

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v - :
:
GREGG PIERLEONI, :
:
Defendant. :
:
- - - - - X

SUPERSEDING
INFORMATION

S1 14 Cr. 1 (VB)

COUNT ONE

(Mail Fraud)

The United States Attorney charges:

BACKGROUND

1. Unless specified otherwise, at all times relevant to this Information:

a. From in or about September 1987 to in or about April 2013, GREGG PIERLEONI, the defendant, was the Chief Financial Officer of a privately held moving and storage company that maintained its headquarters in Westchester County, New York (the "Moving Company").

b. As Chief Financial Officer, PIERLEONI was authorized by the Moving Company to write checks drawn on, and transfer funds from, bank accounts held by the Moving Company and a related entity to pay the Moving Company's expenses and to manage

its funds. PIERLEONI maintained the records relating to these bank accounts.

2. From in or about October 2006 to in or about April 2013, GREGG PIERLEONI, the defendant, without authorization, wrote checks drawn on, and transferred funds from, bank accounts held by the Moving Company and a related entity to pay his personal credit card bills and other personal expenses. The items and services PIERLEONI purchased using the Moving Company's funds in this manner included collectible items, sports memorabilia, airline tickets and other travel expenses, artwork, tickets to sporting events and meals in restaurants. During this period, PIERLEONI paid more than \$5.7 million in personal expenses with funds belonging to the Moving Company and a related entity.

STATUTORY ALLEGATION

3. From in or about October 2006 to in or about April 2013, in the Southern District of New York and elsewhere, GREGG PIERLEONI, the defendant, having devised and intending to devise a scheme and artifice to defraud the Moving Company, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice, and attempting to do so, knowingly placed in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and knowingly caused to be

delivered by mail according to the direction thereon, such matter and thing, specifically, PIERLEONI mailed to American Express checks made payable to American Express that he drew from bank accounts held by the Moving Company and a related entity to pay the balance on his personal American Express Platinum Card account.

(Title 18, United States Code, Sections 1341 and 2.)

COUNT TWO

(Income Tax Evasion)

The United States Attorney further charges:

4. The allegations set forth in paragraphs 1 and 2 are repeated and realleged as it set forth fully herein.

5. GREGG PIERLEONI, the defendant, failed to report the income he embezzled from the Moving Company on his U.S. Individual Income Tax Returns, Forms 1040 for the 2007 through 2011 tax years and failed to file a U.S. Individual Income Tax Return, Form 1040 for the 2012 tax year, resulting in a total tax loss in excess of \$1.4 million.

Statutory Allegations

6. From on or about January 1 of each of the calendar years set out below, through on or about April 15 of the year following each said calendar year, in the Southern District of New York and elsewhere, GREGG PIERLEONI, the defendant, willfully and knowingly did attempt to evade and defeat a substantial part of the income tax

due and owing by him to the United States of America for each of the said calendar years by various means, including, among other things, by preparing and causing to be prepared, by signing and causing to be signed, and by filing and causing to be filed with the Internal Revenue Service, false and fraudulent United States Individual Income Tax Returns, Forms 1040, for the calendar years 2007 through 2011, wherein PIERLEONI failed to report income he embezzled from the Moving Company, thus falsely stating that his taxable income was in the amounts set forth below, and that the amount of tax due and owing thereon was in the amounts set forth below, whereas, as PIERLEONI then and there well knew and believed, the correct taxable income and correct tax due and owing for the calendar years 2007 through 2011 were substantially in excess of the amounts reported, all as set forth below:

<u>TAX YEAR</u>	<u>REPORTED TAXABLE INCOME</u>	<u>TAX PAID</u>	<u>CORRECT TAXABLE INCOME</u>	<u>CORRECT TAX DUE</u>
2007	-0-	-0-	\$ 538,713.49	\$131,984
2008	-0-	-0-	\$ 694,641.26	\$191,783
2009	-0-	\$ 9,850	\$ 813,002.47	\$234,357
2010	-0-	-0-	\$ 731,304.01`	\$203,475
2011	\$139,919	\$27,870	\$1,143,232.60	\$320,588

(Title 26, United States Code, Section 7201.)

PREET BHARARA
United States Attorney

