

I N D I C T M E N T

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
THE PEOPLE OF THE STATE OF NEW YORK

-AGAINST-

INDICTMENT NO.
665/2010

X - ROBERT DELVICARIO
X - SHANDA BRUCE
X - LENNOX JOHNSON
X - THERMINE REMY
X - ADONIS ABSTRACT, LLC
X - ROBO CAPITAL SECURITIES, INC
X - LBW CORPORATION

NON-ALIGNED
RACKETS DIVISION

DEFENDANTS.

-----X

ROBERT DELVICARIO:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (8 COUNTS)
CONSPIRACY IN THE FIFTH DEGREE (1 COUNT)
GRAND LARCENY IN THE SECOND DEGREE (5 COUNTS)
GRAND LARCENY IN THE THIRD DEGREE (1 COUNT)
ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE
(1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
SECOND DEGREE (1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
THIRD DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE SECOND DEGREE
(18 COUNTS)
MONEY LAUNDERING IN THE THIRD DEGREE (4 COUNTS)
MONEY LAUNDERING IN THE FOURTH DEGREE
(4 COUNTS)
FALSIFYING BUSINESS RECORDS IN THE FIRST
DEGREE (5 COUNTS)
OFFERING A FALSE INSTRUMENT FOR FILING IN THE
FIRST DEGREE (1 COUNT)
BURGLARY IN THE THIRD DEGREE (1 COUNT)
FORGERY IN THE SECOND DEGREE (4 COUNTS)
CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN
THE SECOND DEGREE (2 COUNTS)

SHANDA BRUCE:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (2 COUNTS)
GRAND LARCENY IN THE SECOND DEGREE (1 COUNT)
ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE
(1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
SECOND DEGREE (1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
THIRD DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE SECOND DEGREE (4 COUNTS)
MONEY LAUNDERING IN THE FOURTH DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE THIRD DEGREE (2 COUNTS)
FALSIFYING BUSINESS RECORDS IN THE FIRST
DEGREE (4 COUNTS)
BURGLARY IN THE THIRD DEGREE (1 COUNT)
FORGERY IN THE SECOND DEGREE (4 COUNTS)
CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN
THE SECOND DEGREE (2 COUNTS)

LENNOX JOHNSON:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (7 COUNTS)
CONSPIRACY IN THE FIFTH DEGREE (1 COUNT)
GRAND LARCENY IN THE SECOND DEGREE (4 COUNTS)
GRAND LARCENY IN THE THIRD DEGREE (1 COUNT)
ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE
(1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
SECOND DEGREE (1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
THIRD DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE SECOND DEGREE
(18 COUNTS)
MONEY LAUNDERING IN THE THIRD DEGREE (4 COUNTS)
MONEY LAUNDERING IN THE FOURTH DEGREE
(4 COUNTS)
FALSIFYING BUSINESS RECORDS IN THE FIRST
DEGREE (5 COUNTS)
OFFERING A FALSE INSTRUMENT FOR FILING IN THE
FIRST DEGREE (1 COUNT)
BURGLARY IN THE THIRD DEGREE (1 COUNT)
FORGERY IN THE SECOND DEGREE (4 COUNTS)
CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN
THE SECOND DEGREE (2 COUNTS)

THERMINE REMY:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (1 COUNT)
CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE
THIRD DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE THIRD DEGREE
(2 COUNTS)
MONEY LAUNDERING IN THE FOURTH DEGREE
(2 COUNTS)

ADONIS ABSTRACT, LLC:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (4 COUNTS)
GRAND LARCENY IN THE SECOND DEGREE (3 COUNTS)
MONEY LAUNDERING IN THE SECOND DEGREE
(12 COUNTS)

ROBO CAPITAL SECURITIES, INC:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FIFTH DEGREE (1 COUNT)
GRAND LARCENY IN THE THIRD DEGREE (1 COUNT)
MONEY LAUNDERING IN THE FOURTH DEGREE
(2 COUNTS)

LBW CORPORATION:

ENTERPRISE CORRUPTION (1 COUNT)
CONSPIRACY IN THE FOURTH DEGREE (2 COUNTS)
MONEY LAUNDERING IN THE SECOND DEGREE
(10 COUNTS)

A TRUE BILL

FOREPERSON OF THE GRAND JURY

CHARLES J. HYNES
DISTRICT ATTORNEY
KINGS COUNTY

COUNT ONE

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE, THERMINE REMY, ADONIS ABSTRACT, LLC, LBW CORPORATION AND ROBO CAPITAL SECURITIES, INC., OF THE CRIME OF ENTERPRISE CORRUPTION [P.L. 460.20(1)(A)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JANUARY 1, 2006 AND JULY 31, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, HAVING KNOWLEDGE OF THE EXISTENCE OF A CRIMINAL ENTERPRISE AND THE NATURE OF ITS ACTIVITIES AND BEING EMPLOYED BY OR ASSOCIATED WITH SUCH ENTERPRISE, DID INTENTIONALLY CONDUCT OR PARTICIPATE IN ITS AFFAIRS BY PARTICIPATING IN A PATTERN OF CRIMINAL ACTIVITY.

THE ENTERPRISE

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE, THERMINE REMY, ADONIS ABSTRACT, LLC, ROBO CAPITAL SECURITIES, INC. AND LBW CORPORATION, ALONG WITH OTHER PERSONS KNOWN, INCLUDING MARK SCHWARTZ, CHRISTINA PETROWSKI, NICOLA LEWIS, PHEDERLINE PROPHETE, LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., AND UNKNOWN TO THE GRAND JURY, WERE ASSOCIATED WITH AND PART OF A CRIMINAL ENTERPRISE, CALLED HEREIN THE "OPERATION BANKROLL," WHICH CONSISTED OF A GROUP OF PERSONS SHARING A COMMON PURPOSE OF ENGAGING IN CRIMINAL CONDUCT.

DURING THE COURSE OF THE LIFE OF THE ENTERPRISE IT WAS THE GOAL OF THE ENTERPRISE TO STEAL MONIES AND CONCEAL THEIR ILLICIT ORIGINS BY "LAUNDERING" THE FUNDS THROUGH COMPLICATED BANKING AND REAL ESTATE TRANSACTIONS. IN ORDER TO EFFECTUATE THE COMMON GOAL, MEMBERS OF THE ENTERPRISE ENGAGED IN A PATTERN OF CRIMINAL ACTIVITY.

OPERATION BANKROLL WAS HEADED BY ROBERT DELVICARIO AND LENNOX JOHNSON. OPERATION BANKROLL OPERATED IN BROOKLYN, NEW YORK AS WELL AS NASSAU, SUFFOLK, WESTCHESTER COUNTIES, NEW YORK AND THE STATES OF NEW JERSEY AND DELAWARE, AND UTILIZED A SERIES OF BANKING, FINANCIAL, AND REAL ESTATE STRATEGEMS IN ORDER TO CARRY OUT THEIR LARCENY/MONEY LAUNDERING SCHEMES, INCLUDING BUT NOT LIMITED TO, THE OPENING OF NUMEROUS BANK ACCOUNTS AT DIFFERENT FINANCIAL INSTITUTIONS, THE TRANSFER BETWEEN AND EMBEZZLEMENT OF FUNDS FROM BANK ACCOUNTS, THE THEFT OF BUSINESS CHECKS, THE THEFT OF CLIENT FUNDS, THE FORGING OF DOCUMENTS, THE THEFT OF IDENTITIES, THE FALSIFYING OF BUSINESS RECORDS, AND THE CONSCRIPTION OF INDIVIDUALS TO ORCHESTRATE FINANCIAL TRANSACTIONS AND POSE WITH STOLEN IDENTITIES.

OPERATION BANKROLL HAD AN ASCERTAINABLE STRUCTURE THAT WAS DESIGNED AND IMPLEMENTED TO PROFIT FROM THE THEFT AND MONEY LAUNDERING SCHEMES EMPLOYED BY THE MEMBERS OF THE ENTERPRISE.

OPERATION BANKROLL BEGAN IN BROOKLYN, NEW YORK AT THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., WHERE MARK SCHWARTZ OPERATED HIS LAW PRACTICE AND WHERE CHRISTINA PETROWSKI, MARK SCHWARTZ'S WIFE, AND ROBERT

DELVICARIO, MARK SCHWARTZ'S FRIEND, WORKED, BOTH FOR THE LAW PRACTICE AS WELL AS A TITLE ABSTRACT COMPANY CALLED ADONIS ABSTRACT, LLC, THAT SHARED THE OFFICE SPACE AND RESOURCES OF SCHWARTZ & ASSOCIATES, P.C, AND THE PRINCIPAL AGENT OF WHICH WAS CHRISTINA PETROWSKI. LENNOX JOHNSON WAS A FRIEND AND CLIENT OF MARK SCHWARTZ AND CHRISTINA PETROWSKI, AND BECAME BUSINESS PARTNERS WITH ROBERT DELVICARIO AFTER ROBERT DELVICARIO ACTED AS A TITLE CLOSER ON SEVERAL REAL ESTATE VENTURES ENTERED INTO BY LENNOX JOHNSON. SHANDA BRUCE IS THE WIFE OF LENNOX JOHNSON. NICOLA LEWIS, THERMINE REMY AND PHEDERLINE PROPHETE WERE KNOWN TO LENNOX JOHNSON AND SHANDA BRUCE PRIOR TO THEIR RECRUITMENT INTO OPERATION BANKROLL.

