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F.#2017R00410

FILED  
IN CLERKS OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 23 2017 ★  
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

RONALD GIALLANZO,  
also known as "Ronnie G,"  
MICHAEL PADAVONA,  
also known as "Mike,"  
MICHAEL PALMACCIO,  
also known as "Mike,"  
NICHOLAS FESTA,  
also known as "Pudgie,"  
CHRISTOPHER BOOTHBY,  
also known as "Bald Chris,"  
EVAN GREENBERG,  
also known as "The Jew,"  
RICHARD HECK,  
also known as "Richie,"  
MICHAEL HINTZE,  
also known as "Mike,"  
ROBERT PISANI,  
also known as "Rob," and  
ROBERT TANICO,  
also known as "Chippy" and "Chip,"

Defendants.

-----X

INDICTMENT

Cr. No. **CR 17 00155**

(T. 18, U.S.C., §§ 892(a), 893, 894(a),  
894(a)(1), 981(a)(1)(C), 1512(c)(2),  
1512(k), 1623, 1955, 1955(d), 1962(d),  
1963, 1963(a), 1963(m), 2 and 3551 et seq.;  
T. 21, U.S.C., § 853(p); T. 28, U.S.C.,  
§ 2461(c))

**GARAUFIS, J.**

**POLLAK, M.J.**

## THE GRAND JURY CHARGES:

INTRODUCTION

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

The Enterprise

1. The Bonanno organized crime family of La Cosa Nostra, including its leaders, members and associates (the “Bonanno family”), constituted an “enterprise,” as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact. The Bonanno family engaged in, and its activities affected, interstate and foreign commerce. The Bonanno family was an organized criminal group that operated in the Eastern District of New York, other parts of the United States and Canada. The Bonanno family constituted an ongoing organization, whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

2. The Bonanno family operated through groups of individuals headed by “captains,” who were also referred to as “skippers,” “caporegimes” and “capodecinas.” These groups, which were referred to as “crews,” “regimes” and “decinas,” consisted of “made” members of the Bonanno family, also referred to as “soldiers,” “friends of ours,” “good fellows” and “buttons,” as well as associates of the Bonanno family.

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

4. Above the captains were the three highest-ranking members of the Bonanno family. The head of the Bonanno family was known as the “boss.” He was

assisted by an “underboss” and a counselor, who was known as the “consigliere.” With the assistance of the underboss and consigliere, the boss was responsible for setting policy, resolving disputes between members and associates of the Bonanno family and members and associates of other criminal organizations, and approving all significant actions taken by members and associates of the Bonanno family, including murder.

5. The boss, underboss and consigliere of the Bonanno family, who were sometimes referred to collectively as the “administration,” supervised, supported, protected and disciplined the captains, soldiers and associates and regularly received reports regarding the activities of the members and associates of the Bonanno family. In return for their supervision and protection, the boss, underboss and consigliere received part of the illegal earnings of each crew.

6. The Bonanno family was part of an international criminal organization known by various names, including the “mafia” and “La Cosa Nostra,” which operated through entities known as “families.” The ruling body of this organization was known as the “commission,” the membership of which at various times has included the bosses of the five New York City-based families, to wit: the Bonanno, Colombo, Gambino, Genovese and Luchese organized crime families. For a period of time, the boss of the Bonanno family was removed from membership within the commission.

7. From time to time, the Bonanno family would propose a list of associates to be “made,” that is, to become members of the Bonanno family. The list would be circulated to the other families based in New York City. Upon becoming “made,” each

member would take an oath of “omerta,” vowing never to reveal any information about the Bonanno family, its members or associates.

The Purposes, Methods and Means of the Enterprise

8. The principal purpose of the Bonanno family was to generate money for its members and associates. This purpose was implemented by members and associates of the Bonanno family through various criminal activities, including drug trafficking, extortion, illegal gambling, loansharking, and robbery. The members and associates of the Bonanno 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 Bonanno family was to generate money for its members and associates, the members and associates at times used the resources of the Bonanno family to settle personal grievances and vendettas, sometimes with the approval of higher-ranking members of the Bonanno 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, assault and arson.

10. The members and associates of the Bonanno 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 Bonanno family often coordinated street-level criminal activity, such as drug trafficking, illegal gambling, loansharking, extortion and robbery, with members and associates of other organized crime families.

The Defendants

12. At all times relevant to this Indictment, the defendant RONALD GIALLANZO, also known as "Ronnie G," was a soldier and acting captain in the Bonanno family.

13. At various times relevant to this Indictment, the defendant MICHAEL PADAVONA, also known as "Mike," MICHAEL PALMACCIO, also known as "Mike," and NICHOLAS FESTA, also known as "Pudgie," were associates and soldiers in the Bonanno family.

