and to conceal the fact that no such business was actually being conducted.

19. To execute the scheme, therefore, Madoff hired employees to serve as a back office for the IA operation (the “Back Office Staff”).

20. The Back Office Staff handled the receipt of funds sent to BLMIS by the IA Clients for investment; transferred IA Clients’ funds between and among various BLMIS bank accounts; and handled requests for redemptions sent to BLMIS by IA Clients. Among other things, the Back Office Staff communicated with the IA Clients, and answered their questions about their purported investments.

21. On a regular basis, the Back Office Staff oversaw the fabrication and mailing to IA Clients of thousands of pages of account statements, trade confirmations, and other documents, which purported to reflect securities transactions that had not actually been executed, securities positions that did not in fact exist, and fictitious returns. The information about the securities transactions reflected on those documents did not reflect actual transactions, but rather was generated by the Back Office Staff using historical price data.

22. The Back Office Staff included Frank DiPascali, Jr. (“DiPascali”), CRUPI, and others.

23. DiPascali worked at BLMIS for approximately thirty years, until or about December 11, 2008, the day Madoff was arrested. DiPascali was one of the employees responsible for managing the vast majority of IA accounts into which thousands of BLMIS clients invested, and eventually lost, billions of dollars.

24. CRUPI was employed at BLMIS from on or about July 5, 1983, through in or about December 2008.

25. During her employment at BLMIS, CRUPI had a variety of responsibilities in the Back Office, including as a supervisor of some members of the Back Office Staff.

26. From at least as early as the 2000s, through and including on or about December 11, 2008, CRUPI knowingly perpetuated the fraud by, among other things, handling the receipt of funds sent to BLMIS by the IA Clients for investment; transferring IA Clients' funds between and among various BLMIS bank accounts; handling requests for redemptions sent to BLMIS by IA Clients; keeping track of the funds transferred into and out of the BLMIS IA Client Account on a daily basis; and preparing and assisting in the preparation of fabricated documents designed to deceive regulators and outside auditors.

27. To monitor the funds transferred into and out of the BLMIS IA Client Account, CRUPI prepared or reviewed a daily report regarding the BLMIS IA Client Account for Madoff (the "Daily Report"). The Daily Report, which was handwritten, set forth on a single page the day's opening balance, the end-of-day balance, funds transferred to BLMIS by check or wire by clients of the IA business that were deposited into the BLMIS IA Client Account, and funds transferred out of the BLMIS IA Client Account, including all redemptions sent to IA Clients. The Daily Report also listed redemptions that IA Clients had requested but that had not yet been fulfilled.

28. By tracking, on a daily basis, the cash flowing into and out of the BLMIS IA Client Account and listing the redemptions that had been requested, but not yet fulfilled, the Daily Report enabled Madoff, DiPascali, CRUPI, and others to determine whether there were sufficient funds available to cover requested redemptions.

29. When the balance on the Daily Report appeared too low to cover the expected redemptions, CRUPI would, at times, bring this to the attention of DiPascali or Madoff and ask them whether additional client funds were coming in to cover the expected redemptions.

30. Beginning in or about October 2008, requests for redemptions began to increase at a rate greater than investments from new or existing clients. By in or about mid-November 2008, as this liquidity crisis deepened, Madoff, DiPascali, CRUPI and others were concerned that they would not be able to fulfill the requests for redemptions, which were outpacing deposits at an increasing rate.

31. On or about November 25, 2008, the balance of the BLMIS IA Client Account reflected on the Daily Report, which was prepared or reviewed by CRUPI, showed a balance of approximately \$266,000,000, and unfulfilled requests for redemptions totaling approximately \$759,000,000.

32. On or about December 1, 2008, BLMIS issued account statements for the calendar month of November 2008 reporting that its approximately 4,800 client accounts held a total balance of approximately \$64.8 billion. In fact, as CRUPI knew, BLMIS had approximately \$200 million to \$300 million in cash in the BLMIS IA Client Account, and IA Clients had informed BLMIS of their intent to redeem sums that far exceeded BLMIS's cash on hand.

