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F. # 2017R01548

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U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF NEW YORK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

INDICTMENT

**CR 18 337**

- against -

Cr. No. (T. 18, U.S.C., §§ 892(a), 894(a)(1), 981(a)(1)(C), 982(a)(1), 982(b)(1), 1955(a), 1955(d), 1956(a)(1)(A)(i), 1956(a)(1)(B)(i), 1956(h), 1962(c), 1963, 1963(a), 1963(m), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

JERRY CIAURI,  
also known as "Fat Jerry,"  
VITO DIFALCO,  
also known as "Victor" and  
"The Mask,"  
SALVATORE DISANO,  
also known as "Sal Heaven,"  
ANTHONY LICATA,  
also known as  
"Anthony Suits," and  
JOSEPH MARATEA,

**MATSUMOTO, J.**

Defendants.

**POLLAK, M.J.**

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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 Colombo organized crime family of La Cosa Nostra constituted an "enterprise," as defined in Title 18; United States Code, Section 1961(4), that is, a group of individuals associated in fact (hereinafter, the "Colombo crime family" and the "enterprise"). The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the

objectives of the enterprise. The Colombo crime family engaged in, and its activities affected, interstate and foreign commerce. The Colombo crime family was an organized criminal group that operated in the Eastern District of New York and elsewhere.

2. La Cosa Nostra operated through organized crime families. Five of these crime families – the Bonanno, Colombo, Gambino, Genovese and Luchese crime families – were headquartered in New York City and supervised criminal activity in New York, in other areas of the United States and, in some instances, in other countries. Another crime family, the Decavalcante crime family, operated principally in New Jersey, but from time to time also in New York City.

3. The ruling body of La Cosa Nostra, known as the “Commission,” consisted of leaders from each of the crime families. The Commission convened from time to time to decide certain issues affecting all of the crime families, such as rules governing crime family membership.

4. The Colombo crime family had a hierarchy and structure. The head of the Colombo crime family was known as the “boss.” The Colombo crime family boss was assisted by an “underboss” and a counselor known as a “consigliere.” Together, the boss, underboss and consigliere were the crime family’s “administration.” With the assistance of the underboss and consigliere, the boss was responsible for, among other things, setting policy and resolving disputes within and between La Cosa Nostra crime families and other criminal groups. The administration further supervised, supported, protected and disciplined the lower-ranking participants in the crime family. In return for their supervision and protection, the administration received part of the illegal earnings generated by the crime family. Members of the Colombo crime family served in an “acting” rather than “official”

capacity in the administration on occasion due to another administration member's incarceration or ill health, or for the purpose of seeking to insulate another administration member from law enforcement scrutiny. Further, on occasion, the Colombo crime family was overseen by a "panel" of crime family members that did not include the boss, underboss and/or consigliere.

5. Below the administration of the Colombo crime family were numerous "crews," also known as "regimes" and "decinas." Each crew was headed by a "captain," also known as a "skipper," "caporegime" and "capodecina." Each captain's crew consisted of "soldiers" and "associates." The captain was responsible for supervising the criminal activities of his crew and providing the crew with support and protection. In return, the captain often received a share of the crew's earnings.

6. Only members of the Colombo crime family could serve as a boss, underboss, consigliere, captain or soldier. Members of the crime family were referred to on occasion as "goodfellas" or "wiseguys," or as persons who had been "straightened out" or who had their "button." Associates were individuals who were not members of the crime family, but who nonetheless engaged in criminal activity for, and under the protection of, the crime family.

7. Many requirements existed before an associate could become a member of the Colombo crime family. The Commission of La Cosa Nostra from time to time limited the number of new members who could be added to a crime family. An associate was also required to be proposed for membership by an existing crime family member. When the crime family's administration considered the associate worthy of membership, the administration then circulated the proposed associate's name on a list given to other La Cosa



Nostra crime families, which the other crime families reviewed and either approved or disapproved. Unless there was an objection to the associate's membership, the crime family then "inducted," or "straightened out," the associate as a member of the crime family in a secret ceremony. During the ceremony, the associate, among other things, swore allegiance for life to the crime family above all else, even the associate's own family; swore, on penalty of death, never to reveal the crime family's existence, criminal activities and other secrets; and swore to follow all orders issued by the crime family boss, including swearing to commit murder if the boss directed it.