14. At various times relevant to this Indictment, the defendants CHRISTOPHER BOOTHBY, also known as "Bald Chris," EVAN GREENBERG, also known as "The Jew," RICHARD HECK, also known as "Richie," MICHAEL HINTZE, also known as "Mike," ROBERT PISANI, also known as "Rob," and ROBERT TANICO, also known as "Chippy" and "Chip," were associates in the Bonanno family.

COUNT ONE  
(Racketeering Conspiracy)

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

16. On or about and between January 1, 1998 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as "Ronnie G,"

MICHAEL PADAVONA, also known as “Mike,” MICHAEL PALMACCIO, also known as “Mike,” NICHOLAS FESTA, also known as “Pudgie,” CHRISTOPHER BOOTHBY, also known as “Bald Chris,” EVAN GREENBERG, also known as “The Jew,” RICHARD HECK, also known as “Richie,” MICHAEL HINTZE, also known as “Mike,” ROBERT PISANI, also known as “Rob,” and ROBERT TANICO, also known as “Chippy” and “Chip,” together with others, being persons employed by and associated with the Bonanno family, an enterprise that engaged in, and the activities of which affected, interstate and foreign commerce, did knowingly and intentionally conspire to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of 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. Each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

RACKETEERING ACT ONE

(Kidnapping Conspiracy/Kidnapping/Robbery Conspiracy/  
Attempted Robbery – John Doe #1)

17. The defendant CHRISTOPHER BOOTHBY agreed to the commission of the following acts, any one of which alone constitutes Racketeering Act One:

A. Kidnapping Conspiracy

18. On or about February 2, 1998, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally conspire to kidnap John Doe #1, in violation of New York Penal Law Sections 135.20 and 105.10.

19. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did commit and cause to be committed, among others, the following:

Overt Acts

a. On or about February 2, 1998, the defendant CHRISTOPHER BOOTHBY and a co-conspirator attempted an armed robbery of John Doe #1; and

b. On or about February 2, 1998, the defendant CHRISTOPHER BOOTHBY and a co-conspirator tied up John Doe #1.

B. Kidnapping

20. On or about February 2, 1998, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally kidnap John Doe #1, in violation of New York Penal Law Sections 135.20 and 20.00.

C. Robbery Conspiracy

21. On or about February 2, 1998, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally conspire to forcibly steal property, to wit: money from John Doe #1, while aided by another person actually present, in violation of New York Penal Law Sections 160.10 and 105.10.

22. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did commit and cause to be committed, among others, the following:

Overt Acts

a. On or about February 2, 1998, the defendant CHRISTOPHER BOOTHBY and a co-conspirator attempted an armed robbery of John Doe #1; and

b. On or about February 2, 1998, the defendant CHRISTOPHER BOOTHBY and a co-conspirator tied up John Doe #1.

D. Attempted Robbery

23. On or about February 2, 1998, within the Eastern District of New York, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally attempt to forcibly steal property, to wit: money from John Doe #1, in violation of New York Penal Law Sections 160.05, 110.05 and 20.00.

RACKETEERING ACT TWO

(Extortionate Extension and Collection of Credit Conspiracy)

24. The defendants RONALD GIALLANZO, MICHAEL PADAVONA, MICHAEL PALMACCIO, NICHOLAS FESTA, RICHARD HECK and MICHAEL HINTZE agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Two:

A. Extortionate Extension of Credit Conspiracy

25. On or about and between January 1, 2000 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, MICHAEL PADAVONA, MICHAEL PALMACCIO, NICHOLAS FESTA, RICHARD HECK and MICHAEL HINTZE, 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).

B. Extortionate Collection of Credit Conspiracy

26. On or about and between January 1, 2000 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, MICHAEL PADAVONA, MICHAEL PALMACCIO, NICHOLAS FESTA, RICHARD HECK and MICHAEL HINTZE, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit and (2) to punish one or more persons for the nonrepayment thereof, in violation of Title 18, United States Code, Section 894(a).

RACKETEERING ACT THREE

(Extortion Conspiracy/Extortion – John Doe #2 and John Doe #3)

27. The defendant MICHAEL PALMACCIO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Three:

A. Extortion Conspiracy

28. On or about and between January 1, 2000 and December 31, 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, 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 John Doe #2 and John Doe #3, individuals whose identities are known to the Grand Jury, to deliver such property by instilling in John Doe #2 and John Doe #3 a fear that if the property were not so delivered,

one or more persons would cause physical injury to some person in the future and 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.

29. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did commit and cause to be committed, among others, the following:

Overt Acts

a. On or about October 15, 2000, the defendant MICHAEL PALMACCIO and a co-conspirator went to the office of John Doe #2 and John Doe #3; and

b. On or about October 15, 2000, the defendant MICHAEL PALMACCIO assaulted John Doe #2 at the office of John Doe #2 and John Doe #3.