IN FEBRUARY AND APRIL OF 2006 LENNOX JOHNSON, HIS MOTHER OLIVE JOHNSON, SHANDA BRUCE AND NICOLA LEWIS PARTICIPATED IN AT LEAST TWO REAL ESTATE TRANSACTIONS IN WHICH THE LAW OFFICES OF MARK SCHWARTZ & ASSOCIATES, P.C. REPRESENTED LENNOX JOHNSON AND HIS MOTHER, AND IN WHICH ROBERT DELVICARIO PARTICIPATED AS A TITLE CLOSER, FIRST ON BEHALF OF INTERBORO TITLE, AND SUBSEQUENTLY, AFTER ADONIS ABSTRACT, LLC HAD BEEN FORMED IN JANUARY 2006 BY MARK SCHWARTZ & ASSOCIATES, P.C., AS THE PRINCIPLE AGENT FOR ADONIS ABSTRACT, LLC. THE ADONIS ABSTRACT, LLC ARTICLES OF ORGANIZATION WERE FILED BY SCHWARTZ & ASSOCIATES, P.C., 3607 QUENTIN ROAD, BROOKLYN, NEW YORK.

IN ADDITION, IN NOVEMBER OF 2006 AND SEPTEMBER OF 2007, RESPECTIVELY, TWO BANK ACCOUNTS WERE CREATED AT BANK OF AMERICA, ONE IN THE NAME OF SHANDA BRUCE AND THE OTHER IN THE NAME OF NICOLA LEWIS, BOTH WITH AN ADDRESS OF 1905 HARTE STREET, BALDWIN, NEW YORK AND BOTH CONDUCTING ACTIVITY ON BEHALF OF OR FOR THE BENEFIT OF OLIVE JOHNSON.

SEVEN HSBC BANK ACCOUNTS WERE CREATED IN THE NAME OF ADONIS ABSTRACT, LLC, WITH CHRISTINA PETROWSKI AND ROBERT DELVICARIO AS SIGNATORIES ON THE ACCOUNTS. THOSE ACCOUNTS WERE: ADONIS ABSTRACT, LLC PROFESSIONAL ACCOUNT; ADONIS ABSTRACT, LLC OPERATING ACCOUNT; ADONIS ABSTRACT, LLC COMMISSION ACCOUNT; ADONIS ABSTRACT, LLC SPECIAL ACCOUNT; ADONIS ABSTRACT, LLC TIFFANY ACCOUNT; ADONIS ABSTRACT, LLC ESCROW ACCOUNT; ADONIS ABSTRACT, LLC PREMIUM ACCOUNT. EACH OF THOSE ACCOUNTS WERE OPENED WITH AN ADDRESS FOR ADONIS ABSTRACT, LLC BEING 3607 QUENTIN ROAD, BROOKLYN, NEW YORK, THE SAME ADDRESS WHERE THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. OPERATED. LATER, IN DECEMBER 2007, THE ADDRESS ON EACH OF THOSE ADONIS ABSTRACT, LLC HSBC BANK ACCOUNT STATEMENTS WAS CHANGED TO 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, THE RESIDENTIAL ADDRESS FOR ROBERT DELVICARIO. IN ADDITION, ON FEBRUARY 12, 2008, AN ADDITIONAL BUSINESS CHECKING ACCOUNT WAS OPENED IN THE NAME OF ADONIS ABSTRACT, LLC AT COMMERCE BANK. THE SIGNATORIES ON THAT ACCOUNT WERE ROBERT DELVICARIO AND IVAN STRELKOV.

DURING THE COURSE OF THE LIFE OF THE ENTERPRISE, THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. AND THEIR RESPECTIVE BANK ACCOUNTS WERE USED TO FUND VARIOUS UNAUTHORIZED BUSINESS TRANSACTIONS AS WELL AS THE PERSONAL EXPENDITURES OF THE MEMBERS OF THE ENTERPRISE. MONIES FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING ACCOUNT" AND HSBC "IOLA ACCOUNT" WERE TRANSFERRED TO AND FROM EACH OTHER AS WELL AS INTO SEVERAL OF THE ADONIS ABSTRACT, LLC BANK ACCOUNTS. THESE MONIES WERE CLIENTS' MONIES USED

WITHOUT AUTHORIZATION TO TRANSACT BUSINESS DEALS WITH OTHER CLIENTS AND/OR TO FUND THE PERSONAL EXPENDITURES OF THE MEMBERS OF THE ENTERPRISE.

THE FOLLOWING COMPRISES BANK ACCOUNTS ASSOCIATED WITH THE ENTERPRISE FROM WHICH CLIENT FUNDS WERE TAKEN AND/OR INTO WHICH CLIENT FUNDS WERE TRANSFERRED IN ORDER TO CONCEAL THE ORIGIN OF THE FUNDS:

BANK	NAME OF ENTITY	ACCT. NO./TYPE	DATE	SIGNATORY/DEPUTY/ADDRESS
HSBC	Robo Capital Securities, Inc.	677-74919-8/Checking	6/13/06	Christina M. Petrowski Mark S. Schwartz 3607 Quentin Road Brooklyn, NY 11234
HSBC	M E C Enterprises LTD	677-04629-4/Checking	1/1/04	Mark S. Schwartz Christina M. Hansen 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Special Account" c/o Robert Delvicario	677-73822-6/Checking	2/24/06	Christina M. Petrowski Robert Delvicario 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Professional Acct" c/o Robert Delvicario	677-74387-4/Checking	8/28/06	Robert Delvicario Christina Petrowski 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Tiffany Account" c/o Robert Delvicario	677-67500-3/Savings	6/26/07	Robert Delvicario Christina Petrowski c/o Robert Delvicario 47 Cedar Rd. E. Northport, NY 11731
HSBC	Adonis Abstract LLC "Operating Acc't" c/o Robert Delvicario	677-73820-0/Checking	2/24/06	Christina M. Petrowski Robert Delvicario 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Escrow Acc't" c/o Robert Delvicario	677-73821-8/Checking	2/24/06	Christina M. Petrowski Robert Delvicario 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Commission Acc't" c/o Robert Delvicario	677-73823-4/Checking	2/24/06	Christina M. Petrowski Robert Delvicario 3607 Quentin Road Brooklyn, NY 11234
HSBC	Adonis Abstract LLC "Premium Acc't" c/o Robert Delvicario	677-73824-2/Checking	2/24/06	Christina M. Petrowski Robert Delvicario 3607 Quentin Road Brooklyn, NY 11234
HSBC	Schwartz & Assoc. PC Att'y Special -- IOLA Account"	677-03843-7/Checking Opened under Republic Nat'l Bank 9702729392 - 10/96	1/1/04	Mark Schwartz 8802 Flatlands Ave. Brooklyn, NY 11236
HSBC	Schwartz & Assoc. P.C. "Mortgage Closing Account"	677-70427-5/Checking	1/1/04	Mark S. Schwartz 8802 Flatlands Ave. Brooklyn, NY 11236
HSBC	Robert Delvicario	677-73746-7/Personal Total Checking	2/2/06	Robert E. Delvicario 47 Cedar Rd. E. Northport, NY 11731
Commerce Bank/TD Bank	Adonis Abstract LLC	7921496092/Business Checking	2/12/08	Robert Delvicario Ivan Strelkov

BANK	NAME OF ENTITY	ACCT. NO./TYPE	DATE	SIGNATORY/DEPUTY/ADDRESS
Commerce Bank/TD Bank	Robert E. Delvicario	7925781721/Yes Checking	10/22/07	Robert E. Delvicario
Commerce Bank/TD Bank	LBW Corp. d/b/a Car Brite Car Wash	7923340645/Business Checking	8/13/07	Robert Delvicario Lennox Johnson
Commerce Bank/TD Bank	LBW Corp.	7928436653/Business Checking	3/4/09	Robert Delvicario
Commerce Bank/TD Bank	Robert E. Delvicario	7927610225/Ultra Plus Money Market	8/3/08	Robert Delvicario
Wachovia Bank	Jessica M. Robertson	1010193937045/Checking	5/30/08	Jessica M. Robertson
Wachovia Bank	Jessica M. Robertson	3000098939805/Savings	5/30/08	Jessica M. Robertson
Citibank	Lennox Johnson	78798067/Checking		Lennox Johnson
Bank of America	Shanda F. Bruce	483002544589/Regular Checking	11/27/06	Shanda F. Bruce
Bank of America	Nicola N. Lewis	483009234589	9/10/07	Nicola N. Lewis

ADONIS ABSTRACT, LLC BANK ACCOUNTS

- 1) ON OR ABOUT JANUARY 26, 2006, ADONIS ABSTRACT, LLC TITLE COMPANY WAS CREATED WITH A SERVICE OF PROCESS ADDRESS AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE PRINCIPAL AGENT WAS CHRISTINA PETROWSKI.
- 2) ON OR ABOUT FEBRUARY 24, 2006, ADONIS ABSTRACT, LLC HSBC "OPERATING ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 3) ON OR ABOUT FEBRUARY 24, 2006, ADONIS ABSTRACT, LLC HSBC "ESCROW ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 4) ON OR ABOUT FEBRUARY 24, 2006, ADONIS ABSTRACT, LLC HSBC "SPECIAL ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 5) ON OR ABOUT FEBRUARY 24, 2006, ADONIS ABSTRACT, LLC HSBC "PREMIUM ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 6) ON OR ABOUT FEBRUARY 24, 2006, ADONIS ABSTRACT, LLC HSBC "COMMISSION ACCOUNT"

OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.

