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F.#2002R01072

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

Cr. No. _____

PETER GOTTI,
ANTHONY CICCONE,
 also known as "Sonny,"
RICHARD V. GOTTI,
PRIMO CASSARINO,
JEROME BRANCATO,
 also known as "Jerry,"
RICHARD G. GOTTI,
PETER PIACENTI,
 also known as "Pete 17,"
RICHARD BONDI,
FRANK SCOLLO,
 also known as "Red"
 and "the little guy,"
VINCENT NASSO,
 also known as "Dr. Nasso,"
JULIUS R. NASSO,
 also known as "Jules,"
ANTHONY PANSINI,
SALVATORE CANNATA,
ANNA EYLENKRIG,
THOMAS LISI,
CARMINE MALARA and
JEROME ORSINO, JR.,

(T. 18, U.S.C., §§
894, 982, 1343, 1346,
1512(b)(1), 1512(b)(2)(A),
1951, 1955,
1956(a)(1)(A)(i),
1956(a)(1)(B)(i),
1956(h), 1962(c),
1962(d), 1963, 2 and 3551
et seq.; T. 21, U.S.C. §
853)

Defendants.

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THE GRAND JURY CHARGES:

INTRODUCTION

_____At all times relevant to this indictment, unless otherwise
indicated:

The Enterprise

1. The members and associates of the Gambino Organized Crime Family of La Cosa Nostra (the "Gambino family") constituted an "enterprise," as that term is defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce. The Gambino family was an organized criminal group that operated in the Eastern District of New York and elsewhere, and which constituted a continuing unit for the common purpose of achieving its objectives.

2. The Gambino family operated through groups of individuals headed by "captains," who were also referred to as "skippers," "caporegimes" and "capodecinas." These groups, which were referred to as "crews," "regimes" and "decinas," consisted of "made" members of the Gambino family, who were also referred to as "soldiers," "friends of ours," and "wise-guys," and associates of the Gambino family.

3. Each captain was responsible for supervising the criminal activities of his crew and providing crew members and associates with support and protection. In return, the captain received a share of the criminal proceeds obtained by the crew's members and associates.

4. Above the captains were the three highest ranking members of the Gambino family. The head of the Gambino family was

known as the "boss." He was assisted by an "underboss" and a counselor, who was known as the "consigliere." With the assistance of the underboss and the consigliere, the boss was responsible for setting policy, resolving disputes between members of the Gambino family and members of other criminal organizations and approving all significant actions by members of the Gambino family. From time to time, members of the Gambino family were temporarily appointed to boss, underboss, consigliere or captain positions. When this occurred, the member functioned in an "acting" capacity instead of an incarcerated or temporarily incapacitated Gambino family member who continued to hold the "official," as opposed to acting, position within the family.

5. In return for its protection and support, and for the purpose of promoting the ongoing criminal activities of the crews, the administration received a portion of the criminal proceeds from the crews.

6. From time to time, the Gambino family would propose a list of associates to be "made," that is, to become members of the Gambino family. This list would be circulated for approval to other families based in New York City. Upon becoming "made," each member would take an oath of "omerta," that is, a vow never to reveal any information about the Gambino family, its members or its associates.

7. Prior to December 1985, Paul Castellano was the boss of the Gambino family. After Castellano was murdered in

December 1985, John J. Gotti became the boss of the Gambino family. On April 2, 1992, John J. Gotti was convicted of racketeering and other related offenses and received a sentence of life imprisonment. He thereafter appointed his son, John A. Gotti, to be acting boss. In or about early 1994, a committee consisting of three captains of the Gambino family was formed to assist John A. Gotti in running the Gambino family. On September 3, 1999, John A. Gotti was convicted of racketeering, loan-sharking and tax offenses, and received a sentence of 77 months imprisonment. Thereafter, PETER GOTTI, John J. Gotti's brother, became acting boss of the Gambino family.

8. The Gambino family was part of a nationwide criminal organization known by various names, including the "mafia" and "La Cosa Nostra," which operated through entities known as "families." In addition to the Gambino family, four other organized crime families were based in the New York City area: the Colombo Organized Crime Family of La Cosa Nostra (the "Colombo family"), the Genovese Organized Crime Family of La Cosa Nostra (the "Genovese family"), the Luchese Organized Crime Family of La Cosa Nostra (the "Luchese family") and the Bonanno Organized Crime Family of La Cosa Nostra (the "Bonanno family"). La Cosa Nostra also included other crime families based in other geographic areas. The ruling body of this nationwide organization was known as the "commission," the members of which at various times included the bosses of the five

New York City-based families, including the boss of the Gambino family.

The Purposes, Methods and Means of the Enterprise

9. The principal purpose of the enterprise was to generate money for its members and associates through crime, including extortion, wire-fraud, larceny, loan-sharking, illegal gambling and witness tampering. Among the methods and means by which the members and associates of the enterprise furthered its criminal activities were threatened and actual use of physical violence, and the inducement of fear of financial and economic injury.

The Defendants

10. The defendants participated in the operation and management of the enterprise.

11. PETER GOTTI was a captain and then the acting boss of the Gambino family.

12. ANTHONY CICCONE, also known as "Sonny," was a captain in the Gambino family.

13. PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," RICHARD V. GOTTI and RICHARD G. GOTTI were made members of the Gambino family.

14. FRANK SCOLLO, also known as "Red" and "the little guy," was an associate of the Gambino family, President of the Local

1814 chapter of the International Longshoremen's Association, AFL-CIO, (the "ILA") and a Vice President of the ILA.

15. VINCENT NASSO, also known as "Dr. Nasso," was an associate of the Gambino family and an owner and operator of GPP/VIP, which administered a prescription pharmaceutical benefit plan for a welfare benefit trust fund affiliated with the ILA.

16. RICHARD BONDI was an associate of the Gambino family.

Organized Crime Infiltration of The New York Waterfront

17. Through the use of actual and threatened force, violence and fear, two families of La Cosa Nostra have exercised influence over labor unions and businesses at commercial shipping terminals in New York and New Jersey. The Genovese family exercised such influence at commercial shipping terminals in New Jersey and in Manhattan, New York. The Gambino family exercised such influence at commercial shipping terminals in Brooklyn and Staten Island, New York.

18. The ILA was a national labor union which represented longshoremen and other laborers working at ports around the United States. The ILA was governed by its Executive Council, which included the International Executive Officers. The International Executive Officers included the following positions: President, the Executive Vice-President, the General Vice-President,

the General Organizer, the Secretary-Treasurer and the Assistant General Organizer.

19. The Port Authority of New York and New Jersey leased commercial shipping terminals to private companies which operated those terminals at various piers in New York and New Jersey, including piers at Howland Hook in Staten Island and Red Hook in Brooklyn. The commercial shipping terminal at Howland Hook was called Howland Hook Container Terminal. The commercial shipping terminal at Red Hook was called Red Hook Marine Terminal. Unionized maintenance workers and longshoremen employed at Howland Hook Container Terminal and Red Hook Marine Terminal were represented by the Local 1814 chapter of the ILA ("Local 1814"). Unionized checkers of containers employed at Howland Hook Container Terminal and Red Hook Marine Terminal were represented by the Local 1 Checkers chapter of the ILA ("Local 1").

20. On December 17, 1991, ANTHONY CICCONE, FRANK SCOLLO, Local 1814 and others entered into a Consent Decree with the United States Attorney's Office for the Southern District of New York, which resolved a civil racketeering complaint brought by that Office (the "Consent Decree"). The Consent Decree was authorized and signed by the Honorable Leonard B. Sand, United States District Judge of the United States District Court for the Southern District of New York.