#### Methods and Means of the Enterprise

8. The principal purpose of the Colombo crime family was to generate money for its members and associates. This purpose was implemented by members and associates of the Colombo crime family through various criminal activities, including drug trafficking, robbery, extortion, fraud, illegal gambling and loansharking. The members and associates of the Colombo crime family also furthered the enterprise's criminal activities by threatening economic injury and using and threatening to use physical violence, including murder.

9. Although the primary purpose of the Colombo crime family was to generate money for its members and associates, the members and associates at times used the resources of the family to settle personal grievances and vendettas, sometimes without the approval of higher-ranking members of the family. For those purposes, members and associates of the enterprise were asked and expected to carry out, among other crimes, acts of violence, including murder and assault.



10. The members and associates of the Colombo crime family engaged in conduct designed to prevent government detection of their identities, their illegal activities and the location of proceeds of those activities. That conduct included a commitment to murdering persons, particularly members or associates of organized crime families, who were perceived as potential witnesses against members and associates of the enterprise.

11. Members and associates of the Colombo crime family often coordinated criminal activity with members and associates of other organized crime families.

#### The Defendants

12. The defendants JERRY CIAURI, also known as "Fat Jerry," and VITO DIFALCO, also known as "Victor" and "The Mask," were soldiers and associates within the Colombo crime family.

13. The defendants SALVATORE DISANO, also known as "Sal Heaven," and JOSEPH MARATEA were associates within the Colombo crime family.

14. The defendant ANTHONY LICATA, also known as "Anthony Suits," was a soldier within the Gambino crime family.

#### COUNT ONE (Racketeering)

15. The allegations contained in paragraphs one through 14 are realleged and incorporated as if fully set forth in this paragraph.

16. In or about and between December 2010 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as "Fat Jerry," VITO DIFALCO, also known as "Victor" and "The Mask," SALVATORE DISANO, also known as "Sal Heaven," and

JOSEPH MARATEA, together with others, being persons employed by and associated with the Colombo crime family, an enterprise that engaged in, and the activities of which affected, interstate and foreign commerce, did knowingly and intentionally conduct and participate, directly and indirectly, in the conduct of the affairs of that 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  
(Extortionate Extension of Credit Conspiracy)

17. In or about and between January 2013 and August 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, together with others, did knowingly and intentionally conspire to make one or more extortionate extensions of credit, in violation of Title 18, United States Code, Section 892(a).

RACKETEERING ACT TWO  
(Illegal Gambling – Monday Night Football Pool Policy Scheme)

18. In or about and between February 2014 and February 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendant JERRY CIAURI, together with others, did knowingly and intentionally advance and profit from unlawful gambling activity by receiving, in connection with a policy scheme and enterprise, more than \$500 in any one day of money played in such scheme and enterprise, in violation of New York Penal Law Sections 225.10(2) and 20.00.

RACKETEERING ACT THREE  
(Money Laundering Conspiracy/Money Laundering)

19. The defendants JERRY CIAURI and SALVATORE DISANO committed the following acts, either one of which alone constitutes Racketeering Act Three:

A. Money Laundering Conspiracy

20. In or about and between January 2015 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to conduct one or more financial transactions in and affecting interstate commerce, to wit: the transfer, delivery and deposit of United States currency, which transactions were in fact to involve the proceeds of specified unlawful activity, to wit: proceeds from CIAURI's loansharking business, in violation of New York Penal Law Sections 155.35 and 20.00 and Title 18, United States Code, Sections 894(a) and 2, knowing that the property to be involved in such transactions was to represent the proceeds of some form of unlawful activity and knowing that such transactions were to be designed, in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i), in violation of Title 18, United States Code, Section 1956(h).

B. Money Laundering

21. In or about and between January 2015 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did



knowingly and intentionally conduct one or more financial transactions in and affecting interstate commerce, to wit: the transfer, delivery and deposit of United States currency, which transactions in fact involved the proceeds of specified unlawful activity, to wit: proceeds from CIAURI's loansharking business, in violation of New York Penal Law Sections 155.35 and 20.00 and Title 18, United States Code, Sections 894(a) and 2, knowing that the property involved in such transactions represented the proceeds of some form of unlawful activity and knowing that such transactions were designed, in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

RACKETEERING ACT FOUR  
(Extortionate Extension of Credit Conspiracy)

22. In or about and between January 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to make one or more extortionate extensions of credit, in violation of Title 18, United States Code, Section 892(a).