B. Extortion

30. On or about and between January 1, 2000 and December 31, 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, 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 John Doe #2 and John Doe #3 to deliver such property by instilling in John Doe #2 and John Doe #3 a fear that if the property were not so delivered, one or more persons would cause physical injury to some person in the future and 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.

RACKETEERING ACT FOUR

(Extortionate Extension and Collection of Credit – John Doe #4)

31. The defendants RONALD GIALLANZO and MICHAEL PALMACCIO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Four:

A. Extortionate Extension of Credit

32. On or about and between January 1, 2001 and November 30, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PALMACCIO, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #4, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

33. On or about and between January 1, 2001 and November 30, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PALMACCIO, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #4, and

(2) to punish John Doe #4 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT FIVE

(Narcotics Distribution Conspiracy – Cocaine and Hydrocodone)

34. On or about and between January 1, 2001 and February 28, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing cocaine, a Schedule II controlled substance; and (b) a substance containing hydrocodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).

RACKETEERING ACT SIX

(Narcotics Distribution Conspiracy – Cocaine and Hydrocodone)

35. On or about and between January 1, 2003 and February 28, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing cocaine, a Schedule II controlled substance; and (b) a substance containing hydrocodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).

RACKETEERING ACT SEVEN

(Extortionate Extension and Collection of Credit – Jane Doe #1)

36. The defendants RONALD GIALLANZO and MICHAEL PADAVONA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Seven:

A. Extortionate Extension of Credit

37. On or about and between July 1, 2004 and July 1, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to Jane Doe #1, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

38. On or about and between July 1, 2004 and July 1, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from Jane Doe #1, and (2) to punish Jane Doe #1 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT EIGHT

(Extortionate Extension and Collection of Credit – Jane Doe #2)

39. The defendant MICHAEL PALMACCIO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Eight:

A. Extortionate Extension of Credit

40. On or about and between September 1, 2004 and September 1, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to Jane Doe #2, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

41. On or about and between September 1, 2004 and September 1, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from Jane Doe #2, and (2) to punish Jane Doe #2 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT NINE

(Illegal Gambling – Sports Betting)

42. On or about and between January 1, 2005 and December 20, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together

with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05, 225.10(1) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned all and part of such business and which remained in substantially continuous operation for a period 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 and 2.

RACKETEERING ACT TEN  
(Illegal Gambling – Sports Betting)

43. On or about and between January 1, 2005 and December 31, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05, 225.10(1) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned all and part of such business and which remained in substantially continuous operation for a period 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 and 2.

RACKETEERING ACT ELEVEN  
(Conspiracy to Murder/Attempted Murder – John Doe #5)

44. The defendants RONALD GIALLANZO and MICHAEL PADAVONA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Eleven:

A. Conspiracy to Murder

45. On or about and between June 1, 2006 and September 18, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally conspire to cause the death of John Doe #5, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1) and 105.15.

46. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did commit and cause to be committed, among others, the following:

Overt Acts

a. On or about June 28, 2006, the defendant MICHAEL PADAVONA provided firearms to co-conspirators for the co-conspirators to use to murder John Doe #5;

b. On or about June 28, 2006, a co-conspirator shot at John Doe #5 in an attempt to murder him; and



c. On or about June 28, 2006, the defendant RONALD GIALLANZO retrieved from a co-conspirator a firearm that was used to attempt to murder John Doe #5 and discarded the firearm.

B. Attempted Murder

47. On or about June 28, 2006, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, with intent to cause the death of John Doe #5, did knowingly and intentionally attempt to cause the death of John Doe #5, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

RACKETEERING ACT TWELVE  
(Arson Conspiracy/Arson – John Doe #6)

48. The defendant RONALD GIALLANZO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twelve:

A. Arson Conspiracy

49. On or about October 5, 2006, within the Eastern District of New York, the defendant RONALD GIALLANZO, together with others, did knowingly and intentionally conspire to damage a motor vehicle owned by John Doe #6, an individual whose identity is known to the Grand Jury, by starting a fire and causing an explosion, in violation of New York Penal Law Sections 150.10 and 105.10.

50. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York, the defendant RONALD GIALLANZO, together with others, did commit and cause to be committed, among others, the following:

Overt Act

51. On or about October 5, 2006, the defendant RONALD GIALLANZO identified John Doe #6's motor vehicle to a co-conspirator and ordered the co-conspirator to set the motor vehicle on fire.

B. Arson

52. On or about October 5, 2006, within the Eastern District of New York, the defendant RONALD GIALLANZO, together with others, did knowingly and intentionally damage a motor vehicle owned by John Doe #6 by starting a fire and causing an explosion, in violation of New York Penal Law Sections 150.10 and 20.00.