33. On or about December 4, 2008, the balance of the BLMIS IA Client Account reflected on the Daily Report, which was prepared or reviewed by CRUPI, showed a balance of approximately \$295,000,000, and unfulfilled requests for redemptions totaling approximately \$1,455,000,000 — nearly twice the amount reflected on the November 25, 2008 Daily Report.

The Guilty Pleas

34. On March 12, 2009, in connection with the massive Ponzi scheme operated through BLMIS, Madoff pleaded guilty to Information 09 Cr. 213 (DC), which charged him with securities fraud, investment advisor fraud, mail fraud, wire fraud, two counts of international money laundering, money laundering, false statements, perjury, false filings with the SEC, and theft from an employee benefit plan. Among other things, Madoff admitted that despite his promise to clients and prospective clients that he would invest their money in shares of common stock, options, and other securities of well known corporations, he in fact almost never invested those clients' funds in the securities as he had promised. Madoff further admitted that he attempted to conceal his fraud by, among other things, issuing false account statements and otherwise deceiving the IA Clients, lying to regulators, and wiring money between BLMIS (in the United States) and MSIL (in the United Kingdom) to create the impression that BLMIS was actually trading securities.

35. On June 29, 2009, the Honorable Denny Chin sentenced Madoff to 150 years' imprisonment, criminal forfeiture money judgments totaling \$170,799,000,000, and forfeiture of specific property.

36. On August 11, 2009, in connection with the massive Ponzi scheme operated through BLMIS, DiPascali pleaded guilty to Information 09 Cr. 764 (RJS), which charged him with conspiracy, securities fraud, investment advisor fraud, falsifying records of a broker-dealer, falsifying records of an investment advisor, mail fraud, wire fraud, international money laundering, perjury, and attempting to evade federal income taxes.

37. On or about March 24, 2010, Daniel Bonventre, an employee of BLMIS for approximately 40 years and the former Director of Operations, and Jerome O'Hara and George Perez, computer programmers at BLMIS, were charged in Superseding Information S1

10 Cr. 228 (LTS), with conspiracy, falsifying records of a broker-dealer, falsifying records of an investment adviser, securities fraud, false filings with the SEC, and subscribing to false individual income tax returns. The Government's investigation is ongoing.

THE DEFENDANTS IN REM

38. The Defendants in rem constitute property traceable to funds obtained from defrauded investors of the BLMIS IA operation, and property traceable to such property.

The Defendant Real Property

39. In or about May 2008, CRUPI and Judith Bowen made an offer on a single-family home located at 1081 Barnegat Lane, Mantoloking, New Jersey. Their offer was \$2,225,000 in cash, which was \$100,000 under the asking price.

40. On or about May 31, 2008, CRUPI and Judith Bowen entered into a contract to purchase the Defendant Real Property for \$2,225,000. Both CRUPI and Bowen signed the contract as the co-buyers.

41. The contract for the purchase of the Defendant Real Property provided that the buyers would make an initial deposit in the amount of \$5,000, would put \$440,000 in escrow ten days from the attorney review period, and would pay the balance on or before the closing date, June 30, 2008.

42. On or about May 31, 2008, CRUPI and Bowen paid the \$5,000 deposit by issuing a check to the listing broker on a joint account they held at Commerce Bank, now known as TD Bank (the "Crupi/Bowen Checking Account"). The broker deposited the funds into a realtor trust account held by the broker for the benefit of CRUPI.

43. On or about June 2, 2008, the seller signed the contract with a handwritten amendment moving the closing date, at the seller's request, from June 30, 2008 to "on or before" January 20, 2009.

