

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: UNITED STATES OF AMERICA :
: :
: -v.- : **SUPERSEDING INFORMATION**
: :
: AMIT AGARWAL, :
: : S1 19 Cr. 838 (PAE)
: Defendant. :
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COUNT ONE

The United States Attorney charges:

1. From at least on or about June 2018, up to and including at least in or about 2019, in the Southern District of New York and elsewhere, AMIT AGARWAL, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, operation of an unlicensed money transmitting business, in violation of Title 18, United States Code, Sections 1960(a) and (b)(1)(A).

2. It was a part and an object of the conspiracy that AMIT AGARWAL, the defendant, and others known and unknown, knowingly conducted, controlled, managed, supervised, directed, and owned all and part of an unlicensed money transmitting business affecting interstate and foreign commerce, which business operated without an appropriate money transmitting license in a State, to wit, Florida and New York, where such operation is punishable as a felony under State law, and without meeting the Federal

registration requirements set forth for money transmitting businesses, in violation of Title 18, United States Code, Sections 1960(a) and (b)(1)(A).

Overt Acts

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

a. On or about September 28, 2018, AGARWAL's consumer electronics business received a \$39,500 wire transfer for the purchase of consumer electronics.

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

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Information, AMIT AGARWAL, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense and the following specific property: \$2,174,999.28 of the funds formerly on deposit at Citizens Bank in Account Number ending in 9354, held in the name of Best Electronics USA LLC, that were seized pursuant to a warrant signed by the Honorable Kevin Nathaniel Fox on or about December

20, 2019, and any and all funds traceable thereto, including accrued interest.

Substitute Assets Provision

5. 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 Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


AUDREY STRAUSS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. § 371.)

AUDREY STRAUSS

United States Attorney