RACKETEERING ACT FIVE  
(Extortion Conspiracy/Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #1)

23. The defendant SALVATORE DISANO committed the following acts, any one of which alone constitutes Racketeering Act Five:

A. Extortion Conspiracy.

24. In or about March 2017, within the Eastern District of New York and elsewhere, the defendant SALVATORE DISANO, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendant and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #1, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendant and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortionate Collection of Credit Conspiracy

25. In or about March 2017, within the Eastern District of New York and elsewhere, the defendant SALVATORE DISANO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #1, in violation of Title 18, United States Code, Section 894(a)(1).

C. Extortionate Collection of Credit

26. In or about March 2017, within the Eastern District of New York and elsewhere, the defendant SALVATORE DISANO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #1, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT SIX  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #2)

27. The defendant JERRY CIAURI committed the following acts, any one of which alone constitutes Racketeering Act Six:

A. Extortion Conspiracy

28. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendant and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #2, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendant and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

29. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, together with others, did knowingly and intentionally steal property by extortion, in that the defendant and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #2, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendant and



others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

30. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #2, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

31. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #2, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT SEVEN

(Extortion Conspiracy/Extortion/

Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #3)

32. The defendants JERRY CIAURI and SALVATORE DISANO committed the following acts, any one of which alone constitutes Racketeering Act Seven:

A. Extortion Conspiracy

33. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #3, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

34. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #3, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

35. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #3, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

36. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #3, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT EIGHT  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #4)

37. The defendants JERRY CIAURI and SALVATORE DISANO committed the following acts, any one of which alone constitutes Racketeering Act Eight:

A. Extortion Conspiracy

38. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did



knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #4, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

39. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #4, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

40. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect

and attempt to collect one or more extensions of credit from John Doe #4, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

41. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #4, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT NINE  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #5)

42. The defendants JERRY CIAURI and SALVATORE DISANO committed the following acts, any one of which alone constitutes Racketeering Act Nine:

A. Extortion Conspiracy

43. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #5, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons

in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

44. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #5, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

45. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #5, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

46. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and SALVATORE DISANO, together with others, did



knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #5, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT TEN  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #6)

47. The defendants JERRY CIAURI and VITO DIFALCO committed the following acts, any one of which alone constitutes Racketeering Act Ten:

A. Extortion Conspiracy

48. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #6, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

49. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and

intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #6, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

50. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #6, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

51. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #6, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT ELEVEN  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #7)

52. The defendants JERRY CIAURI and VITO DIFALCO committed the following acts, any one of which alone constitutes Racketeering Act Eleven:

A. Extortion Conspiracy

53. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #7, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

54. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #7, to deliver such property by instilling in such person a fear that, if the property were not so delivered,



the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

55. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #7, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

56. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI and VITO DIFALCO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #7, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT TWELVE

(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #8)

57. The defendants VITO DIFALCO and JOSEPH MARATEA committed the following acts, any one of which alone constitutes Racketeering Act Twelve:

A. Extortion Conspiracy

58. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #8, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

59. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #8, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

60. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #8, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

61. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #8, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT THIRTEEN

(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #9)

62. The defendants VITO DIFALCO and JOSEPH MARATEA committed the following acts, any one of which alone constitutes Racketeering Act Thirteen:

A. Extortion Conspiracy

63. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally



conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #9, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

64. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally steal property by extortion, in that the defendant and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #9, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

65. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one

or more extensions of credit from John Doe #9, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

66. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #9, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT FOURTEEN

(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #10)

67. The defendants VITO DIFALCO and JOSEPH MARATEA committed the following acts, any one of which alone constitutes Racketeering Act Fourteen:

A. Extortion Conspiracy

68. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #10, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause

damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

69. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #10, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

70. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #10, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

71. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally



participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #10, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT FIFTEEN  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #11)

72. The defendants VITO DIFALCO and JOSEPH MARATEA committed the following acts, any one of which alone constitutes Racketeering Act Fifteen:

A. Extortion Conspiracy

73. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #11, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

74. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally

steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #11, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

75. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #11, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

76. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #11, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT SIXTEEN  
(Extortion Conspiracy/Extortion/  
Extortionate Collection of Credit Conspiracy/  
Extortionate Collection of Credit – John Doe #12)

77. The defendants VITO DIFALCO and JOSEPH MARATEA committed the following acts, any one of which alone constitutes Racketeering Act Sixteen:

A. Extortion Conspiracy

78. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to steal property by extortion, in that the defendants and others agreed to obtain property, to wit: money, by compelling and inducing another person, to wit: John Doe #12, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 105.10.

