

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

JASON GROSS, :

Defendant. :

- - - - - x

INFORMATION

15 CRIM 766

COUNT ONE

(Theft of Government Property)

The United States Attorney charges:

BACKGROUND

1. The Federal Reserve System ("Federal Reserve") fulfills several roles in the national economy, including managing the nation's money supply through monetary policy, supervising and regulating banking institutions, and generally overseeing the stability of the financial system. The Board of Governors of the Federal Reserve (the "Board") is the Federal Reserve's main governing body.

2. The Federal Reserve Bank of New York ("FRBNY"), located in New York, New York, is one of the banks that are part of the Federal Reserve. Among other things, the FRBNY supervises and conducts examinations of banks that are members of the Federal Reserve and bank holding companies.

3. Federal regulations protect certain "confidential supervisory information" ("CSI") related to the Board's and the FRBNY's supervision of banks. CSI includes reports of examination of banks and "any information derived from, related to, or contained in such reports," as well as "[a]ny documents prepared by, on behalf of, or for the use of the Board, [or] a Federal Reserve Bank." See 12 C.F.R. § 261.2(c)(1). These regulations protect CSI from being disclosed to the public without the permission of the Board. See 12 C.F.R. §§ 261.2, 261.22. CSI, including CSI in the possession of the FRBNY, is the property of the Board. See 12 C.F.R. §§ 261.2, 261.22.

THE DEFENDANT AND INDIVIDUAL-1

4. At all times relevant to this Information, JASON GROSS, the defendant, was a resident of Bellmore, New York, and was employed by the FRBNY. GROSS's responsibilities at the FRBNY included assisting with the supervision of certain banks. GROSS worked with another individual ("Individual-1") when they were both employed at the FRBNY.

5. At all times relevant to this Information, Individual-1 was a resident of New York, New York. From in or about August 2007 up to and including in or about March 2014, Individual-1 was employed as a supervisory manager at the FRBNY where Individual-1 had responsibility for supervising certain banks. Thereafter, from in or about July 2014 until in or about October

2014, Individual-1 was employed as an associate at an investment bank headquartered in New York, New York (the "Investment Bank"), that, among other things, provided advice on regulatory issues to certain client banks, including banks supervised by the FRBNY.

THE DEFENDANT'S THEFT OF CONFIDENTIAL DOCUMENTS

6. From at least in or about July 2014, up to and including in or about September 2014, at the direction of Individual-1, who was then employed at the Investment Bank, JASON GROSS, the defendant, emailed documents containing CSI, which were the property of the Board (the "Confidential Documents"), to Individual-1. GROSS sent the Confidential Documents, which he obtained during and through his employment at the FRBNY, to Individual-1 without authorization from the Board or the FRBNY, as Individual-1 well knew.

7. Upon receiving the Confidential Documents, Individual-1 utilized certain of the Confidential Documents in an effort to further his employment at the Investment Bank. In particular, Individual-1 disseminated certain of the Confidential Documents to other Investment Bank employees for the purpose of assisting with the Investment Bank's work for its client banks.

8. For example, on or about August 10, 2014, Individual-1 sent JASON GROSS, the defendant, a text message asking GROSS to send to Individual-1 particular Confidential Documents regarding

two banks ("Bank-1" and "Bank-2"). Individual-1 further asked GROSS to send the documents to Individual-1's personal email account.

9. Thereafter, on or about August 19, 2014, JASON GROSS, the defendant, sent from his personal email account to the personal email account of Individual-1 one of the Confidential Documents ("Confidential Document-1"). GROSS knowingly sent Confidential Document-1 to Individual-1 without authorization from the Board or the FRBNY. Confidential Document-1 related to the supervision of Bank-2, a bank that Individual-1 had previously been responsible for supervising when Individual-1 worked at the FRBNY. Confidential Document-1 was labeled as confidential.

10. Notwithstanding that Individual-1 knew that Individual-1 was not entitled to receive or disseminate any Confidential Documents, on or about August 19, 2014, Individual-1 sent Confidential Document-1 from his email account at the Investment Bank to the email accounts of other individuals employed by the Investment Bank. In a cover email attaching Confidential Document-1, Individual-1 told these employees that, with respect to certain supervisory issues, Confidential Document-1 "gives you [an] idea of what [the] Board was looking at . . . Please don't distribute."

STATUTORY ALLEGATIONS

11. On or about August 19, 2014, in the Southern District of New York and elsewhere, JASON GROSS, the defendant, did knowingly embezzle, steal, purloin, and convert to his use and the use of another, and without authority, did sell, convey, and dispose of records, vouchers, money, and things of value of the United States and a department and agency thereof, to wit, the Board of Governors of the Federal Reserve System, and did receive, conceal, and retain the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, GROSS, while employed by the FRBNY, sent Confidential Document-1 without authorization by email to Individual-1, who, while employed at the Investment Banking Firm, knowingly received it without authorization and disseminated it to others at the Investment Bank.

(Title 18, United States Code, Sections 641 and 2.)

FORFEITURE ALLEGATION

12. As the result of committing the offense charged in Count One of this Information, JASON GROSS, 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 such offense.

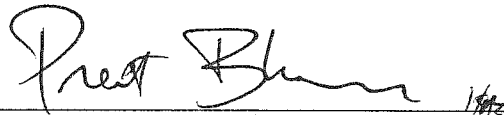
Substitute Asset Provision

13. 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 party;
- 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 divided 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, Section 981; Title 21, United States Code, Section 853; Title 28, United States Code, Section 2461.)



PREET BHARARA *NF*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JASON GROSS,

Defendant.

INFORMATION

15 Cr. ____

(Title 18, United States Code, Sections 641 and 2.)

PREET BHARARA
United States Attorney.