44. On or about June 25, 2008, CRUPI caused the sum of \$475,000 to be wire transferred from the BLMIS IA Client Account to a trust account at Commerce Bank, now TD Bank, held by the law firm that represented CRUPI and Bowen in connection with the purchase of the Defendant Real Property, Guston & Guston, LLP (the "Law Firm"). On the Daily Report for June 25, 2008, which CRUPI prepared or reviewed, this wire transfer was handwritten in a column for wire activity as an outgoing wire with the notation "out - GUSTON (BLM)."

45. In addition to the substantial salary and bonus payments CRUPI received from BLMIS, CRUPI owned, controlled and/or was associated with one or more IA Accounts at BLMIS. However, the records of BLMIS show no withdrawal from or debit to any such account that corresponds to the \$475,000 transfer from the BLMIS IA Client Account to the Law Firm on June 25, 2008, described in paragraph 44, above. In addition, the June 25, 2008 transfer is not indicated in the records of BLMIS as a salary, bonus or other type of compensation to CRUPI.

46. On or about July 3, 2008, the sum of \$475,000 was wire transferred from the trust account at TD Bank, held by the Law Firm, to a trust account at TD Bank held by the Law Firm as trustee for CRUPI.

47. On or about July 4, 2008, the broker transferred the \$5,000 deposit it was holding in trust for the benefit of CRUPI, as described in paragraph 42 above, to a trust account at TD Bank held by the Law Firm as trustee for CRUPI.

48. In a communication to the seller's attorney dated on or about June 25, 2008, CRUPI and Bowen's attorney stated that \$440,000 had been transferred to the Law Firm's trust account.

49. On or about October 20, 2008, the sum of \$480,000 was wire transferred back to the BLMIS IA Client Account from an account held by the Law Firm and credited to

CRUPI's IA account, 1-C1210. On or about November 3, 2008, CRUPI caused \$1,200,000 to be transferred to Bowen's IA Account, No. 1-B0136. On or about November 5, 2008, CRUPI and/or Bowen caused \$742,000 to be transferred from the BLMIS Client Account to Bowen Checking Account Number 7850349338. The \$742,000 transfer was treated in the records of BLMIS as a withdrawal from Bowen's IA Account. These funds were used, in part, to pay a portion of CRUPI's 2008 income taxes.

50. On or about October 16, 2008, CRUPI caused the sum of \$2,225,000 to be wire transferred from the BLMIS IA Client Account to an account held by the Law Firm. On the Daily Report for October 16, 2008, which CRUPI prepared or reviewed, the wire transfer of \$2,225,000 from the BLMIS IA Client Account was handwritten in a column for wire activity as an outgoing wire with the notation "out - BLM SP."

51. Madoff used an IA account in the name of "BLM Special" or "BLM SP" to record withdrawals from or debits to the BLMIS IA Client Account for the personal benefit of Madoff and others. CRUPI participated in keeping track of the withdrawals from and debits to this account. The wire transfer from the BLMIS IA Client Account on or about October 16, 2008 in the amount of \$2,225,000, as discussed in paragraph 50, above, was not recorded as a withdrawal from or a debit to any IA Client Account at BLMIS — including the "BLM Special" account and any IA Account owned, controlled and/or associated with CRUPI — nor is the transfer indicated in the records of BLMIS as a salary, bonus or other type of compensation to CRUPI.

52. On or about October 28, 2008, the sum of \$500,000 was transferred from an account at Valley National Bank held by the Law Firm to an account held by the Law Firm as

trustee for CRUPI and Bowen. This amount, plus interest (\$501,462) was transferred on or about December 31, 2008 back to the trust account at TD Bank held by the Law Firm.

53. On or about October 31, 2008, the sum of \$500,000 was transferred from an account held by the Law Firm to an account held by the Law Firm at Bank of America as trustee for CRUPI and Bowen.