B. Extortion

79. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally steal property by extortion, in that the defendants and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #12, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the



defendants and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

C. Extortionate Collection of Credit Conspiracy

80. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #12, in violation of Title 18, United States Code, Section 894(a)(1).

D. Extortionate Collection of Credit

81. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #12, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT SEVENTEEN

(Extortion/Extortionate Collection of Credit – John Doe #13)

82. The defendant VITO DIFALCO committed the following acts, either one of which alone constitutes Racketeering Act Seventeen:

A. Extortion

83. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendant VITO DIFALCO, together with others, did knowingly and intentionally steal property by extortion, in that the defendant and others obtained property, to wit: money, by compelling and inducing another person, to wit: John Doe #13, an individual whose identity is known to the Grand Jury, to deliver such property by instilling in such person a fear that, if the property were not so delivered, the defendant and others would (1) cause physical injury to one or more persons in the future, and (2) cause damage to property, in violation of New York Penal Law Sections 155.40(2), 155.05(2)(e)(i), 155.05(2)(e)(ii) and 20.00.

B. Extortionate Collection of Credit

84. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendant VITO DIFALCO, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #13, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

RACKETEERING ACT EIGHTEEN  
(Illegal Gambling – Sports-Betting)

85. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant VITO DIFALCO, together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own part of an illegal gambling business, to wit: a gambling business involving sports-betting and bookmaking, which operated in violation of

the laws of New York State, to wit: New York Penal Law Sections 225.05 and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned part of such business and which remained in substantially continuous operation for one or more periods in excess of 30 days and had a gross revenue of at least \$2,000 in any single day, in violation of Title 18, United States Code, Sections 1955(a) and 2.

RACKETEERING ACT NINETEEN  
(Illegal Gambling – Super Bowl Pool Policy Scheme)

86. In or about and between January 2018 and February 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally advance and profit from unlawful gambling activity by receiving, in connection with a policy scheme and enterprise, (a) money and records from one or more persons other than a player whose chances and plays were represented by such money and records, and (b) more than \$500 in any one day of money played in such scheme and enterprise, in violation of New York Penal Law Sections 225.10(2) and 20.00.

RACKETEERING ACT TWENTY  
(Illegal Gambling – Video Gambling Machines)

87. In or about and between February 2018 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant VITO DIFALCO, together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own part of an illegal gambling business, to wit: a gambling business involving the use of video gambling machines, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05, 225.30(a)(2) and 20.00, which involved five or more persons who conducted, financed,



managed, supervised, directed and owned part of such business and which remained in substantially continuous operation for one or more periods in excess of thirty days and had a gross revenue of at least \$2,000 in any single day, in violation of Title 18, United States Code, Sections 1955(a) and 2.

RACKETEERING ACT TWENTY-ONE  
(Illegal Gambling – March Madness Pool Policy Scheme)

88. In or about March 2018, within the Eastern District of New York, the defendants VITO DIFALCO and JOSEPH MARATEA, together with others, did knowingly and intentionally advance and profit from unlawful gambling activity by receiving, in connection with a policy scheme and enterprise, (a) money and records from one or more persons other than a player whose chances and plays were represented by such money and records, and (b) more than \$500 in any one day of money played in such scheme and enterprise, in violation of New York Penal Law Sections 225.10(2) and 20.00.

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

COUNT TWO  
(Extortionate Extension of Credit Conspiracy)

89. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

90. In or about and between January 2013 and August 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, also known as “Fat Jerry,” together with others, did knowingly and intentionally conspire to make one or more extortionate extensions of credit.

(Title 18, United States Code, Sections 892(a) and 3551 et seq.)

COUNT THREE  
(Money Laundering Conspiracy)

91. In or about and between January 2015 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” VITO DIFALCO, also known as “Victor” and “The Mask,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally conspire to conduct one or more financial transactions in and affecting interstate commerce, to wit: the transfer, delivery and deposit of United States currency, which transactions were in fact to involve the proceeds of specified unlawful activity, to wit: proceeds from CIAURI’s loansharking business, in violation of New York Penal Law Sections 155.35 and 20.00 and Title 18, United States Code, Sections 894(a) and 2, knowing that the property to be involved in such transactions was to represent the proceeds of some form of unlawful activity, with the intent to promote the carrying on of the specified unlawful activity, and knowing that such transactions were to be designed, in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, contrary to 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.)

