

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 10-
 :
 v. : 18 U.S.C. § 1951(a) and
 : 18 U.S.C. § 2
 ANTHONY CLARK :

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges that:

Attempted Obstruction of Commerce By Extortion
Under Color of Official Right

1. At all times relevant to this Information:

a. Defendant ANTHONY CLARK served as an employee of the City of Newark. In his official capacity, defendant ANTHONY CLARK represented himself as maintaining actual, residual and anticipated official authority and influence over the awarding of City of Newark demolition contracts.

b. The City of Newark engaged in demolition by: (i) performing demolition utilizing City of Newark employees; (ii) procuring bids and selecting demolition contractors to perform demolition related to specific demolition projects; and (iii) utilizing contractors who were listed on certain City of Newark contracts ("demolition services contracts" or "equipment rental contracts"), often for emergency demolition work.

c. There was a witness (the "CW") who, in the course

of cooperating with law enforcement personnel, represented himself to be the principal of a company that provided construction and demolition services pursuant to both government and private contracts. The CW represented that this business conducted construction and demolition services in New Jersey, as well as in other states.

2. It was part of the corrupt activity that, from in or about March 2006 to on or about October 23, 2007, during conversations recorded by federal law enforcement authorities, defendant ANTHONY CLARK agreed to use his official authority and influence to obtain demolition contracts from the City of Newark and other local government agencies with whom he purported to carry official influence, for the CW, as specific opportunities arose, in exchange for a corrupt payment as follows:

a. On or about October 25, 2006, defendant ANTHONY CLARK met the CW at a restaurant in Montclair, New Jersey. During the meeting, defendant ANTHONY CLARK stated that he would utilize his official authority and influence to assist the CW in obtaining emergency demolition contracts from the City of Newark. Defendant ANTHONY CLARK further indicated that the CW should pay \$2,000 initially to defendant CLARK in exchange for defendant CLARK's official assistance and additional sums of money at a later time. At a later time in the meeting, defendant ANTHONY CLARK revised his corrupt demand and stated that the CW should

pay "six for now," thereby demanding an initial payment of \$6,000 in exchange for defendant ANTHONY CLARK's contemplated favorable exercise of official authority and influence.

b. On or about October 25, 2006, following their meeting, defendant ANTHONY CLARK and the CW spoke on the telephone. During this conversation, defendant ANTHONY CLARK requested "an even ten" from the CW, thereby increasing the amount of the corrupt demand to \$10,000.

c. On or about October 31, 2006, defendant ANTHONY CLARK and the CW met in a car in Montclair, New Jersey. During the meeting, defendant ANTHONY CLARK accepted a corrupt cash payment of \$10,000 from the CW. After accepting the payment, defendant ANTHONY CLARK stated that he was endeavoring to obtain demolition contracts for the CW.

3. From in or about March 2006 to on or about October 23, 2007, in Essex County, in the District of New Jersey and elsewhere, defendant

ANTHONY CLARK

knowingly and willfully did attempt to obstruct, delay and affect interstate commerce by extortion under color of official right-- that is, by corruptly agreeing to obtain and obtaining money from another, with that person's consent, in exchange for defendant CLARK's exercise of official authority and influence in attempting to obtain demolition business in the City of Newark

and elsewhere for the CW, as specific opportunities arose.

In violation of Title 18, United States Code, Section 1951(a), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS


As a result of committing the aforementioned offense in violation of Title 18, United States Code, Section 1951(a), defendant ANTHONY CLARK shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including, but not limited to, \$10,000 in United States currency, in that such sum constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offense of attempt to obstruct commerce by extortion under the color of official right.

If any of the above-described forfeitable property, as a result of any act or omission of defendant ANTHONY CLARK:

- (1) cannot be located upon exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. 853(p), to seek forfeiture of any other property of defendant ANTHONY CLARK up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Section
981(a)(1)(C) and Title 28, United States Code, Section 2461.


PAUL J FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: _____

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District of New Jersey**

UNITED STATES OF AMERICA

v.

ANTHONY CLARK

INFORMATION FOR

18 U.S.C. § 1951(a) and 18 U.S.C. § 2

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