21. In the Consent Decree, the individual civil racketeering defendants, including CICCONE and SCOLLO, acknowledged that "there have been Government allegations, sworn testimony, and public findings regarding corruption of Local 1814 by La Cosa Nostra, and criminal prosecutions reflecting involvement in La Cosa Nostra on the part of Local 1814 officials."

22. The Consent Decree prohibited all of the defendants named therein, including CICCONE and SCOLLO, from committing any act of racketeering activity as defined by federal law, and from knowingly and improperly associating with any member or associate of any La Cosa Nostra crime family or any other criminal group, or with any person prohibited from participating in union affairs. The Consent Decree required CICCONE to resign from any and all positions with Local 1814, the ILA and any other ILA-affiliated entity by March 30, 1992, and provided that once he resigned, CICCONE "shall not thereafter seek or accept any such position in any such entity or resume any such membership, and shall be permanently barred from any employment by or other participation in the affairs of any entity doing business on the Waterfront." Under the Consent Decree, the term "Waterfront" was defined as the Port of New York and New Jersey.

23. In approximately 1998, an association of shipping companies and the ILA established the Management - International Longshoremen's Association Managed Health Care Trust Fund ("MILA").

MILA's purpose was to provide a National Health Plan, including health insurance, prescription pharmaceuticals and other benefits to active and retired employees represented by the ILA, including its local chapters, and other eligible individuals. Prior to the establishment of MILA, the local chapters of the ILA at each port provided separate health plans. MILA was governed by a board of trustees, half of which represented management and half of which represented labor (the "trustees"). In approximately 1998, after MILA was established, the trustees awarded a three-year contract to GPP/VIP, owned in part by VINCENT NASSO, to administer MILA's prescription pharmaceutical benefit program for certain ports.

COUNT ONE

(Racketeering)

24. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

25. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER GOTTI, ANTHONY CICCONE, also known as "Sonny," RICHARD V. GOTTI, PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," RICHARD G. GOTTI, RICHARD BONDI, FRANK SCOLLO, also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, being persons employed by and associated with the Gambino family, an enterprise which engaged in, and the activities of which affected, interstate commerce, knowingly

and intentionally conducted and participated, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of the racketeering acts set forth below.

Racketeering Act One
(Conspiracy to Extort the ILA)

26. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act One.

A. Conspiracy to Extort

27. In or about and between April 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, JEROME BRANCATO and FRANK SCOLLO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of ILA union members, to wit: (1) ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of ILA union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481;

and (3) the right of ILA union members to have the officers, agents, delegates, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

28. It was a part of the conspiracy that the defendants and their co-conspirators agreed to exert organized crime influence through the actual and threatened use of force, violence and fear against ILA International Executive Officers and others, in order to control who filled various International Executive Officer and other ILA positions, and thereby to ensure that organized crime associates would be placed in those positions.

B. Extortion

29. The allegations of paragraphs 27 and 28 are hereby realleged and incorporated as if fully set forth herein.

30. In or about and between April 2000 and August 2000, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, JEROME BRANCATO and FRANK SCOLLO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and

commodities in commerce, and attempted to do the same, by extortion, in that the defendants and their co-conspirators obtained property of ILA union members, to wit: (1) ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of ILA union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of ILA union members to have the officers, agents, delegates, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, employees and other representatives, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Racketeering Acts 1(C) and 1(D): Wire Fraud

31. The allegations of paragraphs 27 and 28 are hereby realleged and incorporated as if fully set forth herein.

32. On or about the dates set forth below, the defendants ANTHONY CICCONE, PRIMO CASSARINO, JEROME BRANCATO and FRANK SCOLLO, together with others, knowingly and intentionally devised a scheme and artifice to defraud ILA union members of: (1)

property, to wit: ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; and (2) the intangible right of the honest services of the ILA International Executive Officers, the Executive Council, and other ILA officers, delegates, employees, agents and representatives, and, for the purpose of executing said scheme and artifice and attempting to do so, transmitted and caused to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: the telephone calls set forth below, in violation of Title 18, United States Code, Sections 1343, 1346 and 2:

Racketeering Act	Date of Call	Description of Call
1 (C)	May 24, 2000	Call between CASSARINO in New York and CICCONE in New Jersey
1 (D)	July 19, 2000	Call between CASSARINO in New York and SCOLLO in Nevada

Racketeering Act Two
(Conspiracy to Extort MILA)

33. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Two.

A. Conspiracy to Extort

34. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO and VINCENT NASSO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of MILA and its participants and beneficiaries, to wit: (1) money and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' corrupt influence over MILA; (2) the right of MILA and its participants and beneficiaries to have the MILA trustees contract with the service provider of prescription pharmaceuticals of the trustee's choice; and (3) the right of MILA and its participants and beneficiaries to have the MILA trustees and fiduciaries discharge their duties with respect to MILA solely in the interest of MILA and its participants and beneficiaries and not on behalf of a party whose interests are adverse to the interests of MILA and its participants and beneficiaries, as guaranteed by Title 29, United States Code, Sections 1104 and 1106, with the consent of such MILA trustees and fiduciaries which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

35. It was a part of the conspiracy that the defendants and their co-conspirators agreed to exert organized crime influence through the use of actual and threatened force, violence and fear against certain MILA labor trustees and others, in order to ensure that GPP/VIP was awarded a contract to administer MILA's prescription pharmaceutical benefit plan, and to ensure that GPP/VIP's contract was renewed and continued to be renewed after the initial three-year term expired.

36. It was a further part of the conspiracy that the defendants and their co-conspirators agreed that defendant VINCENT NASSO would pay and cause to be paid a substantial monetary kick-back in exchange for receiving the corrupt assistance described above.

B. Extortion

37. The allegations of paragraphs 34 through 36 are hereby realleged and incorporated as if fully set forth herein.

38. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO and VINCENT NASSO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property of MILA and its participants and beneficiaries, to wit: (1) money

and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' corrupt influence over MILA; (2) the right of MILA and its participants and beneficiaries to have the MILA trustees contract with the service provider of prescription pharmaceuticals of the trustee's choice; and (3) the right of MILA and its participants and beneficiaries to have the MILA trustees and fiduciaries discharge their duties with respect to MILA solely in the interest of MILA and its participants and beneficiaries and not on behalf of a party whose interests are adverse to the interests of MILA and its participants and beneficiaries, with consent of such MILA trustees and fiduciaries, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Racketeering Acts 2(C) through 2(E): Wire Fraud

39. The allegations of paragraphs 34 through 36 are hereby realleged and incorporated as if fully set forth herein.

40. On or about the dates set forth below, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO and VINCENT NASSO, together with others, knowingly and intentionally devised a scheme and artifice to defraud MILA and its participants and beneficiaries of: (1) property, to wit: money and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' scheme and artifice to defraud; and

(2) the intangible right of the honest services of the MILA trustees and fiduciaries, and for the purpose of executing this scheme and artifice and attempting to do so, transmitted and caused to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: the telephone calls set forth below, in violation of Title 18, United States Code, Sections 1343, 1346 and 2:

Racketeering Act	Date of Call	Description of Call
2 (C)	September 11, 2000	Call between CASSARINO in New York and CICCONE in California
2 (D)	November 14, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
2 (E)	November 16, 2001	Call between CASSARINO in New York and a person in North Carolina

Racketeering Act Three
(Extortion of Local 1)

41. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Three.

A. Conspiracy to Extort

42. In or about and between June 2000 and August 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, together

with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of Local 1 union members, to wit: (1) Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of Local 1 union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of Local 1 union members to have the officers, agents, delegates, shop stewards, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, shop stewards, employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

43. It was a part of the conspiracy that the defendants and their co-conspirators agreed to use organized crime influence, through the actual and threatened use of force, violence and fear, to intimidate a Local 1 delegate and other Local 1

officers into deferring to the will of the defendants and their co-conspirators in the conduct of the affairs of Local 1.