- 7) ON OR ABOUT AUGUST 28, 2006, ADONIS ABSTRACT, LLC HSBC "PROFESSIONAL ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 8) ON OR ABOUT JUNE 26, 2007, ADONIS ABSTRACT, LLC HSBC "TIFFANY ACCOUNT" OPENED IN THE NAME OF SCHWARTZ & ASSOCIATES PC LOCATED AT 3607 QUENTIN ROAD, BROOKLYN, NEW YORK. THE SIGNATORIES ON THE ACCOUNT WERE CHRISTINA PETROWSKI AND ROBERT DELVICARIO.
- 9) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "ESCROW ACCOUNT" CHANGED FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK, TO ROBERT DELVICARIO AT 47 CEDAR ROAD IN EAST NORTHPORT, NEW YORK.
- 10) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "OPERATING ACCOUNT" CHANGED FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK TO ROBERT DELVICARIO AT 47 CEDAR ROAD IN EAST NORTHPORT, NEW YORK.
- 11) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "SPECIAL ACCOUNT" CHANGED FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK TO ROBERT DELVICARIO AT 47 CEDAR ROAD IN EAST NORTHPORT, NEW YORK.
- 12) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "PREMIUM ACCOUNT" CHANGED FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK TO ROBERT DELVICARIO AT 47 CEDAR ROAD IN EAST NORTHPORT, NEW YORK.
- 13) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "COMMISSION ACCOUNT" CHANGED FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK TO ROBERT DELVICARIO AT 47 CEDAR ROAD IN EAST NORTHPORT, NEW YORK.
- 14) ON OR ABOUT AND BETWEEN DECEMBER 1, 2006 AND DECEMBER 29, 2006, THE ADDRESS ASSOCIATED WITH THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL ACCOUNT" CHANGED FROM

THE LAW OFFICES OF SCHWARTZ & ASSOCIATES
PC AT 3607 QUENTIN ROAD IN BROOKLYN, NEW
YORK TO ROBERT DELVICARIO AT 47 CEDAR
ROAD IN EAST NORTHPORT, NEW YORK.

- 15) THE ADDRESS ASSOCIATED WITH THE ADONIS
ABSTRACT LLC HSBC "TIFFANY ACCOUNT"
REMAINED ROBERT DELVICARIO AT 47 CEDAR
ROAD IN EAST NORTHPORT, NEW YORK.
- 16) ON OR ABOUT FEBRUARY 12, 2008, ADONIS
ABSTRACT LLC HSBC "BUSINESS CHECKING
ACCOUNT" WITH AN ADDRESS OF 47 CEDAR
ROAD, EAST NORTHPORT NEW YORK, WAS OPENED
AT COMMERCE BANK. THE SIGNATORIES ON THE
ACCOUNT WERE ROBERT DELVICARIO AND IVAN
STRELKOV.

MONEY LAUNDERING AND MORTGAGE FRAUD

ON OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7,
2006, LENNOX JOHNSON, ROBERT DELVICARIO, MARK SCHWARTZ,
CHRISTINA PETROWSKI AND PETER KLAGES, A FRIEND OF
CHRISTINA PETROWSKI, CONSTRUCTED A REAL ESTATE
TRANSACTION IN WHICH 47 CEDAR ROAD, EAST NORTHPORT, NEW
YORK, THE RESIDENCE OF ROBERT DELVICARIO, WAS TO BE
SOLD BY LORETA DELVICARIO, WIFE OF ROBERT DELVICARIO
AND RECORD OWNER OF THE PROPERTY, TO PETER KLAGES. THE
PRIOR ENCUMBRANCES WERE SATISFIED AND A NEW MORTGAGE
WAS ASSUMED BY PETER KLAGES. MONIES FROM LENNOX
JOHNSON, THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C.
MORTGAGE CLOSING BANK ACCOUNT, MEC ENTERPRISES LTD.
BANK ACCOUNT, AND ELSEWHERE WERE USED TO SOURCE A PRE-
CLOSING PAYMENT TO KLAGES IN THE AMOUNT OF \$70,000.00.
\$35,000.00 WAS USED BY KLAGES TO MAKE PAYMENTS ON THE
NEW MORTGAGE, AND THE REMAINING \$35,000.00 WAS PAID TO
DELVICARIO. PROCEEDS FROM THE CLOSING WENT TO SATISFY
DELVICARIO'S OLD MORTGAGE, LENNOX JOHNSON, AND ROBERT
DELVICARIO. IN FACT A CHECK IN THE AMOUNT OF
\$95,000.00 MADE PAYABLE TO LENNOX JOHNSON AND A CHECK
IN THE AMOUNT OF \$57,885.57 MADE PAYABLE TO LORETA AND
ROBERT DELVICARIO WERE ISSUED FROM THE NET PROCEEDS AT
THE CLOSING. THE CHECK MADE PAYABLE TO LORETA
DELVICARIO WAS DEPOSITED INTO THE PERSONAL BANK ACCOUNT
OF ROBERT DELVICARIO. KLAGES DID NOT ASSUME POSSESSION
OF THE PROPERTY AND TO DATE RECEIVES MONIES FROM
DELVICARIO TO PAY THE MORTGAGE ON THE PROPERTY. ON
JANUARY 23, 2007, A DEED TRANSFERRING THE OWNERSHIP OF
47 CEDAR ROAD PROPERTY FROM LORETA DELVICARIO TO PETER
KLAGES (49%) AND ROBERT DELVICARIO (51%) WAS RECORDED
WITH THE SUFFOLK COUNTY CLERK'S OFFICE.

MONEY LAUNDERING - ROBO CAPITAL SECURITIES, INC.

ON JUNE 8, 2006, CHRISTINA PETROWSKI FORMED "ROBO
CAPITAL SECURITIES, INC.," WITH PERSONS KNOWN AND
UNKNOWN TO THE GRAND JURY. ON JUNE 13, 2006 CHRISTINA
PETROWSKI AND MARK SCHWARTZ OPENED AN HSBC BANK ACCOUNT
IN THE NAME OF ROBO CAPITAL SECURITIES, INC. SEVERAL
INITIAL DEPOSITS WERE MADE TO OPEN THE ACCOUNT

INCLUDING \$100,000.00 THAT ORIGINATED FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC IOLA ACCOUNT AND MEC ENTERPRISES LTD. HSBC BANK ACCOUNT. OF THESE DEPOSITS, \$50,000.00 REPRESENTED FUNDS BELONGING TO ALEXANDER RESKALLAH, A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. FROM THE MONIES THUS DEPOSITED IN THE ROBO CAPITAL SECURITIES, INC. ACCOUNT, APPROXIMATELY \$132,000.00, INCLUDING THE FUNDS DERIVED FROM THE IOLA ACCOUNT, WERE USED BY CHRISTINA PETROWSKI TO PURCHASE SHARES ON BEHALF OF ROBO CAPITAL SECURITIES INC. OF POWER MEDICAL INTERVENTIONS, INC., A MEDICAL TECHNOLOGY CORPORATION. RICHARD CARDINALE, FRIEND AND CLIENT OF SCHWARTZ & ASSOCIATES, P.C. BROKERED THIS TRANSACTION THROUGH HIS FIRM CALLED EMPIRE ASSET MANAGEMENT COMPANY. WHEN THE CLIENT, SONIA RESKALLAH, GUARDIAN OF ALEXANDER RESKALLAH, WHOSE IOLA MONIES WERE USED TO PURCHASE THE SHARES, DEMANDED FROM SCHWARTZ & ASSOCIATES, P.C., THE RETURN OF HER MONIES, MARK SCHWARTZ AND ROBERT DELVICARIO WROTE CHECKS TOTALING \$50,000.00 TO ROBO CAPITAL SECURITIES, INC. THOSE CHECKS WERE DEPOSITED INTO ROBO CAPITAL SECURITIES, INC.'S, HSBC BANK ACCOUNT. SUBSEQUENTLY, ON JANUARY 17, 2007 A WIRE TRANSFER IN THE AMOUNT OF \$50,000.00 MADE PAYABLE TO ALEXANDER RESKALLAH, THE MINOR CHILD OF SONIA RESKALLAH, WAS MADE FROM THE ROBO CAPITAL SECURITIES INC. HSBC BANK ACCOUNT. THE MONIES USED TO FUND ROBERT DELVICARIO'S CHECK CAME FROM THE ADONIS ABSTRACT, LLC HSBC "OPERATING ACCOUNT." LATER, IN JUNE 2008, AFTER THE FALL OF THE STOCK MARKET AND THE SUBSEQUENT DECLINE IN STOCK VALUES, CHRISTINA PETROWSKI SOLD THE ROBO INVESTMENT PORTFOLIO AT A SIGNIFICANT LOSS, RECEIVING APPROXIMATELY \$34,148.75 FROM THE SALE OF THE SECURITIES. ON JUNE 27, 2008, CHRISTINA PETROWSKI CLOSED THE ROBO CAPITAL SECURITIES, INC. BANK ACCOUNT WITH A CHECK DRAWN FROM THAT ACCOUNT MADE PAYABLE TO LENNOX JOHNSON IN THE AMOUNT OF \$34,148.75.