RACKETEERING ACT THIRTEEN

(Extortionate Extension and Collection of Credit – John Doe #7)

53. The defendants RONALD GIALLANZO, MICHAEL PALMACCIO, NICHOLAS FESTA and MICHAEL HINTZE agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Thirteen:

A. Extortionate Extension of Credit

54. On or about and between November 1, 2006 and November 11, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, MICHAEL PALMACCIO, NICHOLAS FESTA and MICHAEL HINTZE, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #7, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

55. On or about and between November 1, 2006 and November 11, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, MICHAEL PALMACCIO, NICHOLAS FESTA and MICHAEL HINTZE, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #7, and (2) to punish John Doe #7 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT FOURTEEN

(Extortionate Extension and Collection of Credit – John Doe #8)

56. The defendant NICHOLAS FESTA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Fourteen:

A. Extortionate Extension of Credit

57. On or about and between January 1, 2007 and December 30, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #8, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

58. On or about and between January 1, 2007 and December 30, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and

intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #8, and (2) to punish John Doe #8 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT FIFTEEN  
(Illegal Gambling – Sports Betting)

59. On or about and between January 1, 2007 and December 31, 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, which operated in violation of the laws of New York State, to wit: New York Penal Law Sections 225.05, 225.10(1) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned all and part of such business and which remained in substantially continuous operation for a period 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 and 2.

RACKETEERING ACT SIXTEEN  
(Extortionate Extension and Collection of Credit – John Doe #9)

60. The defendant NICHOLAS FESTA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Sixteen:

A. Extortionate Extension of Credit

61. On or about and between January 1, 2007 and May 30, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the

defendant NICHOLAS FESTA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #9, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

62. On or about and between January 1, 2007 and May 30, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #9, and (2) to punish John Doe #9 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT SEVENTEEN

(Extortionate Extension and Collection of Credit – John Doe #10)

63. The defendant ROBERT PISANI agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Seventeen:

A. Extortionate Extension of Credit

64. On or about and between January 1, 2008 and March 13, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #10, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

65. On or about and between January 1, 2008 and March 13, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #10, and (2) to punish John Doe #10 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT EIGHTEEN

(Extortionate Extension and Collection of Credit – John Doe #11)

66. The defendant MICHAEL PALMACCIO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Eighteen:

A. Extortionate Extension of Credit

67. On or about and between September 1, 2009 and November 1, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #11, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

68. On or about and between September 1, 2009 and November 1, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect

one or more extensions of credit from John Doe #11, and (2) to punish John Doe #11 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT NINETEEN

(Extortionate Extension and Collection of Credit – John Doe #12)

69. The defendant NICHOLAS FESTA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Nineteen:

A. Extortionate Extension of Credit

70. On or about and between September 1, 2010 and September 20, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #12, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

71. On or about and between September 1, 2010 and September 20, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #12, and (2) to punish John Doe #12 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY  
(Robbery Conspiracy/Robbery – John Doe #13)

72. The defendants MICHAEL PADAVONA and MICHAEL PALMACCIO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty:

A. Robbery Conspiracy

73. On or about and between December 15, 2011 and December 23, 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA and MICHAEL PALMACCIO, together with others, did knowingly and intentionally conspire to forcibly steal property, to wit: money from John Doe #13, an individual whose identity is known to the Grand Jury, while aided by another person actually present, in violation of New York Penal Law Sections 160.10 and 105.10.

74. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the MICHAEL PADAVONA and MICHAEL PALMACCIO, together with others, did commit and cause to be committed, among others, the following:

Overt Acts

- a. On or about December 15, 2011, the defendants MICHAEL PADAVONA and MICHAEL PALMACCIO told co-conspirators to rob John Doe #13; and
- b. On or about December 23, 2011, co-conspirators entered the home of John Doe #13 and robbed jewelry from John Doe #13's home.



B. Robbery

75. On or about December 23, 2011, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA and MICHAEL PALMACCIO, together with others, did forcibly steal property, to wit: jewelry from John Doe #13, in violation of New York Penal Law Sections 160.05 and 20.00.

RACKETEERING ACT TWENTY-ONE  
(Extortionate Collection of Credit – John Doe #14)

76. On or about and between January 1, 2012 and July 7, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #14, an individual whose identity is known to the Grand Jury, and (2) to punish John Doe #14 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY-TWO  
(Extortionate Extension and Collection of Credit Conspiracy)

77. The defendants MICHAEL PADAVONA, EVAN GREENBERG and ROBERT TANICO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Two:

A. Extortionate Extension of Credit Conspiracy

78. On or about and between November 1, 2012 and May 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, EVAN GREENBERG and ROBERT

TANICO, 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).