B. Attempted Extortion

44. The allegations of paragraphs 42 and 43 are hereby realleged and incorporated as if fully set forth herein.

45. In or about and between June 2000 and August 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property of Local 1 union members, to wit: (1) Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of Local 1 union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of Local 1 union members to have the officers, agents, delegates, shop stewards, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, shop stewards,

employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Racketeering Acts 3(C) and 3(D): Wire Fraud

46. The allegations of paragraphs 42 and 43 are hereby realleged and incorporated as if fully set forth herein.

47. On or about the dates set forth below, the defendants ANTHONY CICCONE, PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, together with others, knowingly and intentionally devised a scheme and artifice to defraud Local 1 union members of: (1) property, to wit: Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1 officers, agents, delegates, shop stewards, employees and other representatives, and for the purpose of executing said scheme and artifice and attempting to do so, transmitted and caused to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: the telephone calls set forth below, in violation of Title 18, United States Code, Sections 1343, 1346 and 2:

Racketeering Act	Date of Call	Description of Call
3(C)	June 30, 2000	Call between CASSARINO in New York and CICCONE in New Jersey

Racketeering Act	Date of Call	Description of Call
3 (D)	June 27, 2001	Call between CASSARINO in New York and CICCONE in New Jersey

Racketeering Act Four
(Scheme to Defraud Local 1814)

48. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Four.

49. On or about the dates set forth below, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally devised a scheme and artifice to defraud Local 1814 union members of (1): property, to wit: Local 1814 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1814 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1814 officers, agents, delegates, shop stewards, employees and other representatives.

50. It was a part of said scheme and artifice that the defendant ANTHONY CICCONE would direct the defendant FRANK SCOLLO, the President of Local 1814, in the conduct of the affairs of Local 1814, using the defendant PRIMO CASSARINO and others as intermediaries and messengers.

51. It was a further part of said scheme and artifice that through the defendants PRIMO CASSARINO, FRANK SCOLLO and others, the defendant ANTHONY CICCONE forced the resignation of a Local 1814 delegate and selected a replacement who would submit to CICCONE's direction in the conduct of the affairs of Local 1814.

52. For the purpose of executing said scheme and artifice and attempting to do so, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO transmitted and caused to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: the telephone calls set forth below, in violation of Title 18, United States Code, Sections 1343, 1346 and 2:

Racketeering Act	Date of Call	Description of Call
4 (A)	November 3, 2000	Call between CASSARINO in New York and a person in New Jersey
4 (B)	February 7, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
4 (C)	June 17, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
4 (D)	August 22, 2001	Call between CASSARINO in New York and CICCONE in New Jersey

Racketeering Act Five
(Extortion of Howland Hook Container Terminal)

53. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Five.

A. Conspiracy to Extort

54. In or about and between April 2000 and August 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from an owner and operator of Howland Hook Container Terminal, with consent of said owner and operator, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Extortion

55. In or about and between April 2000 and August 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from an owner and operator of

Howland Hook Container Terminal, with consent of said owner and operator, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

Racketeering Act Six

_____ (Extortion of a Trucking Company)

56. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Six.

A. Conspiracy to Extort

57. In or about and between late 1999 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from an owner of a trucking company, with consent of said owner, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Extortion

58. In or about and between late 1999 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE and PRIMO CASSARINO,

together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from an owner of a trucking company, with consent of said owner, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

Racketeering Act Seven
(Money Laundering Conspiracy)

59. In or about and between April 2000 and November 2001, both dates being approximate and inclusive, the defendants PETER GOTTI, ANTHONY CICCONE, RICHARD V. GOTTI, PRIMO CASSARINO, JEROME BRANCATO, RICHARD G. GOTTI and FRANK SCOLLO, together with others, knowingly and intentionally conspired to conduct financial transactions affecting interstate and foreign commerce, to wit: the transportation, delivery and receipt of money, which involved the proceeds of specified unlawful activity, to wit: extortion, in violation of Title 18, United States Code, Section 1951, and illegal gambling, in violation of Title 18, United States Code, Section 1955, knowing that the property involved in the financial transactions would and did represent the proceeds of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the

nature, location, source, ownership and control of such proceeds, in violation of Title 18, United States Code, Sections 1956(a) (1) (A) (i) and 1956(a) (1) (B) (i), all in violation of Title 18, United States Code, Section 1956(h).

Racketeering Acts Eight Through Twenty-One
(Money Laundering)

60. The defendants named below committed the following acts. To the extent a defendant is named in more than one sub-part of Racketeering Acts 8 through 21, the commission of any sub-part alone constitutes the commission of that racketeering act.

61. On or about each date set forth below, the defendants listed below, together with others, knowingly and intentionally conducted a financial transaction affecting interstate and foreign commerce, to wit: the transportation, delivery and receipt of money, which involved the proceeds of specified unlawful activity, to wit: extortion, in violation of Title 18, United States Code, Section 1951, and illegal gambling, in violation of Title 18, United States Code, Section 1955, knowing that the property involved in the financial transaction represented the proceeds of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of such proceeds, in violation of Title 18, United States Code, Sections 1956(a) (1) (A) (i), 1956(a) (1) (B) (i) and 2:

Racketeering Act	Date of Transaction	Defendants
8 (A)	September 18, 2000	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
8 (B)	September 19, 2000	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO
9	October 17, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
10	November 28, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
11 (A)	December 22, 2000	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
11 (B)	December 26, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
12	January 23, 2001	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
13 (A)	February 26, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
13 (B)	February 27, 2001	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
14	March 28, 2001	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO
15 (A)	April 20, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO

Racketeering Act	Date of Transaction	Defendants
15 (B)	April 24, 2001	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO
16	June 12, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
17	June 27, 2001	ANTHONY CICCONE, PRIMO CASSARINO and RICHARD G. GOTTI
18	August 31, 2001	ANTHONY CICCONE, RICHARD V. GOTTI, PRIMO CASSARINO and RICHARD G. GOTTI
19	September 27, 2001	ANTHONY CICCONE, RICHARD V. GOTTI and PRIMO CASSARINO
20	October 25, 2001	ANTHONY CICCONE, RICHARD V. GOTTI, PRIMO CASSARINO and RICHARD G. GOTTI
21	November 29, 2001	ANTHONY CICCONE, PRIMO CASSARINO and RICHARD G. GOTTI

Racketeering Act Twenty-Two

(Extortion of Relatives of Prospective Employee)

62. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twenty-Two.

A. Conspiracy to Extort

63. In or about and between October 2000 and January 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with

others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from persons seeking employment for a relative at Howland Hook Container Terminal and Red Hook Marine Terminal, with consent of those persons, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

____B. Extortion

64. In or about and between October 2000 and January 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from persons seeking employment for a relative at Howland Hook Container Terminal and Red Hook Marine Terminal, with consent of those persons, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Larceny by Extortion

65. In or about and between October 2000 and January 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally committed larceny of money from persons seeking employment for a relative at Howland Hook Container Terminal and Red Hook Marine Terminal by extortion of those persons, in violation of New York Penal Law Sections 155.05 and 155.35.

Racketeering Act Twenty-Three
(Extortion of John Doe 1)

66. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twenty-Three.

A. Conspiracy to Extort

67. In or about and between June 2001 and November 2001, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money and the right of John Doe 1 to be an employee of Howland Hook Container Terminal, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Attempted Extortion

68. In or about and between June 2001 and November 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property, to wit: money and the right of John Doe 1 to be an employee of Howland Hook Container Terminal, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Larceny by Extortion

69. In or about and between June 2001 and November 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally attempted to commit larceny of money and the right of John Doe 1 to be an employee of Howland Hook Container Terminal, by extortion of John Doe 1, in violation of New York Penal Law Sections 110.00, 155.05, and 155.40.