EMBEZZLEMENT - TAM LE

IN 2007 TAM LE BECAME A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. TO SECURE ASSISTANCE IN THE BONDING OF SEVERAL MECHANICS' LIENS ON A PROPERTY MR. LE PURCHASED IN WILLIAMSBURG, BROOKLYN. TOWARD THAT END, ON OR ABOUT JULY 27, 2007 MR. LE PRESENTED CHECKS TOTALING APPROXIMATELY \$133,000.00 TO ADONIS ABSTRACT, LLC, TO BE HELD IN ESCROW IN ORDER TO BOND THE LIENS, THUS ALLOWING MR. LE TO CLOSE ON THE CONVERSION OF HIS CONSTRUCTION LOAN. IN DECEMBER 2008, THE MECHANICS LIENS ON MR. LE'S PROPERTY WERE DISMISSED AND MR. LE UNSUCCESSFULLY DEMANDED THE RETURN OF HIS ESCROWED MONIES FROM ADONIS ABSTRACT, LLC. INSTEAD, THE \$ 133,000 (MINUS ONLY APPROXIMATELY \$4,308.00 THAT WAS DULY PAID ON BEHALF OF MR. LE FROM THAT OPERATING ACCOUNT TO THE CITY REGISTRAR) WERE DEPOSITED INTO THE ADONIS ABSTRACT, LLC HSBC OPERATING ACCOUNT IN AUGUST 2007. THE ADONIS ABSTRACT, LLC HSBC OPERATING ACCOUNT CLOSED IN MAY 2008 WITH A ZERO BALANCE, AFTER A CHECK IN THE AMOUNT OF \$546.87, DRAWN ON THAT ACCOUNT AND MADE OUT TO CASH, WAS ENDORSED AND CASHED BY ROBERT DELVICARIO. NO OTHER PAYMENTS WERE MADE TO OR ON BEHALF OF MR. LE, AND THUS HE LOST APPROXIMATELY \$129,000.00.

EMBEZZLEMENT - TIFFANY PARTNERS, LLC

TIFFANY PARTNERS, LLC, WAS A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. RELATING TO A REAL ESTATE DEVELOPMENT AT 20 TIFFANY PLACE IN BROOKLYN. THE PRINCIPAL PARTNERS OF TIFFANY PARTNERS, LLC WERE RICHARD CARDINALE, TONY CARDINALE, ANGELO BRACCO, AND GREG BARBAGALLO. DURING THE COURSE OF A CONSTRUCTION AT 20 TIFFANY PLACE, THE PRINCIPAL CONTRACTOR, MATTHEWS DEVELOPMENT CO., INC., AS WELL AS A SUBCONTRACTOR, VISIONE CONSULTING & CONSTRUCTION CORP., FILED MECHANICS LIENS ON THE PROPERTY, IN MAY 2007 AND JANUARY OF 2007, RESPECTIVELY. IN ORDER TO CLOSE ON THE SALE OF SEVERAL CONDOMINIUMS AT THE 20 TIFFANY PLACE PROJECT, TIFFANY PARTNERS, LLC WAS REQUIRED TO BOND THEIR LIENS. THUS, FROM MARCH TO JULY 2007, TIFFANY PARTNERS, LLC PLACED APPROXIMATELY \$270,000.00 INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW ACCOUNT" AND "TIFFANY ACCOUNT" FOR THE PURPOSE OF SERVING AS A BOND ON THE LIENS AND ALLOW THE CLOSINGS ON SALE OF CONDOMINIUM UNITS TO PROCEED. BOTH OF THOSE ACCOUNTS CLOSED ON OR ABOUT MAY 27, 2008 WITH A ZERO BALANCE. THE TIFFANY PARTNERS, LLC'S MECHANICS LIENS REMAIN ACTIVE. NO PAYMENTS WERE MADE TO OR ON BEHALF OF TIFFANY PARTNERS, LLC'S FROM THE HSBC ADONIS ABSTRACT, LLC BANK ACCOUNTS TO SATISFY THE MECHANICS LIENS.

EMBEZZLEMENT - OLD REPUBLIC

FROM JULY 19, 2007 THROUGH JULY 30, 2008 ROBERT DELVICARIO AND ADONIS ABSTRACT LLC ACTED AS TITLE INSURANCE AGENT ON BEHALF OF OLD REPUBLIC TITLE INSURANCE COMPANY FOR NUMEROUS REAL ESTATE CLOSINGS. AT THOSE CLOSINGS, MONIES WERE DELIVERED TO ADONIS ABSTRACT LLC FOR THE PURPOSE OF SECURING TITLE INSURANCE, PAYMENT OF TAXES AND RECORDING OF DEEDS AND MORTGAGES. IN FACT, FROM JULY 19, 2007 THROUGH MAY 19, 2008, APPROXIMATELY IN EXCESS OF \$168,000.00 WAS DEPOSITED INTO THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" AND "OPERATING" ACCOUNTS AND ADONIS ABSTRACT, LLC COMMERCE BANK ACCOUNTS FROM CLOSINGS ASSOCIATED WITH CLIENTS HENRY/WRIGHT, VOLODARSKY, TIFFANY PARTNERS LLC, FINKELSTEIN, KNIGHT, KIROVA, ARAB, AND NEVEROVSKAYA. RATHER THAN USING THOSE MONIES TO PROPERLY COMPLETE THE RECORDINGS AND PAY THE APPROPRIATE TAXES, ROBERT DELVICARIO KEPT THE FUNDS. AS PREVIOUSLY STATED, THOSE ADONIS ABSTRACT LLC BANK ACCOUNTS BECAME DORMANT AT THE END OF MAY 2008 WITH LITTLE OR NO BALANCE.

IN JUNE 2008 OLD REPUBLIC RECEIVED CLAIMS OF UNRECORDED DEEDS AND MORTGAGES FROM SEVERAL CLIENTS, INCLUDING THE ABOVE-MENTIONED CLIENTS, WHOSE CLOSINGS WERE HANDLED BY ADONIS ABSTRACT LLC. OLD REPUBLIC CONTACTED ADONIS ABSTRACT LLC IN AN ATTEMPT TO HAVE THE NECESSARY RECORDINGS COMPLETED. OLD REPUBLIC SUBSEQUENTLY TERMINATED ITS RELATIONSHIP WITH ADONIS ABSTRACT LLC AND THEN PROPERLY RECORDED ALL OF THE UNRECORDED INSTRUMENTS. AS A RESULT, OLD REPUBLIC SUFFERED A DIRECT LOSS OF APPROXIMATELY \$141,139.25.

MONEY LAUNDERING - LBW CORPORATION

ON OR ABOUT OCTOBER 1, 2007, ROBERT DELVICARIO PURCHASED A CAR WASH BUSINESS, CAR BRITE CAR WASH, LOCATED ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK, FROM MR. MARIAN RAKIEC. THE PURCHASE PRICE WAS \$950,000.00. \$450,000.00 OF THE PURCHASE PRICE WAS COMPRISED OF A NOTE HELD BY MR. RAKIEC WHICH LBW CORPORATION ASSUMED AS A PURCHASER. THE REMAINDER OF THE PURCHASE PRICE WAS TO BE PAID IN CASH, WHICH ROBERT DELVICARIO REMITTED TO MR. RAKIEC IN THE FORM OF THREE BANK CHECKS IN THE AMOUNT OF \$180,000.00, \$174,000.00 AND \$61,000.00. THE \$180,000.00 BANK CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "ESCROW ACCOUNT" AND THE \$174,000.00 CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "PROFESSIONAL ACCOUNT." THE \$61,000.00 BANK CHECK WAS DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT.

ON OR ABOUT FEBRUARY 12, 2008, ADONIS ABSTRACT LLC OPENED AN ADDITIONAL BANK ACCOUNT AT COMMERCE BANK. THE ACCOUNT WAS ENTITLED ADONIS ABSTRACT LLC "BUSINESS CHECKING" ACCOUNT AND THE SIGNATORIES WERE ROBERT DELVICARIO AND IVAN STRELKOV. THE ADDRESS ON THE ACCOUNT WAS 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, ROBERT DELVICARIO'S PRINCIPAL RESIDENCE.