B. Extortionate Collection of Credit Conspiracy

79. On or about and between November 1, 2012 and May 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, EVAN GREENBERG and ROBERT TANICO, together with others, did knowingly and intentionally conspire to participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit, and (2) to punish one or more persons for the nonrepayment thereof, in violation of Title 18, United States Code, Section 894(a).

RACKETEERING ACT TWENTY-THREE

(Extortionate Extension and Collection of Credit – John Doe #15)

80. The defendants RONALD GIALLANZO and MICHAEL PADAVONA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Three:

A. Extortionate Extension of Credit

81. On or about and between January 1, 2013 and March 31, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #15, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

82. On or about and between January 1, 2013 and March 31, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #15, and (2) to punish John Doe #15 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY-FOUR

(Extortionate Extension and Collection of Credit – John Doe #16)

83. The defendant RONALD GIALLANZO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Four:

A. Extortionate Extension of Credit

84. On or about and between March 1, 2013 and May 30, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RONALD GIALLANZO, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #16, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

85. On or about and between March 1, 2013 and May 30, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RONALD GIALLANZO, together with others, did knowingly and intentionally

participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #16, and (2) to punish John Doe #16 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY-FIVE  
(Illegal Gambling – Sports Betting)

86. On or about and between August 1, 2013 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, 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 all and part of such business and which remained in substantially continuous operation for a period 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 and 2.

RACKETEERING ACT TWENTY-SIX  
(Extortionate Extension and Collection of Credit – John Doe #17)

87. The defendant CHRISTOPHER BOOTHBY agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Six:

A. Extortionate Extension of Credit

88. On or about and between January 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and

elsewhere, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #17, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

89. On or about and between January 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER BOOTHBY, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #17, and (2) to punish John Doe #17 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY-SEVEN

(Extortionate Extension and Collection of Credit – John Doe #17)

90. The defendants RONALD GIALLANZO and MICHAEL PADAVONA agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Seven:

A. Extortionate Extension of Credit

91. On or about and between March 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #17, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

92. On or about and between March 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO and MICHAEL PADAVONA, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #17, and (2) to punish John Doe #17 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

RACKETEERING ACT TWENTY-EIGHT  
(Obstruction of Justice Conspiracy/Obstruction of Justice)

93. The defendants MICHAEL PADAVONA and ROBERT TANICO agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Twenty-Eight:

A. Obstruction of Justice Conspiracy

94. On or about and between April 1, 2014 and April 2, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA and ROBERT TANICO, together with others, did knowingly, intentionally and corruptly conspire to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York, contrary to Title 18, United States Code, Section 1512(c)(2), in violation of Title 18, United States Code, Section 1512(k).

B. Obstruction of Justice Attempt

95. On or about and between April 1, 2014 and April 2, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA and ROBERT TANICO, together with others, did knowingly, intentionally and corruptly attempt to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York, in violation of Title 18, United States Code, Sections 1512(c)(2) and 2.

RACKETEERING ACT TWENTY-NINE  
(Extortionate Collections of Credit – John Doe #18)

96. The defendants named below agreed to the commission of the following acts, any one of which alone constitutes Racketeering Act Twenty-Nine:

97. On or about the dates identified in the table below, within the Eastern District of New York and elsewhere, the defendants identified in the table below, 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 #18, an individual whose identity is known to the Grand Jury, in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

<u>RACKETEERING SUB-ACT</u>	<u>DATE</u>	<u>DEFENDANTS</u>
A	May 19, 2014	MICHAEL PADAVONA and EVAN GREENBERG
B	June 18, 2014	MICHAEL PADAVONA and EVAN GREENBERG

C	July 15, 2014	MICHAEL PADAVONA and EVAN GREENBERG
D	November 24, 2014	MICHAEL PADAVONA and ROBERT TANICO
E	May 28, 2015	MICHAEL PADAVONA and ROBERT TANICO
F	April 13, 2016	MICHAEL PADAVONA
G	May 16, 2016	MICHAEL PADAVONA

RACKETEERING ACT THIRTY

(Extortionate Extension and Collection of Credit – John Doe #15)

98. The defendant RICHARD HECK agreed to the commission of the following acts, either one of which alone constitutes Racketeering Act Thirty:

A. Extortionate Extension of Credit

99. On or about and between August 1, 2014 and January 15, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICHARD HECK, together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #15, in violation of Title 18, United States Code, Sections 892(a) and 2.

B. Extortionate Collection of Credit

100. On or about and between August 1, 2014 and January 15, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICHARD HECK, together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect



one or more extensions of credit from John Doe #15, and (2) to punish John Doe #15 for the nonrepayment thereof, in violation of Title 18, United States Code, Sections 894(a) and 2.