Racketeering Act Twenty-Four
(Conspiracy to Extort John Doe 2)

70. In or about July 2001, the defendants ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money from John Doe 2, a longshoreman, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

Racketeering Act Twenty-Five
_____(Extortion of John Doe 3)

71. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twenty-Five.

A. Conspiracy to Extort

72. In or about and between January 2001 and January 2002, both dates being approximate and inclusive, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money from the settlement of a claim for compensation for an injury of John Doe 3, a longshoreman, with his

consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Extortion

73. In or about and between January 2001 and January 2002, both dates being approximate and inclusive, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money from the settlement of a claim for compensation for an injury of John Doe 3, a longshoreman, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Larceny by Extortion

74. In or about and between January 2001 and January 2002, both dates being approximate and inclusive, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally committed larceny of money from the settlement of a claim for compensation for an injury of John Doe 3, a longshoreman, by extortion of John Doe 3, in violation of New York Penal Law Sections 155.05 and 155.35.

Racketeering Act Twenty-Six
(Extortion of John Doe 4)

75. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twenty-Six.

A. Conspiracy to Extort

76. In or about and between October 1999 and November 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and RICHARD BONDI, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: (1) money; (2) the right to conduct a business free from outside pressure, including the right to refuse to keep illegal gambling machines at a business; and (3) the right to sell a business free from outside pressure, from John Doe 4, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Extortion of Money

77. In or about late Summer 2001, the defendants ANTHONY CICCONE, PRIMO CASSARINO and RICHARD BONDI, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants

obtained property, to wit: money, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

C. Extortion of Right to Refuse to Keep Gambling Machines

78. In or about and between October 1999 and late Summer 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and RICHARD BONDI, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: the right to conduct a business free from outside pressure, including the right to refuse to keep illegal gambling machines at a business, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

D. Extortion of Right to Sell a Business

79. In or about and between late Summer and early Fall 2001, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and RICHARD BONDI, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants

obtained property, to wit: the right to sell a business free from outside pressure, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

Racketeering Act Twenty-Seven
(Extortion of John Doe 5)

80. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Twenty-Seven.

A. Conspiracy to Extort

81. In or about and between September 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and VINCENT NASSO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money and the right to make business decisions free from outside pressure, from John Doe 5, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Section 1951.

B. Attempted Extortion

82. In or about and between September 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and VINCENT NASSO, together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property, to wit: money and the right to make business decisions free from outside pressure, from John Doe 5, with consent of John Doe 5, which consent was to be induced by wrongful use of actual and threatened force, violence and fear, in violation of Title 18, United States Code, Sections 1951 and 2.

Racketeering Act Twenty-Eight
(Use of Extortionate Means to Collect an
Extension of Credit from John Doe 6)

83. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Twenty-Eight.

A. Conspiracy to Use Extortionate Means

84. In or about and between Spring 2000 and August 2001, both dates being approximate and inclusive, the defendant PRIMO CASSARINO, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 6, in violation of Title 18, United States Code, Section 894.

B. Use of Extortionate Means

85. In or about Summer 2001, the defendant PRIMO CASSARINO, together with others, knowingly and intentionally used and attempted to use extortionate means to collect an extension of credit from John Doe 6, in violation of Title 18, United States Code, Sections 894 and 2.

Racketeering Act Twenty-Nine
(Use of Extortionate Means to Collect an
Extension of Credit from John Doe 7)

86. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Twenty-Nine.

A. Conspiracy to Use Extortionate Means

87. In or about and between September 2000 and October 2000, both dates being approximate and inclusive, the defendants PRIMO CASSARINO, JEROME BRANCATO and RICHARD BONDI, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 7, in violation of Title 18, United States Code, Section 894.

B. Use of Extortionate Means

88. In or about and between September 2000 and October 2000, both dates being approximate and inclusive, the defendants PRIMO CASSARINO, JEROME BRANCATO and RICHARD BONDI, together with others, knowingly and intentionally used and attempted to use

extortionate means to collect an extension of credit from John Doe 7, in violation of Title 18, United States Code, Sections 894 and 2.

Racketeering Act Thirty
(Use of Extortionate Means to Collect an
Extension of Credit from John Doe 8)

89. The defendants named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Thirty.

A. Conspiracy to Use Extortionate Means

90. In or about February 2001, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 8, in violation of Title 18, United States Code, Section 894.

B. Use of Extortionate Means

91. In or about February 2001, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly and intentionally used and attempted to use extortionate means to collect an extension of credit from John Doe 8, in violation of Title 18, United States Code, Sections 894 and 2.

Racketeering Act Thirty-One
(Illegal Gambling Business - Joker/Poker)

92. In or about and between March 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO and RICHARD BONDI, together with others, knowingly and intentionally

conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a gambling business involving the use of joker/poker type gambling machines, which operated in violation of the laws of New York State, which involved five or more people who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days, in violation of Title 18, United States Code, Sections 1955 and 2.

Racketeering Act Thirty-Two
(Illegal Gambling Business - Bookmaking)

93. In or about and between March 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, PRIMO CASSARINO, JEROME BRANCATO and RICHARD BONDI, together with others, knowingly and intentionally conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a bookmaking business involving illegal sports betting, which operated in violation of the laws of New York State, which involved five or more people who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days, and had gross revenues of \$2,000.00 or more in a single day, in violation of Title 18, United States Code, Sections 1955 and 2.

Racketeering Act Thirty-Three
(Witness Tampering)

94. In or about February 2002, the defendants ANTHONY CICCONE and PRIMO CASSARINO, together with others, knowingly, intentionally and corruptly persuaded and attempted to persuade another person, with intent to: (1) influence, delay and prevent the testimony of a person; and (2) cause and induce a person to withhold testimony, in an official proceeding, to wit: a federal grand jury investigation of defendants ANTHONY CICCONE, PRIMO CASSARINO and others for racketeering, including acts of extortion and wire-fraud against unions and businesses operating at Red Hook Marine Terminal and other locations, in violation of Title 18, United States Code, Sections 1512(b) (1), 1512(b) (2) (A) and 2.

(Title 18, United States Code, Sections 1962(c) and 3551 et seq.)

COUNT TWO
(Racketeering Conspiracy)

95. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

96. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER GOTTI, ANTHONY CICCONE, also known as "Sonny," RICHARD V. GOTTI, PRIMO CASSARINO, JEROME BRANCATO, RICHARD G. GOTTI, RICHARD BONDI, FRANK SCOLLO, also known as "Red" and "the

little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, being persons employed by and associated with the Gambino family, an enterprise which engaged in, and the activities of which affected, interstate commerce, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5).

97. The pattern of racketeering activity through which the above-named defendants, together with others, agreed to conduct the affairs of the Gambino family consisted of the acts set forth in paragraphs 26 through 94 of Count One, as Racketeering Acts 1 through 33, which are realleged and incorporated as if fully set forth herein. Each defendant agreed that a conspirator would commit at least two of these acts of racketeering in the conduct of the affairs of the enterprise.

(Title 18, United States Code, Sections 1962(d), 1963 and 3551 et seq.)

COUNT THREE
(Conspiracy to Extort ILA)

98. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

99. In or about and between April 2000 and the date of the filing of this indictment, both dates being approximate and

inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of ILA union members, to wit: (1) ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of ILA union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of ILA union members to have the officers, agents, delegates, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

100. It was a part of the conspiracy that the defendants and their co-conspirators agreed to exert organized crime

influence through the actual and threatened use of force, violence and fear against ILA International Executive Officers and others, in order to control who filled various International Executive Officer and other ILA positions, and thereby to ensure that organized crime associates would be placed in those positions.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FOUR

_____ (Extortion of the ILA)

101. The allegations of paragraphs 1 through 23, 99 and 100 are hereby realleged and incorporated as if fully set forth herein.

