

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

:

-v.-

:

NOLLE PROSEQUI

BENJAMIN WEY,

:

15 Cr. 611 (AJN)

a/k/a "Benjamin Wei,"

a/k/a "Tianbing Wei," and

:

SEREF DOGAN ERBEK,

a/k/a "Dogan Erbek,"

:

Defendants.

:

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1. The filing of this nolle prosequi will dispose of this case against BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," the defendant.

2. On September 8, 2015, Indictment 15 Cr. 611 (AJN) was filed, which charged that BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," and SEREF DOGAN ERBEK, a/k/a "Dogan Erbek," the defendants, conspired to commit securities fraud and wire fraud, in violation of Title 18, United States Code, Section 371 (Count One); committed securities fraud in violation of Title 15, United States Code, Sections 78j(b) and 78ff, Title 17, Code of Federal Regulations, Section 240.10b-5, and Title 18, United States Code, Section 2 (Count Two); committed securities fraud in violation of Title 18, United States Code, Sections 1348 and 2 (Count Three); committed wire fraud, in

violation of Title 18, United States Code, Sections 1343 and 2 (Count Four); failed to disclose to the Securities and Exchange Commission (the "SEC") ownership in excess of five percent of certain stocks, in violation of Title 15, United States Code, Sections 78m(d) and 78ff, Title 17, Code of Federal Regulations, Sections 240.13d-1, and Title 18, United States Code, Section 2 (Counts Five and Six); and money laundering, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2 (Counts Seven and Eight).

3. On June 13, 2017, the Court granted a motion, filed by BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," the defendant, to suppress evidence seized during a search of WEY's apartment and the New York offices of New York Global Group, Inc.

4. The Government sought charges in this matter based in significant part on materials seized during those searches. Because the Government can no longer rely on that evidence at trial against BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," the defendant, the Government has decided to dismiss the charges pending against Wey.

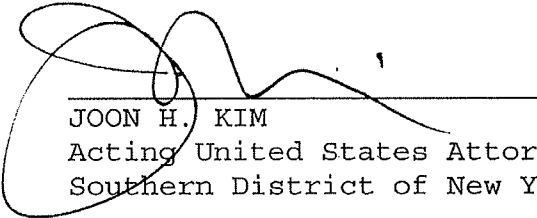
5. Accordingly, the Government recommends that an order of nolle prosequi be filed as to BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," the defendant, in the above-captioned matter.



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Dated: New York, New York
August 8, 2017

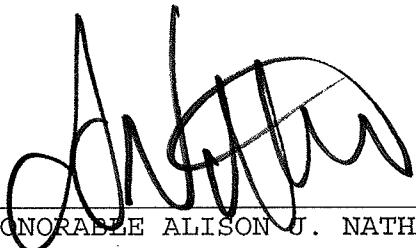
Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to BENJAMIN WEY, a/k/a "Benjamin Wei," a/k/a "Tianbing Wei," the defendant, with respect to Indictment 15 Cr. 611 (AJN).



JOON H. KIM
Acting United States Attorney
Southern District of New York

Dated: New York, New York
August 8, 2017

SO ORDERED:



HONORABLE ALISON J. NATHAN
United States District Judge
Southern District of New York

Dated: New York, New York
August 8, 2017

USDC SDNY DOCUMENT ELECTRONICALLY FILED DATE FILED: AUG 08 2017
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