COUNT FOUR  
(Money Laundering)

92. In or about and between January 2015 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” VITO DIFALCO, also known as “Victor” and “The Mask,” and SALVATORE DISANO, also known as “Sal Heaven,”

together with others, did knowingly and intentionally conduct one or more financial transactions in and affecting interstate commerce, to wit: the transfer, delivery and deposit of United States currency, which transactions in fact involved the proceeds of specified unlawful activity, to wit: proceeds from CIAURI's loansharking business, in violation of New York Penal Law Sections 155.35 and 20.00 and Title 18, United States Code, Sections 894(a) and 2, knowing that the property involved in such transactions represented the proceeds of some form of unlawful activity, with the intent to promote the carrying on of the specified unlawful activity, and knowing that such transactions were designed, in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity.

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

COUNT FIVE

(Extortionate Extension of Credit Conspiracy)

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

94. In or about and between January 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as "Victor" and "The Mask," and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to make one or more extortionate extensions of credit.

(Title 18, United States Code, Sections 892(a) and 3551 et seq.)



COUNT SIX

(Extortionate Collection of Credit Conspiracy – John Doe #1)

95. The allegations contained in paragraphs one through 11 and 13 through 14 are realleged and incorporated as if fully set forth in this paragraph.

96. In or about March 2017, within the Eastern District of New York and elsewhere, the defendants SALVATORE DISANO, also known as Sal Heaven,” and ANTHONY LICATA, also known as “Anthony Suits,” together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #1.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT SEVEN

(Extortionate Collection of Credit – John Doe #1)

97. The allegations contained in paragraphs one through 11 and 13 through 14 are realleged and incorporated as if fully set forth in this paragraph.

98. In or about March 2017, within the Eastern District of New York and elsewhere, the defendants SALVATORE DISANO, also known as Sal Heaven,” and ANTHONY LICATA, also known as “Anthony Suits,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #1.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT EIGHT

(Extortionate Collection of Credit Conspiracy – John Doe #2)

99. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

100. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, also known as "Fat Jerry," together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #2.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT NINE

(Extortionate Collection of Credit Conspiracy – John Doe #2)

101. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

102. In or about and between August 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JERRY CIAURI, also known as "Fat Jerry," together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #2.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TEN

(Extortionate Collection of Credit Conspiracy – John Doe #3)

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

104. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as "Fat Jerry," and SALVATORE DISANO, also known as "Sal Heaven," together with others, did knowingly and intentionally conspire to

participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #3.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT ELEVEN

(Extortionate Collection of Credit – John Doe #3)

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

106. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #3.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWELVE

(Extortionate Collection of Credit Conspiracy – John Doe #4)

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

108. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally conspire to



participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #4.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT THIRTEEN

(Extortionate Collection of Credit – John Doe #4)

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

110. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #4.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT FOURTEEN

(Extortionate Collection of Credit Conspiracy – John Doe #5)

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

112. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally conspire to

participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #5.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT FIFTEEN

(Extortionate Collection of Credit – John Doe #5)

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

114. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and SALVATORE DISANO, also known as “Sal Heaven,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #5.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT SIXTEEN

(Extortionate Collection of Credit Conspiracy – John Doe #6)

115. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

116. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally conspire

to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #6.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT SEVENTEEN

(Extortionate Collection of Credit – John Doe #6)

117. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

118. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #6.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT EIGHTEEN

(Extortionate Collection of Credit Conspiracy – John Doe #7)

119. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

120. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally conspire



to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #7.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT NINETEEN

(Extortionate Collection of Credit – John Doe #7)

121. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

122. In or about and between December 2017 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JERRY CIAURI, also known as “Fat Jerry,” and VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #7.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY

(Extortionate Collection of Credit Conspiracy – John Doe #8)

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

124. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #8.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT TWENTY-ONE

(Extortionate Collection of Credit – John Doe #8)

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

126. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #8.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-TWO

(Extortionate Collection of Credit Conspiracy – John Doe #9)

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

128. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #9.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT TWENTY-THREE

(Extortionate Collection of Credit – John Doe #9)

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

130. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #9.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-FOUR

(Extortionate Collection of Credit Conspiracy – John Doe #10)