102. In or about and between April 2000 and August 2000, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants and their co-conspirators obtained property of ILA union members, to wit: (1) ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of ILA

union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of ILA union members to have the officers, agents, delegates, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, employees and other representatives, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FIVE

(Conspiracy to Defraud the ILA)

103. The allegations of paragraphs 1 through 23, 99 and 100 are hereby realleged and incorporated as if fully set forth herein.

104. In or about and between April 2000 and the date of the filing of this indictment, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to devise a scheme and artifice to defraud ILA union members of: (1) property, to wit: ILA labor union positions, money paid as wages and employee

benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; and (2) the intangible right of the honest services of the ILA International Executive Officers, the Executive Council, and other ILA officers, delegates, employees, agents and representatives, and for the purpose of executing said scheme and artifice, to transmit and cause to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: telephone conversations, in violation of Title 18, United States Code, Sections 1343 and 1346.

105. In furtherance of the conspiracy and to effect the objectives thereof, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, PRIMO CASSARINO, JEROME BRANCATO, FRANK SCOLLO, together with their co-conspirators, committed and caused to be committed the following:

OVERT ACTS

106. On or about May 24, 2000, a telephone call was placed between the defendant PRIMO CASSARINO in New York and the defendant ANTHONY CICCONE in New Jersey.

107. On or about July 19, 2000, a telephone call was placed between the defendant PRIMO CASSARINO in New York and the defendant FRANK SCOLLO in Nevada.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNTS SIX AND SEVEN

_____ (Scheme to Defraud the Membership of the ILA)

108. The allegations of paragraphs 1 through 23, 99 and 100 are hereby realleged and incorporated as if fully set forth herein.

109. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally devised a scheme and artifice to defraud ILA union members of: (1) property, to wit ILA labor union positions, money paid as wages and employee benefits, and other economic benefits that such ILA union members would have obtained but for the defendants' corrupt influence over such union; and (2) the intangible right of the honest services of the ILA International Executive Officers, the Executive Council, and other ILA officers, delegates, employees, agents and representatives, and, for the purpose of executing said scheme and artifice and attempting to do so, transmitted and caused to be transmitted in interstate commerce by means of wire

communication, certain signs, signals and sounds, to wit: the telephone calls set forth below:

Count	Date of Call	Description of Call
6	May 24, 2000	Call between CASSARINO in New York and CICCONE in New Jersey
7	July 19, 2000	Call between CASSARINO in New York and SCOLLO in Nevada

(Title 18, United States Code, Sections 1343, 1346, 2 and 3551 et seq.)

COUNT EIGHT

(Conspiracy to Extort MILA)

110. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

111. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of MILA and its participants and beneficiaries, to wit: (1) money and other economic benefits that

MILA and its participants and beneficiaries would have obtained but for the defendants' corrupt influence over MILA; (2) the right of MILA and its participants and beneficiaries to have the MILA trustees contract with the service provider of prescription pharmaceuticals of the trustee's choice; and (3) the right of MILA and its participants and beneficiaries to have the MILA trustees and fiduciaries discharge their duties with respect to MILA solely in the interest of MILA and its participants and beneficiaries and not on behalf of a party whose interests are adverse to the interests of MILA and its participants and beneficiaries, with consent of such MILA trustees and fiduciaries, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

112. It was a part of the conspiracy that the defendants and their co-conspirators agreed to exert organized crime influence through the use of actual and threatened force, violence and fear against certain MILA labor trustees and others, in order to ensure that GPP/VIP was awarded a contract to administer MILA's prescription pharmaceutical benefit plan, and to ensure that GPP/VIP's contract was renewed and continued to be renewed after the initial three-year term expired.

113. It was a further part of the conspiracy that the defendants and their co-conspirators agreed that defendant VINCENT NASSO would pay and cause to be paid a substantial monetary kick-

back in exchange for receiving the corrupt assistance described above.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT NINE
(Extortion of MILA)

114. The allegations of paragraphs 1 through 23 and 111 through 113 are hereby realleged and incorporated as if fully set forth herein.

115. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, knowingly and intentionally obstructed delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property of MILA and its participants and beneficiaries, to wit: (1) money and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' corrupt influence over MILA; (2) the right of MILA and its participants and beneficiaries to have the MILA trustees contract with the service provider of prescription pharmaceuticals of the trustee's choice; and (3) the right of MILA and its participants and beneficiaries to have the MILA trustees and

fiduciaries discharge their duties with respect to MILA solely in the interest of MILA and its participants and beneficiaries and not on behalf of a party whose interests are adverse to the interests of MILA and its participants and beneficiaries, with consent of such MILA trustees and fiduciaries, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT TEN
(Conspiracy to Defraud MILA)

116. The allegations of paragraphs 1 through 23 and 111 through 113 are hereby realleged and incorporated as if fully set forth herein.

117. In or about and between 1998 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, knowingly and intentionally conspired to devise a scheme and artifice to defraud MILA and its participants and beneficiaries of: (1) property, to wit: money and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of the MILA trustees and

fiduciaries, and for the purpose of executing this scheme and artifice, to transmit and cause to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: telephone conversations, in violation of Title 18, United States Code, Sections 1343 and 1346.

118. In furtherance of the conspiracy and to effect the objectives thereof, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO, VINCENT NASSO, together with their co-conspirators, committed and caused to be committed the following:

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119. On or about September 11, 2000, a telephone call was placed between the defendant PRIMO CASSARINO in New York and the defendant ANTHONY CICCONE in California.

120. On or about November 14, 2001, a telephone call was placed between the defendant PRIMO CASSARINO in New York and the defendant ANTHONY CICCONE in New Jersey.

121. On or about November 16, 2001, a telephone call was placed between the defendant PRIMO CASSARINO in New York and a person in North Carolina.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNTS ELEVEN THROUGH THIRTEEN
(Scheme to Defraud MILA)

122. The allegations of paragraphs 1 through 23 and 111 through 113 are hereby realleged and incorporated as if fully set forth herein.

123. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso," together with others, knowingly and intentionally devised a scheme and artifice to defraud MILA and its participants and beneficiaries of: (1) property, to wit: money and other economic benefits that MILA and its participants and beneficiaries would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of the MILA trustees and fiduciaries, and for the purpose of executing said scheme and artifice and attempting to do so, transmitted and caused to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: the telephone calls set forth below:

Count	Date of Call	Description of Call
11	September 11, 2000	Call between CASSARINO in New York and CICCONE in California

Count	Date of Call	Description of Call
12	November 14, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
13	November 16, 2001	Call between CASSARINO in New York and a person in North Carolina

(Title 18, United States Code, Sections 1343, 1346, 2 and 3551 et seq.)

COUNT FOURTEEN

(Conspiracy to Extort Local 1)

124. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

125. In or about and between June 2000 and August 2001 both dates being approximate and inclusive, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property of Local 1 union members, to wit: (1) Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of Local 1 union members to free speech and democratic participation in the affairs

of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of Local 1 union members to have the officers, agents, delegates, shop stewards, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, shop stewards, employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

126. It was a part of the conspiracy that the defendants and their co-conspirators agreed to exert organized crime influence through the actual and threatened use of force, violence and fear, to intimidate a Local 1 delegate and other Local 1 officers into deferring to the will of the defendants and their co-conspirators in the conduct of the affairs of Local 1.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTEEN
(Attempted Extortion of Local 1)

127. The allegations of paragraphs 1 through 23, 125 and 126 are hereby realleged and incorporated as if fully set forth herein.

