

DMP:SMG
F.#2017R00674

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

CHRISTOPHER WOLF,

Defendant.

----- X

THE GRAND JURY CHARGES:

At all times relevant to this Indictment, unless otherwise indicated:

INTRODUCTION

1. The defendant CHRISTOPHER WOLF resided in Brooklyn, New York and Boca Raton, Florida.

2. The defendant CHRISTOPHER WOLF operated Rothchild & Associates LLC, a Delaware corporation with its principal place of business in Brooklyn, New York, as well as a predecessor firm (collectively, "Rothchild"). Although WOLF operated Rothchild, it was nominally owned by a third party, an individual whose identity is known to the Grand Jury.

3. Rothchild was in the business of selling precious metals to customers whom it solicited by telephone. The defendant CHRISTOPHER WOLF, like others working at Rothchild, was paid commissions based on sales volume.

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ APR 12 2017 ★

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2017 APR 12 PM 1:23

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

INDICTMENT

CR 17 00198

Cr. No. (T. 26, U.S.C., §§ 7201 and 7206(2);
T. 18, U.S.C., §§ 3551 et seq.)

DEARIE, J.

POLLAK, M.J.

4. A Form 1099-MISC was an informational return that had to be filed with the IRS to report, among other things, payments made by a trade or business to a person for services rendered. Payments of commissions to individuals would typically be reported on a Form 1099-MISC. Generally, payments to corporations, unlike payments to individuals, did not require the filing of a Form 1099-MISC with the IRS.

5. On or about January 28, 2010, the defendant CHRISTOPHER WOLF caused the creation of NYC 1, Inc., a Delaware corporation that he owned and controlled. NYC 1, Inc., was required to file a U.S. corporate tax return. On or about February 9, 2010, WOLF opened a checking account for NYC 1, Inc. WOLF was the only person with signature authority on the account. WOLF withdrew funds from the checking account for his own personal use and the use of his family.

6. On or about March 25, 2011, the defendant CHRISTOPHER WOLF caused the creation of Avenue Consultants, Inc., a Delaware corporation that he owned and controlled. Avenue Consultants, Inc., was required to file a U.S. corporate tax return. On or about March 31, 2011, WOLF opened a checking account for Avenue Consultants, Inc. WOLF was the only person with signature authority on the account. WOLF withdrew funds from the checking account for his own personal use and the use of his family.

7. The defendant CHRISTOPHER WOLF caused the commissions he earned from Rothchild for his sales of precious metals to be paid to NYC 1, Inc., and Avenue Consultants, Inc., rather than to him individually. By diverting his compensation to these shell companies, WOLF prevented Rothchild from having to file Forms 1099-MISC with the Internal Revenue Service documenting income payments made to him.

8. When the defendant CHRISTOPHER WOLF filed U.S. corporate tax returns for NYC 1, Inc., and Avenue Consultants, Inc., he claimed false deductions on those returns that the shell corporations did not incur in order to reduce the income and corporate income taxes owed.

COUNT ONE
(Attempt to Evade or Defeat Tax)

9. The allegations in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

10. In or about and between January 2010 and February 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER WOLF did willfully attempt to evade and defeat substantial income tax due and owing by him to the United States of America for the calendar year 2010 by (a) causing his compensation from sales of precious metals at Rothchild to be paid to NYC 1, Inc., rather than himself; (b) withdrawing funds from the bank account for NYC 1, Inc., for his own personal use without reporting and paying individual income tax, (c) causing the preparation and filing of a false U.S. Individual Income Tax Return, Form 1040, for the 2010 calendar year, which the defendant CHRISTOPHER WOLF knew was false as it did not reflect the income that he had earned from Rothchild, and (d) causing the preparation and filing of a false U.S. Income Tax Return for an S Corporation, Form 1120S, for NYC 1, Inc.,

for the 2010 calendar year, which the defendant CHRISTOPHER WOLF knew was false as it claimed deductions for rent and miscellaneous business expenses that NYC 1, Inc., did not incur.

(Title 26, United States Code, Section 7201; Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO
(Attempt to Evade or Defeat Tax)

11. The allegations in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

12. In or about and between January 2011 and October 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER WOLF, knowing that he had received taxable income, upon which there was income tax due and owing to the United States of America, and failing to make an income tax return on or before April 17, 2012, as required by law, to any proper officer of the Internal Revenue Service, and to pay income tax to the Internal Revenue Service, the defendant CHRISTOPHER WOLF did willfully attempt to evade and defeat substantial income tax due and owing by him to the United States of America for the calendar year 2011 by (a) causing his compensation from sales of precious metals at Rothchild to be paid to NYC 1, Inc., and Avenue Consultants, Inc., rather than himself; (b) withdrawing funds from bank accounts for NYC 1, Inc., and Avenue Consultant, Inc., for his own personal use without reporting and paying individual income tax, (c) causing the preparation and filing of a false U.S. Corporation Income Tax Return, Form 1120, for NYC 1, Inc., for the 2011 calendar year, which the defendant CHRISTOPHER WOLF knew was false as it claimed deductions for rent

and miscellaneous business expenses that NYC 1, Inc., did not incur, and (d) causing the preparation and filing of a false U.S. Corporation Income Tax Return, Form 1120, for Avenue Consultants, Inc., for the 2011 calendar year, which the defendant CHRISTOPHER WOLF knew was false as it claimed deductions for rent and miscellaneous business expenses Avenue Consultants, Inc., did not incur.

(Title 26, United States Code, Section 7201; Title 18, United States Code, Sections 3551 et seq.)

COUNTS THREE AND FOUR
(Aiding and Assisting the Preparation and Presentation
of False and Fraudulent Tax Returns)

13. The allegations in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

14. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER WOLF did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation under, and in connection with a matter arising under, the internal revenue laws of returns, to wit: U.S. Corporation Income Tax Returns, Forms 1120, for the taxpayers and calendar years listed below, which returns were false and fraudulent as to one or more material matters, in that the Forms 1120 overstated expenses for rent and miscellaneous business deductions, as set forth below, whereas, as the defendant CHRISTOPHER WOLF then and there well knew and believed, said taxpayers were not entitled to claim the specified deductions and expenses:

Count	Taxpayer	Calendar Year	Approximate Filing Date	False Item	Amount Reported
THREE	NYC 1, Inc.	2011	April 10, 2012	(a) Rents (line 16)	(a) \$43,500
				(b) Other deductions (line 26)	(b) \$56,035
				(c) Gross receipts (line 1b)	(c) \$100,055
FOUR	Avenue Consultants, Inc.	2011	April 11, 2012	(a) Rents (line 16)	(a) \$47,000
				(b) Other deductions (line 26)	(b) \$115,855
				(c) Gross receipts (line 1b)	(c) \$163,999

(Title 26, United States Code, Section 7206(2); Title 18, United States Code,

Sections 3551 et seq.)

A TRUE BILL



FOREPERSON



BRIDGET M. ROHDE
 ACTING UNITED STATES ATTORNEY
 EASTERN DISTRICT OF NEW YORK

F. # 2017R00674
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

Christopher Wolf,

Defendant.

INDICTMENT

(T. 26, §§ 7201 and 7206(2); T. 18, U.S.C. §§ 3551 et. seq.)

A true bill.



Foreperson

Filed in open court this _____ day, of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Sean M. Green, Trial Attorney, Department of Justice, Tax Division
(202) 307-2554