54. Beginning in or around November 25, 2008, monies held by the Law Firm as trustee for CRUPI and/or CRUPI and Bowen were transferred to a new trust account held by the Law Firm at TD Bank as trustee for Bowen alone. These monies originated from the transfers made in the name of CRUPI from the BLMIS IA Client Account to the Law Firm which occurred on June 25, 2008, and October 16, 2008, described in paragraphs 44 and 50, respectively, above. For example:

- (a) On or about November 25, 2008, the sum of \$745,000 was transferred from an account held by the Law Firm to an account held by the Law Firm at TD Bank as trustee for Bowen.
- (b) On or about November 26, 2008, the \$500,000 described in paragraph 53 above, plus interest of \$915, was transferred to a trust account held by the Law Firm at TD Bank as trustee for Bowen.
- (c) On or about November 28, 2005, the sum of \$485,183 was transferred from an account held by the Law Firm as trustee for CRUPI to an account held by the Law Firm as trustee for Bowen.

55. In or about early November 2008, CRUPI and Bowen took possession of the Defendant Real Property pursuant to an agreement with the seller.

56. On or about January 7, 2009, the sum of \$1,732,166 was transferred from the account at TD Bank held by the Law Firm as trustee for Bowen back to the trust account at TD Bank held by the Law Firm for purposes of closing the purchase and sale of the defendant property.

57. Although the contract for the purchase and sale of the Defendant Real Property identified the buyers as CRUPI and Bowen, and various pieces of correspondence regarding the transaction referred to the purchasers as "Crupi/Bowen," when the sale closed on or about January 2, 2009, title to the Defendant Real Property was put in Bowen's name only.

58. The purchase of the Defendant Real Property, including approximately \$2,094,754 paid to the seller and \$111,250 in real estate commissions, was funded by the \$2,225,000 transferred from the BLMIS IA Client Account to the Law Firm on or about October 16, 2008, and funds traceable to this transfer.

59. Funds traceable to the \$2,225,000 were also used to pay obligations incurred in connection with the purchase of the Subject Property, such as \$22,250 due to the State of New Jersey (a tax imposed on the buyer of residential real property purchased for more than \$1,000,000, in the amount of 1% of the purchase price), and \$13,005 to the Ocean County Clerk for property taxes.

The Defendant Funds

60. On or about January 22, 2009, Bowen corresponded with a realtor regarding renting out the Defendant Real Property for the month of August 2009.

61. On or about July 12, 2009, pursuant to a seasonal lease prepared by the broker involved in the purchase and sale of the Defendant Real Property, Bowen rented the Defendant Real Property to a family for the period from on or about July 16, 2009 to on or about August 1, 2009. The period of the lease was subsequently extended to August 8, 2009. The rental payments totaled at least approximately \$21,357.12, approximately \$19,495.19 of which was deposited into the Bowen Checking Account Number 7870002792 on or around July 27, 2009, August 3, 2009, and August 29, 2009.

62. Bowen also rented the Defendant Real Property for the period from August 15, 2009, to August 22, 2009. On or about July 27, 2009, a rent payment in the amount of approximately \$2,440 was deposited into the Bowen Checking Account Number 7870002792.

63. On or about July 24, 2009, an additional rent payment in the amount of approximately \$4,715 was deposited into the Bowen Checking Account Number 7850349338 with the following in the memo, "Shore House Rental."

**FIRST CLAIM FOR FORFEITURE
(18 U.S.C. § 981(a)(1)(C))**

64. The Government incorporates by reference paragraphs 1 through 63 above as if fully set forth herein.

65. Pursuant to 18 U.S.C. § 981(a)(1)(C), "[a]ny property, real or personal, which constitutes or is derived from proceeds traceable to . . . any offense constituting 'specified unlawful activity' . . . , or a conspiracy to commit such offense," is subject to forfeiture to the Government.

66. "Specified unlawful activity" is defined in 18 U.S.C. § 1956(c)(7) to include, among other things, any offense listed under 18 U.S.C. § 1961(1). Section 1961(1) lists offenses that constitute "racketeering activity" for purposes of the RICO statute, and includes violations of 18 U.S.C. §§ 1341 (mail fraud), 1343 (wire fraud), and "fraud in the sale of securities."