128. In or about and between June 2000 and August 2001, both dates being approximate and inclusive, the defendants

ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property of Local 1 union members, to wit: (1) Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' corrupt influence over such union; (2) the right of Local 1 union members to free speech and democratic participation in the affairs of their labor organization as guaranteed by Title 29, United States Code, Sections 411 and 481; and (3) the right of Local 1 union members to have the officers, agents, delegates, shop stewards, employees and other representatives of their labor organization manage the money, property and financial affairs of the organization in accordance with Title 29, United States Code, Section 501(a), with the consent of such union members' officers, agents, delegates, shop stewards, employees and other representatives, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT SIXTEEN
(Conspiracy to Defraud Local 1)

129. The allegations of paragraphs 1 through 23, 125 and 126 are hereby realleged and incorporated as if fully set forth herein.

130. In or about and between June 2000 and August 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to devise a scheme and artifice to defraud Local 1 union members of: (1) property, to wit: Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1 officers, agents, delegates, shop stewards, employees and other representatives, and for the purpose of executing said scheme and artifice, to transmit and cause to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: telephone conversations, in violation of Title 18, United States Code, Sections 1343 and 1346.

131. In furtherance of the conspiracy and to effect the objectives thereof, within the Eastern District of New York and

elsewhere, the defendants ANTHONY CICCONE, PRIMO CASSARINO, RICHARD BONDI, FRANK SCOLLO, together with their co-conspirators, committed and caused to be committed the following:

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132. On or about July 15, 2000, at the behest of the defendant ANTHONY CICCONE, the defendants RICHARD BONDI and PRIMO CASSARINO went to the residence of a Local 1 delegate.

133. On or about June 27, 2001, at the behest of the defendant ANTHONY CICCONE, the defendants RICHARD BONDI and PRIMO CASSARINO went to the residence of a Local 1 delegate.

134. On or about June 30, 2000, a telephone call was placed between the defendants PRIMO CASSARINO in New York and ANTHONY CICCONE in New Jersey.

135. On or about June 27, 2001, a telephone call was placed between the defendants PRIMO CASSARINO in New York and ANTHONY CICCONE in New Jersey.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNTS SEVENTEEN AND EIGHTEEN
(Scheme to Defraud Local 1)

136. The allegations of paragraphs 1 through 23, 125 and 126 are hereby realleged and incorporated as if fully set forth herein.

137. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendants

ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally devised a scheme and artifice to defraud Local 1 union members of: (1) property, to wit: Local 1 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1 officers, agents, delegates, shop stewards, employees and other representatives, and for the purpose of executing said scheme and artifice and attempting to do so, transmitted and caused to be transmitted by means of wire communication in interstate commerce, certain signs, signals and sounds, to wit: the telephone calls set forth below:

Count	Date of Call	Description of Call
17	June 30, 2000	Call between CASSARINO in New York and CICCONE in New Jersey
18	June 27, 2001	Call between CASSARINO in New York and CICCONE in New Jersey

(Title 18, United States Code, Sections 1343, 1346, 2 and 3551 et seq.)

COUNT NINETEEN
(Conspiracy to Defraud Local 1814)

138. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

139. In or about and between June 2000 and August 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and ANTHONY PANSINI, together with others, knowingly and intentionally conspired to devise a scheme and artifice to defraud Local 1814 union members of: (1) property, to wit: Local 1814 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1814 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1814 officers, agents, delegates, shop stewards, employees and other representatives, and for the purpose of executing said scheme and artifice, to transmit and cause to be transmitted in interstate commerce by means of wire communication, certain signs, signals and sounds, to wit: telephone calls, in violation of Title 18, United States Code, Sections 1343 and 1346.

140. It was a part of the conspiracy that the defendant ANTHONY CICCONE would direct the defendant FRANK SCOLLO, the President of Local 1814, in the conduct of the affairs of Local

1814, using the defendants PRIMO CASSARINO, ANTHONY PANSINI and others as intermediaries and messengers.

141. It was a further part of the conspiracy that through the defendants PRIMO CASSARINO, ANTHONY PANSINI, FRANK SCOLLO and others, the defendant ANTHONY CICCONE forced the resignation of a Local 1814 delegate and selected a replacement who would submit to CICCONE's direction in the conduct of the affairs of Local 1814.

142. In furtherance of the conspiracy and to effect the objectives thereof, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO, ANTHONY PANSINI, together with their co-conspirators, committed and caused to be committed the following:

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143. On or about November 3, 2000, a telephone call was placed between the defendant PRIMO CASSARINO in New York and a person in New Jersey.

144. On or about February 7, 2001, a telephone call was placed between the defendants PRIMO CASSARINO in New York and ANTHONY CICCONE in New Jersey.

145. On or about June 17, 2001, a telephone call was placed between the defendants PRIMO CASSARINO in New York and ANTHONY CICCONE in New Jersey.

146. On or about August 22, 2001, a telephone call was placed between the defendants PRIMO CASSARINO in New York and ANTHONY CICCONE in New Jersey.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNTS TWENTY THROUGH TWENTY-THREE
(Scheme to Defraud Local 1814)

147. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

148. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, FRANK SCOLLO, also known as "Red" and "the little guy," and ANTHONY PANSINI, together with others, knowingly and intentionally devised a scheme and artifice to defraud Local 1814 union members of: (1) property, to wit: Local 1814 labor union positions, money paid as wages and employee benefits, and other economic benefits that such Local 1814 union members would have obtained but for the defendants' scheme and artifice to defraud; and (2) the intangible right of the honest services of Local 1814 officers, agents, delegates, shop stewards, employees and other representatives.

149. It was a part of said scheme and artifice that the defendant ANTHONY CICCONE would direct the defendant FRANK SCOLLO, the President of Local 1814, in the conduct of the affairs

of Local 1814, using the defendants PRIMO CASSARINO, ANTHONY PANSINI and others as intermediaries and messengers.

150. It was a further part of said scheme and artifice that through the defendants PRIMO CASSARINO, ANTHONY PANSINI, FRANK SCOLLO and others, the defendant ANTHONY CICCONE forced the resignation of a Local 1814 delegate and selected a replacement to fill that position who would submit to CICCONE's direction in the conduct of the affairs of Local 1814.

151. For the purpose of executing said scheme and artifice and attempting to do so, the defendants ANTHONY CICCONE, PRIMO CASSARINO, FRANK SCOLLO, ANTHONY PANSINI and others transmitted and caused to be transmitted by means of wire communication in interstate commerce certain signs, signals and sounds, to wit: the telephone calls set forth below:

Count	Date of Call	Description of Call
20	November 3, 2000	Call between CASSARINO in New York and a person in New Jersey
21	February 7, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
22	June 17, 2001	Call between CASSARINO in New York and CICCONE in New Jersey
23	August 22, 2001	Call between CASSARINO in New York and CICCONE in New Jersey

(Title 18, United States Code, Sections 1343, 1346, 2 and 3551 et seq.)