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

132. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #10.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT TWENTY-FIVE

(Extortionate Collection of Credit – John Doe #10)

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

134. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together



with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #10.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-SIX

(Extortionate Collection of Credit Conspiracy – John Doe #11)

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

136. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #11.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT TWENTY-SEVEN

(Extortionate Collection of Credit – John Doe #11)

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

138. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #11.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-EIGHT

(Extortionate Collection of Credit Conspiracy – John Doe #12)

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

140. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #12.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT TWENTY-NINE

(Extortionate Collection of Credit – John Doe #12)

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

142. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendants VITO DIFALCO, also known as “Victor” and “The Mask,” and JOSEPH MARATEA, together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #12.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT THIRTY

(Extortionate Collection of Credit – John Doe #13)

143. The allegations contained in paragraphs one through 12 are realleged and incorporated as if fully set forth in this paragraph.

144. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendant VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally participate in the use of extortionate means to collect and attempt to collect one or more extensions of credit from John Doe #13.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT THIRTY-ONE  
(Illegal Gambling – Sports-Betting)

145. In or about and between January 2018 and June 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant VITO DIFALCO, also known as “Victor” and “The Mask,” together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own part of an illegal gambling business, to wit: a gambling business involving sports-betting and bookmaking, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05 and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned part of such business and which remained in substantially continuous operation for one or more periods in excess of 30 days and had a gross revenue of at least \$2,000 in any single day.

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

COUNT THIRTY-TWO  
(Illegal Gambling – Video Gambling Machines)

146. In or about and between February 2018 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant VITO DIFALCO, also known as “Victor” and “The Mask,” together with others,



did knowingly and intentionally conduct, finance, manage, supervise, direct and own part of an illegal gambling business, to wit: a gambling business involving the use of video gambling machines, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05, 225.30(a)(2) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned part of such business and which remained in substantially continuous operation for one or more periods in excess of 30 days and had a gross revenue of at least \$2,000 in any single day.

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

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT ONE

147. The United States hereby gives notice to the defendants charged in Count One that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1963(a), which requires any person convicted of such offense to forfeit: (a) any interest the person acquired or maintained in violation of Title 18, United States Code, Section 1962; (b) any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over any enterprise which the person has established, operated, controlled, conducted or participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and (c) any property constituting, or derived from, any proceeds which the person obtained, directly or indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1962, including but not limited to the real property and premises located at 7724 13th Avenue, Brooklyn, New York.

148. If any of the above-described forfeitable property, as a result of any act or omission of said defendants:



- (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;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 1963(a) and 1963(m))

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS TWO AND FIVE THROUGH THIRTY

149. The United States hereby gives notice to the defendants charged in Counts Two and Five through Thirty that, upon their conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses.

150. If any of the above-described forfeitable property, as a result of any act or omission of said defendants:

- (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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS THREE AND FOUR

151. The United States hereby gives notice to the defendants charged in Counts Three and Four that, upon their conviction of either such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offense to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property.

152. If any of the above-described forfeitable property, as a result of any act or omission of said defendants:

- (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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS THIRTY-ONE AND THIRTY-TWO

153. The United States hereby gives notice to the defendant charged in Counts Thirty-One and Thirty-Two that, upon his conviction of either such offense, the government will seek forfeiture in accordance with (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses; and (b) Title 18, United States Code, Section 1955(d), which provides for the forfeiture of any property, including money, used in violation of Title 18, United States Code, Section 1955.

154. If any of the above-described forfeitable property, as a result of any act or omission of said defendant:

- (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;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 981(a)(1)(C) and 1955(d); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON



RICHARD P. DONOGHUE  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK



No. \_\_\_\_\_

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

*VITO DIFALCO, et al.*

Defendants.

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**INDICTMENT**

(T. 18, U.S.C., §§ 892(a), 894(a)(1), 981(a)(1)(C), 982(a)(1), 982(b)(1), 1955(a), 1955(d),  
1956(a)(1)(A)(i), 1956(a)(1)(B)(i), 1956(h), 1962(c), 1963, 1963(a), 1963(m) and  
3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

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*A true bill.*



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Filed in open court this \_\_\_\_\_ day,

of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

\_\_\_\_\_  
Clerk

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Bail, \$ \_\_\_\_\_

*Elizabeth Geddes and Mathew Miller, Assistant U.S. Attorneys (718) 254-6430/6075*