

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	<u>INFORMATION</u>
	:	
- v. -	:	18 Cr. _____ ()
	:	
SALVATORE ARMAO,	:	
	:	
Defendant.	:	
	:	
- - - - -	X	

COUNT ONE

(False Statements In Employee Benefit Plan Records and Reports)

The United States Attorney charges:

1. From at least in or about 2012 up to and including in or about January 2014, in the Southern District of New York and elsewhere, SALVATORE ARMAO, the defendant, in documents required by Title I of the Employee Retirement Income Security Act of 1974 ("ERISA") to be published and kept as part of the records of an employee welfare benefit plan, made false statements and representations of fact, knowing the same to be false, and knowingly concealed, covered up and failed to disclose facts the disclosure of which were necessary to verify, explain, clarify and check for accuracy and completeness Forms 5500, the Annual Returns/Reports of Employee Benefit Plans, reports required by ERISA to be published, to wit, ARMAO falsely reported in the Forms 5500 for a particular employee welfare benefit plan (the "Plan"), which were filed with the U.S.

Department of Labor in 2012, 2013, and 2014, respectively, that the Plan had not engaged in "prohibited transactions," when in truth and in fact, ARMAO knew the Plan had engaged in such transactions.

(Title 18, United States Code, Section 1027.)

FORFEITURE ALLEGATION

2. As the result of committing the offense alleged in Count One of this Information, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(7), any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of gross proceeds traceable to the commission of said offense that the defendant personally obtained.

Substitute Assets Provision


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

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



GEOFFREY S. BERMAN *TH*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

SALVATORE ARMAO,

Defendant.

INFORMATION

18 Cr. _____

(18 U.S.C. § 1027.)

GEOFFREY S. BERMAN
United States Attorney.