COUNT TWENTY-FOUR

(Conspiracy to Extort Howland Hook Container Terminal)

152. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

153. In or about and between April 2000 and August 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from an owner and operator of Howland Hook Container Terminal, with consent of said owner and operator, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT TWENTY-FIVE

(Extortion of Howland Hook Container Terminal)

154. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

155. In or about and between April 2000 and August 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE,

also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from an owner and operator of Howland Hook Container Terminal, with consent of said owner and operator, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT TWENTY-SIX

_____ (Conspiracy to Extort Owner of a Trucking Company)

156. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

157. In or about and between late 1999 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," and PRIMO CASSARINO, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from an owner of a trucking company, with consent of

said owner, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT TWENTY-SEVEN

(Extortion of Owner of a Trucking Company)

158. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

159. In or about and between late 1999 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," and PRIMO CASSARINO, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from an owner of a trucking company, with consent of said owner, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT TWENTY-EIGHT

(Money Laundering Conspiracy)

160. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

161. In or about and between April 2000 and November 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PETER GOTTI, ANTHONY CICCONE, also known as "Sonny," RICHARD V. GOTTI, PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," RICHARD G. GOTTI and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to conduct financial transactions affecting interstate and foreign commerce, to wit: the transportation, delivery and receipt of money, which involved the proceeds of specified unlawful activity, to wit: extortion, in violation of Title 18, United States Code, Section 1951, and illegal gambling, in violation of Title 18, United States Code, Section 1955, knowing that the property involved in the financial transactions would and did represent the proceeds of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of such proceeds, in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNTS TWENTY-NINE THROUGH FORTY-SIX
(Money Laundering)

162. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

163. On or about each date set forth below, within the Eastern District of New York and elsewhere, the defendants listed below, together with others, knowingly and intentionally conducted a financial transaction affecting interstate and foreign commerce, to wit: the transportation, delivery and receipt of money, which involved the proceeds of specified unlawful activity, to wit: extortion, in violation of Title 18, United States Code, Section 1951, and illegal gambling, in violation of Title 18, United States Code, Section 1955, knowing that the property involved in the financial transaction represented the proceeds of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of such proceeds:

Count	Date of Transaction	Defendants
29	September 18, 2000	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
30	September 19, 2000	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO

Count	Date of Transaction	Defendants
31	October 17, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
32	November 28, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
33	December 22, 2000	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
34	December 26, 2000	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
35	January 23, 2001	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
36	February 26, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
37	February 27, 2001	PETER GOTTI, ANTHONY CICCONE and JEROME BRANCATO
38	March 28, 2001	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO
39	April 20, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
40	April 24, 2001	PETER GOTTI, ANTHONY CICCONE, PRIMO CASSARINO and JEROME BRANCATO
41	June 12, 2001	ANTHONY CICCONE, PRIMO CASSARINO and FRANK SCOLLO
42	June 27, 2001	ANTHONY CICCONE, PRIMO CASSARINO and RICHARD G. GOTTI

Count	Date of Transaction	Defendants
43	August 31, 2001	ANTHONY CICCONE, RICHARD V. GOTTI, PRIMO CASSARINO and RICHARD G. GOTTI
44	September 27, 2001	ANTHONY CICCONE, RICHARD V. GOTTI and PRIMO CASSARINO
45	October 25, 2001	ANTHONY CICCONE, RICHARD V. GOTTI, PRIMO CASSARINO and RICHARD G. GOTTI
46	November 29, 2001	ANTHONY CICCONE, PRIMO CASSARINO and RICHARD G. GOTTI

(Title 18, United States Code, Sections 1956(a)(1)(A)(i),
1956(a)(1)(B)(i), 2 and 3551 et seq.)

COUNT FORTY-SEVEN

_____(Conspiracy to Extort Relatives of a Prospective Employee)

164. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

165. In or about and between October 2000 and January 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from persons seeking employment for a

relative at Howland Hook Container Terminal and Red Hook Marine Terminal, with consent of those persons, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FORTY-EIGHT

(Extortion of Relatives of a Prospective Employee)

166. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

167. In or about and between October 2000 and January 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money, from persons seeking employment for a relative at Howland Hook Container Terminal and Red Hook Marine Terminal, with consent of those persons, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FORTY-NINE

(Conspiracy to Extort John Doe 1)

168. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

169. In or about and between June 2001 and November 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money and the right of John Doe 1 to be an employee of Howland Hook Container Terminal, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTY

(Attempt to Extort John Doe 1)

170. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

171. In or about and between June 2001 and November 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE,

also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property, to wit: money and the right of John Doe 1 to be an employee of Howland Hook Container Terminal, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FIFTY-ONE

(Conspiracy to Extort John Doe 2)

172. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

173. In or about July 2001, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red" and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money, from John Doe 2, a longshoreman, with his

consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTY-TWO

_____ (Conspiracy to Extort John Doe 3)

174. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

175. In or about and between January 2001 and January 2002, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red," and "the little guy," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money from the settlement of a claim for compensation for an injury of John Doe 3, a longshoreman, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTY-THREE

(Extortion of John Doe 3)

176. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

177. In or about and between January 2001 and January 2002, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO and FRANK SCOLLO, also known as "Red," and "the little guy," together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: money from the settlement of a claim for compensation for an injury of John Doe 3, a longshoreman, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551
et seq.)

COUNT FIFTY-FOUR

(Conspiracy to Extort John Doe 4)

178. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

179. In or about and between October 1999 and November 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE,

also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and ANNA EYLENKRIG, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: (1) money; (2) the right to conduct a business free from outside pressure, including the right to refuse to keep illegal gambling machines at a business; and (3) the right to sell a business free from outside pressure, from John Doe 4, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTY-FIVE
(Extortion of John Doe 4 - Money)

180. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

181. In or about late Summer 2001, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and ANNA EYLENKRIG, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit:

money, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FIFTY-SIX

(Extortion of John Doe 4 - Right to Refuse to Keep Gambling Machines at a Business)

182. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

183. In or about and between October 1999 and late Summer 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and ANNA EYLENKRIG, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: the right to conduct a business free from outside pressure, including the right to refuse to keep illegal gambling machines at a business, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FIFTY-SEVEN

(Extortion of John Doe 4 - Right to Sell a Business)

184. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

185. In or about and between late Summer and early Fall 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, RICHARD BONDI and ANNA EYLENKRIG, together with others, knowingly and intentionally obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do the same, by extortion, in that the defendants obtained property, to wit: the right to sell a business free from outside pressure, from John Doe 4, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT FIFTY-EIGHT

_____ (Conspiracy to Extort John Doe 5)

186. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

187. In or about and between September 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny,"

PRIMO CASSARINO, VINCENT NASSO, also known as "Dr. Nasso," and JULIUS R. NASSO, also known as "Jules," together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and their co-conspirators agreed to obtain property, to wit: money and the right to make business decisions free from outside pressure, from John Doe 5, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951 and 3551 et seq.)

COUNT FIFTY-NINE

_____ (Attempted Extortion of John Doe 5)

188. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

189. In or about and between September 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, VINCENT NASSO, also known as "Dr. Nasso," and JULIUS R. NASSO, also known as "Jules," together with others, knowingly and intentionally attempted to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants attempted to obtain property, to wit: money and the right to make business decisions free from

outside pressure, from John Doe 5, with consent of John Doe 5, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951, 2 and 3551 et seq.)

COUNT SIXTY

(Conspiracy to Use Extortionate Means to Collect an Extension of Credit from John Doe 6)

190. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

191. In or about and between Spring 2000 and August 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PRIMO CASSARINO and SALVATORE CANNATA, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 6.

(Title 18, United States Code, Sections 894 and 3551 et seq.)

COUNT SIXTY-ONE

(Use of Extortionate Means to Collect an Extension of Credit from John Doe 6)

192. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

193. In or about Summer 2001, within the Eastern District of New York and elsewhere, the defendants PRIMO CASSARINO and SALVATORE CANNATA, together with others, knowingly and

intentionally used and attempted to use extortionate means to collect an extension of credit from John Doe 6.

(Title 18, United States Code, Sections 894, 2 and 3551 et seq.)

COUNT SIXTY-TWO

(Conspiracy to Use Extortionate Means to Collect an Extension of Credit from John Doe 7)

194. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

195. In or about and between September 2000 and October 2000, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," and RICHARD BONDI, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 7.

(Title 18, United States Code, Sections 894 and 3551 et seq.)

COUNT SIXTY-THREE

(Use of Extortionate Means to Collect an Extension of Credit from John Doe 7)

196. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

197. In or about and between September 2000 and October 2000, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PRIMO

CASSARINO, JEROME BRANCATO, also known as "Jerry," and RICHARD BONDI knowingly and intentionally used and attempted to use extortionate means to collect an extension of credit from John Doe 7.

(Title 18, United States Code, Sections 894, 2 and 3551 et seq.)