67. Pursuant to 18 U.S.C. § 981(a)(2)(A), for purposes of the civil forfeiture statutes, "proceeds" refers to "property of any kind obtained directly or indirectly, as a result of the commission of the offense giving rise to forfeiture, and any property traceable thereto, and is not limited to the net gain or profit realized from the offense.

SECOND CLAIM FOR FORFEITURE
(18 U.S.C. § 981(a)(1)(A))

68. The Government incorporates by reference paragraphs 1 through 63 above as if fully set forth herein.

69. Pursuant to 18 U.S.C. § 981(a)(1)(A), “[a]ny property, real or personal, involved in a transaction in violation of section 1956 [or] 1957 . . . of [title 18, relating to money laundering offenses], or any property traceable to such property,” is subject to forfeiture to the Government.

70. 18 U.S.C. § 1956(a)(1) imposes a criminal penalty on any person who:

knowing that the property involved in a financial transaction involves the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity –

(A) (i) with the intent to promote the carrying on of specified unlawful activity; or

(ii) with intent to engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986; or

(B) knowing that the transaction is designed in whole or in part –

(i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or

(ii) to avoid a transaction reporting requirement under State or Federal law[.]

71. Section 1956(a)(2) further imposes a criminal penalty on any person who:

transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in the United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States –

(A) with the intent to promote the carrying on of specified unlawful activity; or

(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer is designed in whole or in part –

(i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or

(ii) to avoid a transaction reporting requirement under State or Federal law[.]

72. 18 U.S.C. § 1957 imposes a criminal penalty on any person who “knowingly engages or attempts to engage in a monetary transaction [in the United States] in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity.” A “monetary transaction” includes the “deposit, withdrawal, transfer, or exchange, in or affecting interstate or foreign commerce, of funds or a monetary instrument . . . by, through, or to a financial institution.” 18 U.S.C. § 1957(f)(1).

73. For purposes of Sections 1956 and 1957, “specified unlawful activity” has the same meaning as set forth in paragraph 66, above, and includes, among other things, mail fraud, wire fraud, and securities fraud.

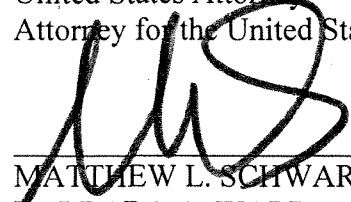
REQUEST FOR RELIEF

WHEREFORE plaintiff, the United States of America, requests that judgment be entered in its favor and against the Defendants in rem, and that process issue to enforce the forfeiture of the Defendants in rem, and that all persons having an interest in the Defendants in rem be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendants in rem to the United States of America for disposition

according to law, and that this Court grant the Government such further relief as this Court may deem just and proper, together with the costs and disbursements in this action.

Dated: New York, New York
June 22, 2010

PREET BHARARA
United States Attorney
Attorney for the United States of America




MATTHEW L. SCHWARTZ
BARBARA A. WARD
Assistant United States Attorneys

VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK :
SOUTHERN DISTRICT OF NEW YORK)

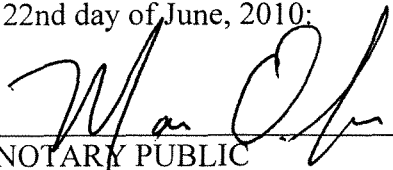
STEVEN N. GARFINKEL, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, and as such has responsibility for the within action; that he has read the foregoing Complaint and knows the contents thereof, and that the same is true to the best of his knowledge, information, and belief.

The sources of deponent's information on the ground of his belief are official records and files of the United States, information obtained directly by the deponent, and information obtained by other law enforcement officials and representatives during an investigation of alleged violations of Titles 15 and 18, United States Code.



STEVEN N. GARFINKEL
Special Agent
Federal Bureau of Investigation

Sworn to before me this
22nd day of June, 2010:



NOTARY PUBLIC

MARCO DASILVA
Notary Public, State of New York
No. 01DA6145603
Qualified in Nassau County
My Commission Expires May 8, 2014