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

COUNT TWO

(Financing Extortionate Extensions of Credit)

101. On or about and between January 1, 2000 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RONALD GIALLANZO, also known as “Ronnie G,” together with others, did knowingly and intentionally advance money and property, as a gift, a loan and an investment, pursuant to a partnership and profit-sharing agreement and otherwise, to one or more persons, with reasonable grounds to believe that it was the intention of those persons to use the money and property so advanced directly and indirectly for the purpose of making one or more extortionate extensions of credit.

(Title 18, United States Code, Sections 893, 2 and 3551 et seq.)

COUNT THREE

(Extortionate Extension of Credit Conspiracy)

102. On or about and between January 1, 2000 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie G,” MICHAEL PADAVONA, also known as “Mike,” MICHAEL PALMACCIO, also known as “Mike,” NICHOLAS FESTA, also known as “Pudgie,” RICHARD HECK, also known as

“Richie,” and MICHAEL HINTZE, also known as “Mike,” 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 FOUR

(Extortionate Collection of Credit Conspiracy)

103. On or about and between January 1, 2000 and the date of this Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie G,” MICHAEL PADAVONA, also known as “Mike,” MICHAEL PALMACCIO, also known as “Mike,” NICHOLAS FESTA, also known as “Pudgie,” RICHARD HECK, also known as “Richie,” and MICHAEL HINTZE, also known as “Mike,” together with others, did knowingly and intentionally conspire to participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit, and (2) to punish one or more persons for the nonrepayment thereof.

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

COUNT FIVE

(Extortionate Extension of Credit Conspiracy)

104. On or about and between November 1, 2012 and May 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, also known as “Mike,” EVAN GREENBERG, also known as “The Jew,” and ROBERT TANICO, also known as “Chippy”

and “Chip,” 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)

105. On or about and between November 1, 2012 and May 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, also known as “Mike,” EVAN GREENBERG, also known as “The Jew,” and ROBERT TANICO, also known as “Chippy” and Chip,” together with others, did knowingly and intentionally conspire to participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit, and (2) to punish one or more persons for the nonrepayment thereof.

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

COUNT SEVEN

(Extortionate Extension of Credit – John Doe #4)

106. On or about and between January 1, 2001 and November 30, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, also known as “Mike,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #4.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT EIGHT

(Extortionate Collection of Credit – John Doe #4)

107. On or about and between January 1, 2001 and November 30, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL PALMACCIO, also known as “Mike,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #4, and (2) to punish John Doe #4 for the nonrepayment thereof.

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

COUNT NINE

(Extortionate Extension of Credit – John Doe #9)

108. On or about and between January 1, 2007 and May 30, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, also known as “Pudgie,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #9.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT TEN

(Extortionate Collection of Credit – John Doe #9)

109. On or about and between January 1, 2007 and May 30, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, also known as “Pudgie,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to

collect one or more extensions of credit from John Doe #9, and (2) to punish John Doe #9 for the nonrepayment thereof.

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

COUNT ELEVEN

(Extortionate Extension of Credit – John Doe #10)

110. On or about and between January 1, 2008 and March 13, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, also known as “Rob,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #10.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT TWELVE

(Extortionate Collection of Credit – John Doe #10)

111. On or about and between January 1, 2008 and March 13, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, also known as “Rob,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #10, and (2) to punish John Doe #10 for the nonrepayment thereof.

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

COUNT THIRTEEN

(Extortionate Extension of Credit – John Doe #12)

112. On or about and between September 1, 2010 and September 20, 2012, both dates being approximate and inclusive, within the Eastern District of New York and

elsewhere, the defendant NICHOLAS FESTA, also known as “Pudgie,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #12.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT FOURTEEN

(Extortionate Collection of Credit – John Doe #12)

113. On or about and between September 1, 2010 and September 20, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NICHOLAS FESTA, also known as “Pudgie,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #12, and (2) to punish John Doe #12 for the nonrepayment thereof.

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

COUNT FIFTEEN

(Extortionate Collection of Credit – John Doe #14)

114. On or about and between January 1, 2012 and July 7, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER BOOTHBY, also known as “Bald Chris,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #14, and (2) to punish John Doe #14 for the nonrepayment thereof.

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

COUNT SIXTEEN

(Extortionate Extension of Credit – John Doe #15)

115. On or about and between January 1, 2013 and March 31, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie G,” and MICHAEL PADAVONA, also known as “Mike,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #15.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT SEVENTEEN

(Extortionate Collection of Credit – John Doe #15)

116. On or about and between January 1, 2013 and March 31, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie G,” and MICHAEL PADAVONA, also known as “Mike,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #15, and (2) to punish John Doe #15 for the nonrepayment thereof.

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

COUNT EIGHTEEN

(Extortionate Extension of Credit – John Doe #16)

117. On or about and between March 1, 2013 and May 30, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RONALD GIALLANZO, also known as “Ronnie G,” together with others, did

knowingly and intentionally make one or more extortionate extensions of credit to John Doe #16.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT NINETEEN

(Extortionate Collection of Credit – John Doe #16)

118. On or about and between March 1, 2013 and May 30, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RONALD GIALLANZO, also known as “Ronnie G,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #16, and (2) to punish John Doe #16 for the nonrepayment thereof.

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

COUNT TWENTY

(Extortionate Extension of Credit – John Doe #17)

119. On or about and between January 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER BOOTHBY, also known as “Bald Chris,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #17.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT TWENTY-ONE

(Extortionate Collection of Credit – John Doe #17)

120. On or about and between January 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and



elsewhere, the defendant CHRISTOPHER BOOTHBY, also known as “Bald Chris,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #17, and (2) to punish John Doe #17 for the nonrepayment thereof.

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

COUNT TWENTY-TWO

(Extortionate Extension of Credit – John Doe #17)

121. On or about and between March 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie,” and MICHAEL PADAVONA, also known as “Mike,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #17.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT TWENTY-THREE

(Extortionate Collection of Credit – John Doe #17)

122. On or about and between March 1, 2014 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie,” and MICHAEL PADAVONA, also known as “Mike,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect

one or more extensions of credit from John Doe #17, and (2) to punish John Doe #17 for the nonrepayment thereof.

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

COUNTS TWENTY-FOUR THROUGH THIRTY  
(Extortionate Collections of Credit – John Doe #18)

123. On or about the dates identified in the table below, within the Eastern District of New York and elsewhere, the defendants identified in the table below, 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 #18:

<u>COUNT</u>	<u>DATE</u>	<u>DEFENDANTS</u>
TWENTY-FOUR	May 19, 2014	MICHAEL PADAVONA and EVAN GREENBERG
TWENTY-FIVE	June 18, 2014	MICHAEL PADAVONA and EVAN GREENBERG
TWENTY-SIX	July 15, 2014	MICHAEL PADAVONA and EVAN GREENBERG
TWENTY-SEVEN	November 24, 2014	MICHAEL PADAVONA and ROBERT TANICO
TWENTY-EIGHT	May 28, 2015	MICHAEL PADAVONA and ROBERT TANICO
TWENTY-NINE	April 13, 2016	MICHAEL PADAVONA
THIRTY	May 16, 2016	MICHAEL PADAVONA

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

COUNT THIRTY-ONE  
(Extortionate Extension of Credit – John Doe #15)

124. On or about and between August 1, 2014 and January 15, 2016, both dates being approximate and inclusive, within the Eastern District of New York and

elsewhere, the defendant RICHARD HECK, also known as “Richie,” together with others, did knowingly and intentionally make one or more extortionate extensions of credit to John Doe #15.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT THIRTY-TWO

(Extortionate Collection of Credit – John Doe #15)

125. On or about and between August 1, 2014 and January 15, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICHARD HECK, also known as “Richie,” together with others, did knowingly and intentionally participate in the use of extortionate means (1) to collect and attempt to collect one or more extensions of credit from John Doe #15, and (2) to punish John Doe #15 for the nonrepayment thereof.

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

COUNT THIRTY-THREE

(Illegal Gambling – Sports Betting)

126. On or about and between January 1, 2005 and December 31, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT PISANI, also known as “Rob,” together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, 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 all and part of such business and which remained in

substantially continuous operation for a period in excess of thirty days and had a gross revenue of at least \$2,000 in any single day.

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

COUNT THIRTY-FOUR  
(Illegal Gambling – Sports Betting)

127. On or about and between August 1, 2013 and April 30, 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RONALD GIALLANZO, also known as “Ronnie G,” and CHRISTOPHER BOOTHBY, also known as “Bald Chris,” together with others, did knowingly and intentionally conduct, finance, manage, supervise, direct and own all and part of an illegal gambling business, to wit: a gambling business involving sports betting, 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 all and part of such business and which remained in substantially continuous operation for a period in excess of thirty days and had a gross revenue of at least \$2,000 in any single day.

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

COUNT THIRTY-FIVE  
(Obstruction of Justice Conspiracy)

128. On or about and between April 1, 2014 and April 2, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, also known as “Mike,” and ROBERT TANICO, also known as “Chippy” and “Chip,” together with others, did knowingly, intentionally and

corruptly conspire to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York, contrary to Title 18, United States Code, Section 1512(c)(2).

(Title 18, United States Code, Sections 1512(k) and 3551 et seq.)

COUNT THIRTY-SIX  
(Obstruction of Justice Attempt)

129. On or about and between April 1, 2014 and April 2, 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL PADAVONA, also known as “Mike,” and ROBERT TANICO, also known as “Chippy” and “Chip,” together with others, did knowingly, intentionally and corruptly attempt to obstruct, influence and impede an official proceeding, to wit: a proceeding before a Federal grand jury in the Eastern District of New York.

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

COUNT THIRTY-SEVEN  
(Perjury)

130. On or about April 2, 2014, within the Eastern District of New York, the defendant ROBERT TANICO, also known as “Chippy” and “Chip,” while under oath in a proceeding before a grand jury of the United States, to wit: a Federal grand jury in the Eastern District of New York, did knowingly and intentionally make one or more false material declarations, including the underlined testimony set forth below:

Q: Have you spoken to [Michael Padavona] since the last two weeks?

A: I don't believe so, no.

Q: That's a no?

A: Yes.

Q: When you received the subpoena in this case, who did you speak to the subpoena about?

A: Joe.

Q: Did you tell anyone else about it?

A: My wife, my mother, my sister, that's about it.

Q: Anyone else you can think of?

A: No.

Q: Did you tell Mike Padavon[a] about it?

A: No.

Q: Other than your wife, your sister; which sister?

A: I only have one sister, Lee Anne.

Q: Sorry. And your lawyer, Joe Mure?

A: My mother.

Q: You haven't spoken with anyone else about the fact you were subpoenaed to be here today?

A: No.

(Transcript, Page 17, lines 2 through 21)

131. The testimony identified above by the defendant ROBERT TANICO, also known as "Chippy" and "Chip," as he then and there well knew and believed, was false in that on or about April 1, 2014, during a call intercepted pursuant to court-authorized wiretapping, the defendant ROBERT TANICO, also known as "Chippy" and "Chip," told

MICHAEL PADAVONA, also known as "Mike," a soldier in the Bonanno crime family, that TANICO had been subpoenaed to testify before a grand jury.

(Title 18, United States Code, Sections 1623 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNT ONE

132. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count One, 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 or unlawful debt collection in violation of Title 18, United States Code, Section 1962, including but not limited to: (a) the sum of at least approximately twenty-six million twenty-seven thousand eight hundred eighty-eight dollars and sixty-three cents (\$26,027,088.63); (b) all right, title and interest in the real property and premises located at 164-04 86th Street, Howard Beach, New York; (b) all right, title and interest in the real property and premises located at 159-28 85th Street, Howard Beach, New York; (c) all right, title and interest in the real property and premises located at 163-27 91st Street, Howard Beach, New York; (d) all right, title and interest in the real property and premises located at 500 Pierce Street, Oceanside, New York; and (e) all right, title and

interest in the real property and premises located at 925 Cross Bay Boulevard, Broad Channel, New York.

133. If any of the above-described forfeitable property, as a result of any act or omission of the 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 the 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 THROUGH THIRTY-TWO, THIRTY-FIVE AND THIRTY-SIX

134. The United States hereby gives notice to the defendants charged in Counts Two through Thirty-Two, Thirty-Five and Thirty-Six that, upon their conviction of any such offenses, 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, including but not limited to: (a) the sum of at least approximately twenty-six



million twenty-seven thousand eight hundred eighty-eight dollars and sixty-three cents (\$26,027,088.63); (b) all right, title and interest in the real property and premises located at 164-04 86th Street, Howard Beach, New York; (b) all right, title and interest in the real property and premises located at 159-28 85th Street, Howard Beach, New York; (c) all right, title and interest in the real property and premises located at 163-27 91st Street, Howard Beach, New York; (d) all right, title and interest in the real property and premises located at 500 Pierce Street, Oceanside, New York; and (e) all right, title and interest in the real property and premises located at 925 Cross Bay Boulevard, Broad Channel, New York.

135. If any of the above-described forfeitable property, as a result of any act or omission of the 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 the 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 THIRTY-THREE AND THIRTY-FOUR

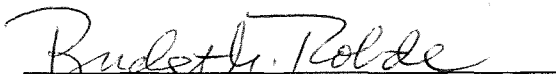
136. The United States hereby gives notice to the defendants charged in Counts Thirty-Three and Thirty-Four that, upon their conviction of either such offenses, the government will seek forfeiture in accordance with (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, 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.

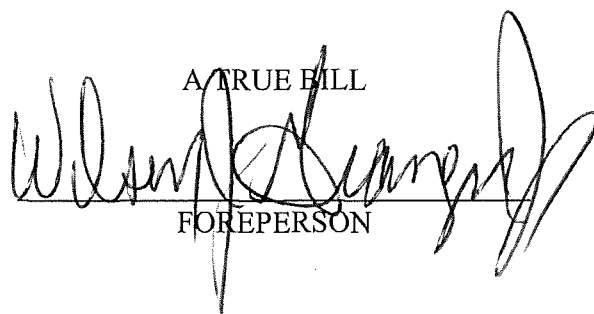
137. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- 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 the defendants 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))

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

A TRUE BILL  
  
FOREPERSON