COUNT SIXTY-FOUR

(Conspiracy to Use Extortionate Means to Collect an Extension of Credit from John Doe 8)

198. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

199. In or about February 2001, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," and PRIMO CASSARINO, together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe 8.

(Title 18, United States Code, Sections 894 and 3551 et seq.)

COUNT SIXTY-FIVE

(Use of Extortionate Means to Collect an Extension of Credit from John Doe 8)

200. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

201. In or about February 2001, within the Eastern district of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," and PRIMO CASSARINO, together with others,

knowingly and intentionally used and attempted to use extortionate means to collect an extension of credit from John Doe 8.

(Title 18, United States Code, Sections 894, 2 and 3551 et seq.)

COUNT SIXTY-SIX
(Illegal Gambling Business - Joker/Poker)

202. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

203. In or about and between March 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, PETER PIACENTI, also known as "Pete 17," RICHARD BONDI, ANNA EYLENKRIG and JEROME ORSINO, JR., together with others, knowingly and intentionally conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a gambling business involving the use of joker/poker type gambling machines, which operated in violation of the New York Penal Law Section 225.10, which involved five or more people who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days.

(Title 18, United States Code, Sections 1955, 2 and 3551 et seq.)

COUNT SIXTY-SEVEN

(Illegal Gambling Business - Sports Betting Operation)

204. The allegations of paragraphs 1 through 23 are hereby realleged and incorporated as if fully set forth herein.

205. In or about and between March 2000 and the date of the filing of this indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE, also known as "Sonny," PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," RICHARD BONDI, THOMAS LISI, CARMINE MALARA and JEROME ORSINO, JR., together with others, knowingly and intentionally conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a gambling business involving illegal sports betting, which operated in violation of New York Penal Law Section 225.10, which involved five or more people who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days, and had gross revenues of \$2,000.00 or more in a single day.

(Title 18, United States Code, Sections 1955, 2 and 3551 et seq.)

COUNT SIXTY-EIGHT

(Witness Tampering)

206. In or about February 2002, within the Eastern District of New York and elsewhere, the defendants ANTHONY CICCONE,

also known as "Sonny," and PRIMO CASSARINO, together with others, knowingly, intentionally and corruptly persuaded and attempted to persuade another person, with intent to: (1) influence, delay and prevent the testimony of a person; and (2) cause and induce a person to withhold testimony, in an official proceeding, to wit: a federal grand jury investigation of defendants ANTHONY CICCONE, PRIMO CASSARINO and others for racketeering, including acts of extortion and wire-fraud against unions and businesses operating at Red Hook Marine Terminal and other locations.

(Title 18, United States Code, Sections 1512(b)(1), 1512(b)(2)(A), 2 and 3551 et seq.)

FORFEITURE ALLEGATION ONE
(As to Counts One and Two)

207. The allegations contained in Counts One and Two are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1963. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 1963 in the event of any defendant's conviction under Counts One and Two of this Indictment.

208. As a result of the offenses set forth in Counts One and Two, the defendants PETER GOTTI, ANTHONY CICCONE, also known as "Sonny," RICHARD V. GOTTI, PRIMO CASSARINO, JEROME BRANCATO, also known as "Jerry," RICHARD G. GOTTI, RICHARD BONDI, FRANK SCOLLO,

also known as "Red" and "the little guy," and VINCENT NASSO, also known as "Dr. Nasso,"

a. have interests which they acquired and maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 1963(a)(1);

b. have an interest in, security of, claim against or property or contractual right affording them a source of influence over the enterprise said defendants have established, operated, controlled, conducted and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture pursuant to Title 18, United States Code, Section 1963(a)(2); and

c. have property constituting or derived from proceeds which they obtained directly or indirectly from racketeering activity in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture pursuant to Title 18, United States Code, Section 1963(a)(3).

209. The interests of the defendants subject to forfeiture to the United States pursuant to Title 18, United States Code, Sections 1963(a)(1), 1963(a)(2), and 1963(a)(3), include but are not limited to at least \$3,871,000.00 and all interests and proceeds traceable thereto, including but not limited to the following assets:

- a. The sum of approximately \$80,000 in United States currency which monies were seized by law enforcement officers at various times during the underlying investigation from in or about August 23, 2000, to in or about April 11, 2002.

210. The defendants named in paragraph 208 are jointly and severally liable for the forfeiture obligations alleged above.

211. If, by any act or omission of any of the defendants, any of the property described in paragraph 208, or any portion thereof:

- 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;

the defendant shall forfeit substitute property, up to the value of the property described in sub-paragraphs (a) through (e) above, pursuant to Title 18, United States Code, Section 1963(m).

(Title 18, United States Code, Section 1963)

FORFEITURE ALLEGATION TWO
(As to Count Twenty-Eight)

212. The allegations contained in Count Twenty-Eight are hereby realleged and incorporated as if fully set forth herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 982.

213. Pursuant to Title 18, United States Code, Section 982(a)(1), each defendant who is convicted of the offense set forth in Count Twenty-Eight of this Indictment shall forfeit to the United States the following property: all right, title, and interest in any and all property, real and personal, involved in the money laundering conspiracy offense described in Count Twenty-Eight for which the defendant is convicted, in violation of Title 18, United States Code, Sections 1956, and all property traceable to such property, including, but not limited to, the following: (a) all money and other property that was the subject of the money laundering conspiracy alleged in Count Twenty-Eight, in violation of Title 18, United States Code, Sections 1956; (b) all commissions, fees and other property obtained as a result of said violation; and (c) all property used in any manner or part to commit or to facilitate the commission of said violation.

214. The value of the property subject to forfeiture described in the foregoing paragraph is approximately \$252,000.00.

215. If more than one defendant is convicted of the offense alleged in Count Twenty-Eight, the defendants so convicted are jointly and severally liable for the value of all property involved in such offense, and all property traceable to such property.

216. If, by any act or omission of any of the defendants, any of the property described in paragraph 213 above, or any portion thereof:

- 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;

the defendant shall forfeit substitute property, up to the value of the property described in sub-paragraphs (a) through (e) above, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b).

(Title 18, United States Code, Section 982; Title 21, United States Code, Section 853)

FORFEITURE ALLEGATION THREE
(As to Counts 29 Through 46)

217. The allegations contained in Counts Twenty-Nine through Forty-Six are hereby realleged and incorporated as if fully set forth herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 982.

218. Pursuant to Title 18, United States Code, Section 982(a)(1), each defendant who is convicted of the offenses alleged in Counts Twenty-Nine through Forty-Six of this Indictment, shall

forfeit to the United States the following property: all right, title and interest in any and all property, real and personal, involved in the offenses alleged in those Counts for which the defendant is convicted, in violation of Title 18, United States Code, Section 1956, and all property traceable to such property, including, but not limited to, the following: (a) all money and other property that was the subject of the money laundering offenses alleged in Counts Twenty-Nine through Forty-Six, in violation of Title 18, United States Code, Section 1956; (b) all commissions, fees and other property obtained as a result of those violations; and (c) all property used in any manner or part to commit or to facilitate the commission of those violations.

219. The property subject to forfeiture in the foregoing paragraph has a value of approximately \$252,000.00.

220. Any of the defendants named in Counts Twenty-Nine through Forty-Six who are convicted of those Counts shall be jointly and severally liable for forfeiture of an amount equal to the money alleged in the count for which said defendant is convicted, and all property traceable thereto.

221. If, by any act or omission of any of the defendants, any of the property described in paragraph 218, or any portion thereof:

- 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;

the defendant shall forfeit substitute property, up to the value of the property described in sub-paragraphs (a) through (e) above, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b).

(Title 18, United States Code, Section 982; Title 21, United States Code, Section 853)

A TRUE BILL

FOREPERSON

ALAN VINEGRAD
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK