



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

May 31, 2012

BY HAND

Honorable Laura Taylor Swain  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: United States v. Craig Kugel  
S6 10 Cr. 228 (LTS)

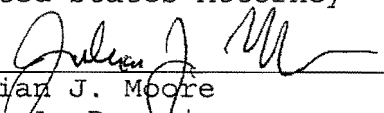
Dear Judge Swain:

The Government anticipates that, at the court appearance scheduled for June 5, 2012 at 2:15 PM, the Government will file a Superseding Information (the "Information") in the above-referenced case. The parties anticipate that, at the conference, Craig Kugel, a former employee of Bernard L. Madoff Investment Securities LLC, will plead guilty to the Information pursuant to a cooperation agreement with the Government. A chart of the charges in the Information and the maximum penalties is attached.

In order to provide notice to victims of the anticipated guilty plea proceeding, the Government respectfully requests that the Court direct the U.S. Attorney's Office to post this letter on its Internet website at <http://www.usdoj.gov/usao/nys> on a separate Web page for United States v. Bernard L. Madoff and Related Cases.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By:   
Julian J. Moore  
Lisa A. Baroni  
Assistant U.S. Attorneys  
(212) 637-2473 / 637-2405

cc: Barry W. Agulnick, Esq.

The request is granted.

SO ORDERED.

NEW YORK, NY

  
LAURA TAYLOR SWAIN  
June 1, 2012 UNITED STATES DISTRICT JUDGE

**United States v. Craig Kugel, S6 10 Cr. 228 (LTS)**

<b><u>Count</u></b>	<b><u>Charge</u></b>	<b><u>Maximum Penalties</u></b>
<b>ONE</b>	Conspiracy to 1) Obstruct or Impede the Lawful Government Functions of the Internal Revenue Service, and to 2) Falsify Statements in Relation to Documents Required by ERISA	5 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; restitution; and criminal forfeiture.
<b>TWO</b>	Making False Statements in Relation to Documents Required by ERISA	5 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.
<b>THREE</b>	Subscribing to a False U.S. Individual Income Tax Return	3 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.
<b>FOUR</b>	Subscribing to a False U.S. Individual Income Tax Return	3 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.
<b>FIVE</b>	Subscribing to a False U.S. Individual Income Tax Return	3 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.