MONEY LAUNDERING - SALE OF CAR WASH

IN ORDER TO FURTHER LAUNDER THE PROCEEDS OF THE ENTERPRISE, ON OR ABOUT MARCH 5, 2009 ROBERT DELVICARIO AND LENNOX JOHNSON SOLD CAR BRITE CAR WASH TO SANDRO CARNEVALE. ROBERT DELVICARIO RECEIVED \$388,000.00 IN CASH AND A RELEASE FROM THE NOTE THEY HELD WITH MR. RAKIEC, WHICH NOTE SANDRO CARNEVALE ASSUMED.

ON MARCH 5, 2009, \$388,207.53 WAS DEPOSITED INTO THE TD BANK ACCOUNT (FORMERLY KNOWN AS COMMERCE BANK) OF LBW CORPORATION, A CORPORATION FORMED BY ROBERT DELVICARIO TO RECEIVE FUNDS AND PAY LENNOX JOHNSON.

ON OR ABOUT MARCH 9, 2009, A CHECK IN THE AMOUNT OF \$211,634.50 WAS DRAWN ON THE LBW CORPORATION'S BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.

LOOTING OF SCHWARTZ & ASSOCIATES, P.C. _ESCROW AND IOLA ACCOUNTS

ON OR ABOUT MAY 27, 2008, THE ADONIS ABSTRACT LLC HSBC "OPERATING," "ESCROW," "PREMIUM," AND "COMMISSION" BANK ACCOUNTS WERE EMPTIED AND CLOSED WITH A BALANCE OF ZERO, WHILE ADONIS ABSTRACT LLC HSBC "SPECIAL," "PROFESSIONAL" AND "TIFFANY" ACCOUNTS BECAME DORMANT, EACH WITH A REMAINING BALANCE OF APPROXIMATELY \$300.00 OR LESS.

ON OR ABOUT MAY 27, 2008, THE ENTERPRISE CONTRIVED A SCHEME TO DRAIN MONIES FROM THE HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT" OF THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., LOCATED AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK. IT WAS THE FURTHER GOAL OF THE

CONSPIRACY TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THEIR ORIGINS.

ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, ROBERT DELVICARIO, IN CONCERT WITH SHANDA BRUCE AND LENNOX JOHNSON, REMOVED SEVERAL BLANK PAPER BUSINESS CHECKS FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. THOSE CHECKS CAME FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT."

ROBERT DELVICARIO COMPLETED THE MONEY AMOUNTS, THE DATE AND THE MEMO PORTION OF THE CHECKS ON AT LEAST TWO OF THE STOLEN CHECKS, ONE BEING CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT," IN THE AMOUNT OF \$147,038.02 AND THE OTHER BEING CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT," IN THE AMOUNT OF \$165,035.42.

ON MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED AN UNNAMED CO-CONSPIRATOR TO OBTAIN A NEW JERSEY IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON' USING A BIRTH CERTIFICATE AND SOCIAL SECURITY CARD OF 'JESSICA ROBERTSON' PROVIDED BY LENNOX JOHNSON AND SHANDA BRUCE. THEY ALSO DIRECTED THE UNNAMED CO-CONSPIRATOR TO OPEN BANK ACCOUNTS IN THE NAME OF 'JESSICA ROBERTSON' USING THE ABOVE-MENTIONED STOLEN CHECKS, AND SHANDA BRUCE COMPLETED THE PAYEE PORTION OF CHECKS NUMBER 1498 AND 6402 WITH THE NAME OF 'JESSICA ROBERTSON.'

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE ATTEMPTED TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, BY ATTEMPTING TO DEPOSIT CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT" IN THE AMOUNT OF \$147,038.02.

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE SUCCESSFULLY OPENED A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AT A WACHOVIA BANK IN CLIFTON, NEW JERSEY, DEPOSITING INTO SAID ACCOUNT CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT" IN THE AMOUNT OF \$165,035.42.

THEREAFTER, BEGINNING ON JUNE 23, 2008, THE MEMBERS OF THE ENTERPRISE MADE A SERIES OF ATM, TELLER, AND CHECK WITHDRAWALS FROM THE WACHOVIA ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON.'

MONEY LAUNDERING - THEFT OF CHECKS PART 2

IT WAS ALSO THE COMMON PURPOSE OF THE ENTERPRISE TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THE ORIGIN AND DESTINATION OF THOSE MONIES, THEREBY REAPING THE FINANCIAL REWARDS OF THE CRIMINAL CONDUCT WITHOUT DETECTION BY LAW ENFORCEMENT. THUS, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED OTHERS IN THE ENTERPRISE TO NEGOTIATE SEVERAL TRANSACTIONS INVOLVING VEHICLE PURCHASES AND TO ASSUME THE ROLE OF 'JESSICA ROBERTSON' TO DO SO.

IN LATE JUNE 2008, THERMINE REMY AND LENNOX JOHNSON APPROACHED SILENT MOTORS, INC., LOCATED ON REMSEN AVENUE IN BROOKLYN IN ORDER TO SECURE THE PURCHASE OF TWO LUXURY VEHICLES IN THE NAME OF 'JESSICA ROBERTSON.' THERMINE REMY PROVIDED TWO CHECKS DRAWN ON THE WACHOVIA BANK ACCOUNT IN THE NAME OF 'JESSICA

ROBERTSON' TO SILENT MOTORS INC. ONE CHECK NUMBER 95 IN THE AMOUNT OF \$57,000.00 AND ONE CHECK NUMBER 97 IN THE AMOUNT OF \$58,500.00. THEY SUCCESSFULLY PURCHASED A 2006 LEXUS GS300 FOR \$37,000.00, WHICH WAS PHYSICALLY RETRIEVED BY THERMINE REMY. IN OCTOBER 2008, THAT LEXUS GS300 WAS SUBSEQUENTLY SOLD BY LENNOX JOHNSON AND ROBERT DELVICARIO THROUGH PLANET AUTO, LOCATED NEXT DOOR TO CAR BRITE CAR WASH, INC. ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK.

IN JANUARY 2009, THERMINE REMY AND PHEDERLINE PROPHETE, ON BEHALF OF THE ENTERPRISE AND IN THE NAME OF 'JESSICA ROBERTSON' SUCCESSFULLY PURCHASED A 2006 HONDA ACCORD FOR \$18,500.00 FROM SILENT MOTORS, INC.

PATTERN OF CRIMINAL ACTIVITY

DURING THE PERIOD OF THIS OFFENSE, EACH OF THE DEFENDANTS, WITH INTENT TO PARTICIPATE IN AND ADVANCE THE AFFAIRS OF THE CRIMINAL ENTERPRISE, DID ENGAGE IN CONDUCT CONSTITUTING AND WAS CRIMINALLY LIABLE FOR AT LEAST THREE OF THE FOLLOWING CRIMINAL ACTS INCLUDED IN THE PATTERN OF CRIMINAL ACTIVITY.

I. SALE OF 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK

THE DEFENDANTS, ROBERT DELVICARIO AND LENNOX JOHNSON ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, GRAND LARCENY IN THE SECOND DEGREE, MONEY LAUNDERING IN THE THIRD DEGREE, FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, AND OFFERING A FALSE INSTRUMENT FOR FILING, IN THAT ON, OR ABOUT AND BETWEEN MAY 24, 2006 AND JANUARY 23, 2007, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, ROBERT DELVICARIO AND LENNOX JOHNSON, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, LENNOX JOHNSON, ROBERT DELVICARIO, MARK SCHWARTZ, CHRISTINA PETROWSKI AND PETER KLAGES, A FRIEND OF CHRISTINA PETROWSKI, CONSTRUCTED A REAL ESTATE TRANSACTION IN WHICH 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, THE RESIDENCE OF ROBERT DELVICARIO, WAS TO BE SOLD BY LORETA DELVICARIO, WIFE OF ROBERT DELVICARIO AND RECORD OWNER OF THE PROPERTY, TO PETER KLAGES. THE PRIOR ENCUMBRANCES WERE SATISFIED AND A NEW MORTGAGE WAS ASSUMED BY PETER KLAGES. MONIES FROM LENNOX JOHNSON, THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. MORTGAGE CLOSING BANK ACCOUNT, MEC ENTERPRISES LTD. BANK ACCOUNT, AND ELSEWHERE WERE USED TO SOURCE A PRE-CLOSING PAYMENT TO KLAGES IN THE AMOUNT OF \$70,000.00. \$35,000.00 WAS USED BY KLAGES TO MAKE PAYMENTS ON THE NEW MORTGAGE, AND THE REMAINING \$35,000.00 WAS PAID TO DELVICARIO. PROCEEDS FROM THE CLOSING WENT TO SATISFY DELVICARIO'S OLD MORTGAGE, LENNOX JOHNSON, AND ROBERT

DELVICARIO. IN FACT A CHECK IN THE AMOUNT OF \$95,000.00 MADE PAYABLE TO LENNOX JOHNSON AND A CHECK IN THE AMOUNT OF \$57,885.57 MADE PAYABLE TO LORETA AND ROBERT DELVICARIO WERE ISSUED FROM THE NET PROCEEDS AT THE CLOSING. THE CHECK MADE PAYABLE TO LORETA DELVICARIO WAS DEPOSITED INTO THE PERSONAL BANK ACCOUNT OF ROBERT DELVICARIO. KLAGES DID NOT ASSUME POSSESSION OF THE PROPERTY AND TO DATE RECEIVES MONIES FROM DELVICARIO TO PAY THE MORTGAGE ON THE PROPERTY. ON JANUARY 23, 2007, A DEED TRANSFERRING THE OWNERSHIP OF 47 CEDAR ROAD PROPERTY FROM LORETA DELVICARIO TO PETER KLAGES (49%) AND ROBERT DELVICARIO (51%) WAS RECORDED WITH THE SUFFOLK COUNTY CLERK'S OFFICE.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO AND LENNOX JOHNSON, AND ADONIS ABSTRACT, LLC ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN MAY 24, 2006 AND JUNE 20, 2006, CHRISTINA PETROWSKI APPROACHED PETER KLAGES TO ACT AS A PURCHASER OF THE RESIDENCE OF ROBERT DELVICARIO, HELD IN THE NAME OF LORETA DELVICARIO.
- 2) ON OR ABOUT MAY 24, 2006 THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY \$9,800.00 IN CASH INTO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT, WITH THE NAME OF LENNOX NOTED ON THOSE DEPOSITS ON THE STATEMENTS.
- 3) ON OR ABOUT MAY 31, 2006 THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY \$9,700.00 IN CASH INTO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT, WITH THE NAME OF LENNOX NOTED ON THOSE DEPOSITS ON THE STATEMENTS.
- 4) ON OR ABOUT JUNE 16, 2006 THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$52,955.69 OF SCHWARTZ & ASSOCIATED P.C. CLIENTS' FUNDS FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING" ACCOUNT TO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT.
- 5) ON OR ABOUT JUNE 20, 2006, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$70,000.00 ON THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT AND MADE PAYABLE TO PETER KLAGES.
- 6) ON OR ABOUT JUNE 27, 2006, A CHECK IN THE AMOUNT OF \$35,000.00 WAS DRAWN ON MR. KLAGES' PERSONAL BANK ACCOUNT AND MADE OUT TO MERYL HALPERN, ATTORNEY FOR LORETA DELVICARIO.
- 7) ON OR ABOUT AUGUST 10, 2006, ROBERT DELVICARIO DEPOSITED A \$35,000.00 CHECK DRAWN FROM AN ATTORNEY TRUST ACCOUNT OF MERYL HALPERN INTO HIS PERSONAL HSBC BANK ACCOUNT.
- 8) ON OR ABOUT AUGUST 7, 2006, THE DEFENDANTS COMPLETED OR CAUSED TO BE COMPLETED A NOTICE OF MECHANICS LIEN,

DATED MAY 1, 2006, IN FAVOR OF PETER KLAGES IN THE AMOUNT OF \$68,000.00 FOR CONSTRUCTION WORK PERFORMED IN AN UPSTATE HOME OWNED BY CHRISTINA PETROWSKI.

- 9) THE DEFENDANTS CAUSED THE NOTICE OF LIEN TO BE MADE PART OF THE MORTGAGE APPLICATION FILE FOR MORTGAGE IT.
- 10) ON OR ABOUT AND BETWEEN JULY 13, 2006 AND AUGUST 7, 2006 THE DEFENDANTS CAUSED A MORTGAGE APPLICATION TO BE COMPLETED INDICATING THAT PETER KLAGES, THE BORROWER, INTENDED TO USE 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK AS HIS PRIMARY RESIDENCE.
- 11) ON OR ABOUT AND BETWEEN JULY 13, 2006 AND AUGUST 7, 2006 THE DEFENDANTS CAUSED A MORTGAGE APPLICATION TO BE COMPLETED INDICATING THAT PETER KLAGES, THE BORROWER, HAD A MONTHLY INCOME OF APPROXIMATELY \$21,375.00.
- 12) ON OR ABOUT AUGUST 7, 2006 THE DEFENDANTS CAUSED THE CLOSING ON THE SALE OF 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK TO MR. KLAGES FROM LORETA DELVICARIO TOOK PLACE AT A CHEESECAKE FACTORY LOCATED AT THE ROOSEVELT MALL IN NASSAU COUNTY.
- 13) ON OR ABOUT JANUARY 23, 2007 THE DEFENDANTS FILED OR CAUSED TO BE FILED A DEED WITH THE SUFFOLK COUNTY CLERK'S OFFICE INDICATING THE TRANSFER OF 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK FROM LORETA DELVICARIO TO ROBERT DELVICARIO (51%) AND PETER KLAGES (49%).
- 14) ON OR ABOUT AND BETWEEN AUGUST 2006 AND THE PRESENT, THE DEFENDANTS DIRECTED PETER KLAGES TO SUBMIT PAYMENTS ON THE MORTGAGE HE ASSUMED FOR THE 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, PROPERTY; AND

B. STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM THE CLIENTS OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS; AND

D. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE

LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS; AND

E. WITH INTENT TO DEFRAUD, MAKE OR CAUSE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, MORTGAGE IT, INC. CONSISTING OF A MORTGAGE APPLICATION, AND THEIR INTENT TO DEFRAUD DID INCLUDE AN INTENT TO COMMIT ANOTHER CRIME, NAMELY GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF; AND

F. KNOWING THAT A WRITTEN INSTRUMENT CONTAINS A FALSE STATEMENT OR FALSE INFORMATION, HE OFFERS OR PRESENTS IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WILL BE FILED WITH, REGISTERED OR RECORDED IN OR OTHERWISE BECOME A PART OF THE RECORDS OF SUCH PUBLIC OFFICE.

II. ROBO CAPITAL SECURITIES, INC.

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, ROBO CAPITAL SECURITIES, INC. ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE FIFTH DEGREE, GRAND LARCENY IN THE THIRD DEGREE, MONEY LAUNDERING IN THE FOURTH DEGREE, IN THAT ON OR ABOUT JUNE 8, 2006 AND JUNE 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS D FELONY, NAMELY, GRAND LARCENY IN THE THIRD DEGREE, [PL 155.25], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON JUNE 8, 2006, CHRISTINA PETROWSKI FORMED "ROBO CAPITAL SECURITIES, INC.," WITH PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY. ON JUNE 13, 2006 CHRISTINA PETROWSKI AND MARK SCHWARTZ OPENED AN HSBC BANK ACCOUNT IN THE NAME OF ROBO CAPITAL SECURITIES, INC. SEVERAL INITIAL DEPOSITS WERE MADE TO OPEN THE ACCOUNT INCLUDING \$100,000.00 THAT ORIGINATED FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC IOLA ACCOUNT AND MEC ENTERPRISES LTD. HSBC BANK ACCOUNT. OF THESE DEPOSITS, \$50,000.00 REPRESENTED FUNDS BELONGING TO ALEXANDER RESKALLAH, A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. FROM THE MONIES THUS DEPOSITED IN THE ROBO CAPITAL SECURITIES, INC. ACCOUNT, APPROXIMATELY \$132,000.00, INCLUDING THE FUNDS DERIVED FROM THE IOLA ACCOUNT, WERE USED BY CHRISTINA PETROWSKI TO PURCHASE SHARES ON BEHALF OF ROBO CAPITAL SECURITIES INC. OF POWER MEDICAL INTERVENTIONS, INC., A MEDICAL TECHNOLOGY CORPORATION. RICHARD CARDINALE, FRIEND AND CLIENT OF SCHWARTZ & ASSOCIATES, P.C. BROKERED THIS TRANSACTION THROUGH HIS FIRM CALLED EMPIRE ASSET MANAGEMENT COMPANY. WHEN THE CLIENT, SONIA RESKALLAH, GUARDIAN OF ALEXANDER RESKALLAH, WHOSE IOLA MONIES WERE USED TO PURCHASE THE SHARES, DEMANDED FROM SCHWARTZ & ASSOCIATES, P.C., THE RETURN OF HER MONIES, MARK SCHWARTZ AND ROBERT

DELVICARIO WROTE CHECKS TOTALLING \$50,000.00 TO ROBO CAPITAL SECURITIES, INC. THOSE CHECKS WERE DEPOSITED INTO ROBO CAPITAL SECURITIES, INC.'S, HSBC BANK ACCOUNT. SUBSEQUENTLY, ON JANUARY 17, 2007 A WIRE TRANSFER IN THE AMOUNT OF \$50,000.00 MADE PAYABLE TO ALEXANDER RESKALLAH, THE MINOR CHILD OF SONIA RESKALLAH, WAS MADE FROM THE ROBO CAPITAL SECURITIES INC. HSBC BANK ACCOUNT. THE MONIES USED TO FUND ROBERT DELVICARIO'S CHECK CAME FROM THE ADONIS ABSTRACT, LLC HSBC "OPERATING ACCOUNT." LATER, IN JUNE 2008, AFTER THE FALL OF THE STOCK MARKET AND THE SUBSEQUENT DECLINE IN STOCK VALUES, CHRISTINA PETROWSKI SOLD THE ROBO INVESTMENT PORTFOLIO AT A SIGNIFICANT LOSS, RECEIVING APPROXIMATELY \$34,148.75 FROM THE SALE OF THE SECURITIES. ON JUNE 27, 2008, CHRISTINA PETROWSKI CLOSED THE ROBO CAPITAL SECURITIES, INC. BANK ACCOUNT WITH A CHECK DRAWN FROM THAT ACCOUNT MADE PAYABLE TO LENNOX JOHNSON IN THE AMOUNT OF \$34,148.75.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ROBO CAPITAL SECURITIES, INC. ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 8, 2006, CHRISTINA PETROWSKI FORMED ROBO CAPITAL SECURITIES, INC.
- 2) ON OR ABOUT JUNE 13, 2006, MARK SCHWARTZ AND CHRISTINA PETROWSKI OPENED AN HSBC BANK ACCOUNT IN THE NAME OF ROBO CAPITAL SECURITIES WITH AN ADDRESS OF 3607 QUENTIN ROAD, BROOKLYN, NEW YORK.
- 3) ON OR ABOUT JUNE 13, 2006, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$50,000.00 DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "IOLA" ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., WITH A MEMO LINE OF "RESKALLAH," INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 4) ON OR ABOUT JUNE 20, 2006, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$50,000.00 DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "IOLA" ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., WITH MEMO LINE OF "LENNOX JOHNSON," INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 5) ON OR ABOUT JUNE 21, 2006, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED \$132,000.00 TO SIGNATURE BANK FROM THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT TO ACQUIRE SHARES OF POWER MEDICAL INTERVENTIONS, INC.
- 6) SUBSEQUENT TO THE WIRE TRANSFER, ROBO CAPITAL SECURITIES, INC. ACQUIRED SHARES OF POWER MEDICAL INTERVENTIONS, INC. FOR THE VALUE OF \$132,000.00 MINUS BROKER FEES TO EMPIRE ASSET MANAGEMENT COMPANY.
- 7) ON OR ABOUT JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE

DEPOSITED A CHECK IN THE AMOUNT OF \$20,000.00 DRAWN ON THE ADONIS ABSTRACT, LLC HSBC "OPERATING" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC "PROFESSIONAL" ACCOUNT, INTO THE PERSONAL HSBC BANK ACCOUNT OF ROBERT DELVICARIO.

- 8) ON JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$20,000.00 DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 9) ON JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$30,000.00 DRAWN ON A NUMBERED AND UNNAMED BANK ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 10) ON JANUARY 18, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED A WIRE TRANSFER IN THE AMOUNT OF \$50,000.00 FROM ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT TO WELLS FARGO BANK FOR THE BENEFIT OF ALEXANDER RESKALLAH.
- 11) IN JUNE 2008, CHRISTINA PETROWSKI DIRECTED RICHARD CARDINALE TO SELL THE ROBO CAPITAL SECURITIES, INC. SHARES IN POWER MEDICAL INTERVENTIONS, INC.
- 12) ON OR ABOUT JUNE 20, 2008, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$34,148.75 DRAWN ON THE ACCOUNT OF NATIONAL FINANCIAL SERVICES, LLC, REPRESENTATIVE OF EMPIRE ASSET MANAGEMENT COMPANY AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 13) ON OR ABOUT JUNE 27, 2008, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT \$34,148.75 ON THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.

B. STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING THREE THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM SONIA RESKALLAH AND OTHER CLIENTS OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS; AND

D. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART ARE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP, OR THE CONTROL OF THE PROCEEDS OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS.

III. 686 GRAND ST., LLC/TAM LE

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT LLC ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, GRAND LARCENY IN THE SECOND DEGREE, AND MONEY LAUNDERING IN THE SECOND DEGREE IN THAT ON, OR ABOUT AND BETWEEN JULY 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IN 2007 TAM LE BECAME A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. TO SECURE ASSISTANCE IN THE BONDING OF SEVERAL MECHANICS' LIENS ON A PROPERTY MR. LE PURCHASED IN WILLIAMSBURG, BROOKLYN. TOWARD THAT END, ON OR ABOUT JULY 27, 2007 MR. LE PRESENTED CHECKS TOTALING APPROXIMATELY \$133,000.00 TO ADONIS ABSTRACT, LLC, TO BE HELD IN ESCROW IN ORDER TO BOND THE LIENS, THUS ALLOWING MR. LE TO CLOSE ON THE CONVERSION OF HIS CONSTRUCTION LOAN. IN DECEMBER 2008, THE MECHANICS LIENS ON MR. LE'S PROPERTY WERE DISMISSED AND MR. LE UNSUCCESSFULLY DEMANDED THE RETURN OF HIS ESCROWED MONIES FROM ADONIS ABSTRACT, LLC. INSTEAD, THE \$ 133,000 (MINUS ONLY APPROXIMATELY \$4,308.00 THAT WAS DULY PAID ON BEHALF OF MR. LE FROM THAT OPERATING ACCOUNT TO THE CITY REGISTRAR) WERE DEPOSITED INTO THE ADONIS ABSTRACT, LLC HSBC OPERATING ACCOUNT IN AUGUST 2007. THE ADONIS ABSTRACT, LLC HSBC OPERATING ACCOUNT CLOSED IN MAY 2008 WITH A ZERO BALANCE, AFTER A CHECK IN THE AMOUNT OF \$546.87, DRAWN ON THAT ACCOUNT AND MADE OUT TO CASH, WAS ENDORSED AND CASHED BY ROBERT DELVICARIO. NO OTHER PAYMENTS WERE MADE TO OR ON BEHALF OF MR. LE, AND THUS HE LOST APPROXIMATELY \$129,000.00.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT, LLC ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JULY 27, 2007, CHRISTINA PETROWSKI ACCEPTED CHECKS FROM TAM LE

TOTALLING APPROXIMATELY \$133,000.00 AND MADE PAYABLE TO ADONIS ABSTRACT, LLC.

- 2) ON OR ABOUT AUGUST 6, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED CHECKS TOTALLING APPROXIMATELY \$133,000.00 FROM THE 686 GRAND STREET, LLC CLOSING, INTO THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT.
- 3) ON OR ABOUT AND BETWEEN SEPTEMBER 4, 2007 AND SEPTEMBER 26, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED VIA WIRE TRANSFERS FROM THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT TO THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT TO PURCHASE A BANK CHECK IN THE AMOUNT OF \$180,000.00 AND MADE PAYABLE TO CAR BRITE CAR WASH INC. TO PURCHASE THAT CAR WASH ON OCTOBER 1, 2007.
- 4) ON OR ABOUT AND BETWEEN AUGUST 6, 2007 TO THE PRESENT, THE DEFENDANTS PAID OR CAUSED TO BE PAID APPROXIMATELY \$4,308.00 FROM THE ADONIS ABSTRACT LLC ON BEHALF OF TAM LE AND 686 GRAND STREET, LLC, TO THE NEW YORK CITY REGISTRAR.

B. DID STEAL PROPERTY, NAMELY A QUANTITY OF UNITED STATES CURRENCY OWNED BY TAM LE AND 686 GRAND, LLC, AND THE VALUE OF SAID PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

D. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

IV. TIFFANY PARTNERS, LLC

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT LLC ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, GRAND LARCENY IN THE SECOND DEGREE, AND MONEY LAUNDERING IN THE SECOND DEGREE, IN THAT ON, OR ABOUT AND BETWEEN FEBRUARY 15, 2007 AND FEBRUARY 6, 2008, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, EACH AIDING

THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

TIFFANY PARTNERS, LLC, WAS A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. RELATING TO A REAL ESTATE DEVELOPMENT AT 20 TIFFANY PLACE IN BROOKLYN. THE PRINCIPAL PARTNERS OF TIFFANY PARTNERS, LLC WERE RICHARD CARDINALE, TONY CARDINALE, ANGELO BRACCO, AND GREG BARBAGALLO. DURING THE COURSE OF A CONSTRUCTION AT 20 TIFFANY PLACE, THE PRINCIPAL CONTRACTOR, MATTHEWS DEVELOPMENT CO., INC., AS WELL AS A SUBCONTRACTOR, VISIONE CONSULTING & CONSTRUCTION CORP., FILED MECHANICS LIENS ON THE PROPERTY IN MAY 2007 AND JANUARY 2007, RESPECTIVELY. IN ORDER TO CLOSE ON THE SALE OF SEVERAL CONDOMINIUMS AT THE 20 TIFFANY PLACE PROJECT, TIFFANY PARTNERS, LLC WAS REQUIRED TO BOND THEIR LIENS. THUS, FROM MARCH TO JULY 2007, TIFFANY PARTNERS, LLC PLACED APPROXIMATELY \$270,000.00 INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW ACCOUNT" AND "TIFFANY ACCOUNT" FOR THE PURPOSE OF SERVING AS A BOND ON THE LIENS AND ALLOW THE CLOSINGS ON SALE OF CONDOMINIUM UNITS TO PROCEED. BOTH OF THOSE ACCOUNTS CLOSED ON OR ABOUT MAY 27, 2008 WITH A ZERO BALANCE. THE TIFFANY PARTNERS, LLC'S MECHANICS LIENS REMAIN ACTIVE. NO PAYMENTS WERE MADE TO OR ON BEHALF OF TIFFANY PARTNERS, LLC'S FROM THE HSBC ADONIS ABSTRACT, LLC BANK ACCOUNTS TO SATISFY THE MECHANICS LIENS.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT LLC, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT FEBRUARY 15, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1026 IN THE AMOUNT OF \$10,000.00, DATED FEBRUARY 12, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISIONE CONSULTING AND CONSTRUCTION CORP.
- 2) ON OR ABOUT MARCH 14, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1031 IN THE AMOUNT OF \$10,000.00, DATED MARCH 13, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISIONE CONSULTING AND CONSTRUCTION CORP.
- 3) ON OR ABOUT MARCH 20, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1040 IN THE AMOUNT OF \$10,000.00, DATED MARCH 19, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT

AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.

- 4) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1662 IN THE AMOUNT OF \$10,000.00, DATED MARCH 21, 2007, DRAWN ON THE TIFFANY PARTNERS, LLC HSBC BANK ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 5) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1053 IN THE AMOUNT OF \$10,000.00, DATED MARCH 22, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 6) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1060 IN THE AMOUNT OF \$10,000.00, DATED MARCH 22, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 7) ON OR ABOUT APRIL 30, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1065 IN THE AMOUNT OF \$10,000.00, DATED APRIL 27, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 8) ON OR ABOUT JULY 26, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1761 IN THE AMOUNT OF \$200,000.00, DATED JULY 23, 2007, DRAWN ON THE TIFFANY PARTNERS, LLC HSBC BANK ACCOUNT MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "TIFFANY" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY MATTHEWS DEVELOPMENT CO., INC.
- 9) ON OR ABOUT JULY 28, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1089 IN THE AMOUNT OF \$30,000.00, DATED JUNE 27, 2007, DRAWN ON THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT MADE PAYABLE TO ADONIS ABSTRACT,

LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "TIFFANY" ACCOUNT.

- 10) ON OR ABOUT FEBRUARY 6, 2008, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$230,000.00 FROM ADONIS ABSTRACT LLC HSBC "TIFFANY" ACCOUNT TO THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" ACCOUNT.
- 11) ON OR ABOUT AND BETWEEN JANUARY 2007 AND THE PRESENT, THE DEFENDANTS MADE NO PAYMENTS FROM THE ADONIS ABSTRACT LLC HSBC "ESCROW," "TIFFANY," "PROFESSIONAL" OR ANY OTHER ACCOUNTS ON BEHALF OF OR TO TIFFANY PARTNERS, LLC OR THE LIENHOLDERS, MATTHEWS DEVELOPMENT CO., INC. AND VISONE CONSULTING AND CONSTRUCTION CORP.; AND

B. DID STEAL PROPERTY, NAMELY A QUANTITY OF UNITED STATES CURRENCY OWNED BY TIFFANY PARTNERS, LLC., CLIENT OF THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., AND THE VALUE OF SAID PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

D. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

V. OLD REPUBLIC

THE DEFENDANTS, ROBERT DELVICARIO, ADONIS ABSTRACT, LLC, AND OTHERS KNOWN TO THE GRAND JURY ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, AND GRAND LARCENY IN THE SECOND DEGREE; IN THAT ON, OR ABOUT AND BETWEEN JULY 19, 2007 AND JULY 30, 2008, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

FROM JULY 19, 2007 THROUGH JULY 30, 2008, ROBERT

DELVICARIO AND ADONIS ABSTRACT LLC ACTED AS TITLE INSURANCE AGENT ON BEHALF OF OLD REPUBLIC TITLE INSURANCE COMPANY FOR NUMEROUS REAL ESTATE CLOSINGS. AT THOSE CLOSINGS, MONIES WERE DELIVERED TO ADONIS ABSTRACT LLC FOR THE PURPOSE OF SECURING TITLE INSURANCE, PAYMENT OF TAXES AND RECORDING OF DEEDS AND MORTGAGES. IN FACT, FROM JULY 19, 2007 THROUGH MAY 19, 2008, APPROXIMATELY IN EXCESS OF \$168,000.00 WAS DEPOSITED INTO THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" AND "OPERATING" ACCOUNTS AND ADONIS ABSTRACT, LLC COMMERCE BANK ACCOUNTS FROM CLOSINGS ASSOCIATED WITH CLIENTS HENRY/WRIGHT, VOLODARSKY, TIFFANY PARTNERS LLC, FINKELSTEIN, KNIGHT, KIROVA, ARAB, AND NEVEROVSKAYA. RATHER THAN USING THOSE MONIES TO PROPERLY COMPLETE THE RECORDINGS AND PAY THE APPROPRIATE TAXES, ROBERT DELVICARIO KEPT THE FUNDS. AS PREVIOUSLY STATED, THOSE ADONIS ABSTRACT LLC BANK ACCOUNTS BECAME DORMANT AT THE END OF MAY 2008 WITH LITTLE OR NO BALANCE.

IN JUNE 2008 OLD REPUBLIC RECEIVED CLAIMS OF UNRECORDED DEEDS AND MORTGAGES FROM SEVERAL CLIENTS, INCLUDING THE ABOVE-MENTIONED CLIENTS, WHOSE CLOSINGS WERE HANDLED BY ADONIS ABSTRACT LLC. OLD REPUBLIC CONTACTED ADONIS ABSTRACT LLC IN AN ATTEMPT TO HAVE THE NECESSARY RECORDINGS COMPLETED. OLD REPUBLIC SUBSEQUENTLY TERMINATED ITS RELATIONSHIP WITH ADONIS ABSTRACT LLC AND THEN PROPERLY RECORDED ALL OF THE UNRECORDED INSTRUMENTS. AS A RESULT, OLD REPUBLIC SUFFERED A DIRECT LOSS OF APPROXIMATELY \$141,139.25.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, ADONIS ABSTRACT LLC, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN JULY 19, 2007 AND MAY 19, 2008, ROBERT DELVICARIO, ON BEHALF OF ADONIS ABSTRACT LLC, AS AGENT FOR OLD REPUBLIC TITLE INSURANCE COMPANY, ACCEPTED FUNDS FROM REAL ESTATE CLOSINGS TOWARDS FILING AND RECORDING OF DEEDS AND MORTGAGES, AS WELL AS PAYMENT OF TAXES, FOR THE FOLLOWING CLIENTS: HENRY/WRIGHT, VOLODARSKY, TIFFANY PARTNERS LLC, FINKELSTEIN, KNIGHT, KIROVA, ARAB, AND NEVEROVSKAYA IN THE AMOUNT OF APPROXIMATELY IN EXCESS OF \$168,000.00.
- 2) ON OR ABOUT AND BETWEEN JULY 19, 2007 AND MAY 19, 2008, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY IN EXCESS OF \$168,000.00 INTO THE ADONIS ABSTRACT, LLC HSBC "OPERATING" AND "PROFESSIONAL," AS WELL AS THE ADONIS ABSTRACT, LLC COMMERCE BANK BANK ACCOUNTS.
- 3) ON OR ABOUT AND BETWEEN JULY 19, 2007 AND MAY 19, 2008, THE DEFENDANTS MADE PAYMENTS ON BEHALF OF THE ABOVE-MENTIONED CLIENTS IN THE AMOUNT OF APPROXIMATELY \$7,344.93; AND

B. DID STEAL PROPERTY, NAMELY A QUANTITY OF UNITED STATES CURRENCY OWNED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, AND THE VALUE OF SAID PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS.

VI. PURCHASE OF CAR BRITE CAR WASH

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC, AND LBW CORPORATION ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, AND MONEY LAUNDERING IN THE SECOND DEGREE, IN THAT ON OR ABOUT JUNE 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, MONEY LAUNDERING IN THE SECOND DEGREE, [PL 470.15(1)(b)(ii)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT OCTOBER 1, 2007, ROBERT DELVICARIO PURCHASED A CAR WASH BUSINESS, CAR BRITE CAR WASH, LOCATED ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK, FROM MR. MARIAN RAKIEC. THE PURCHASE PRICE WAS \$950,000.00. \$450,000.00 OF THE PURCHASE PRICE WAS COMPRISED OF A NOTE HELD BY MR. RAKIEC WHICH LBW CORPORATION ASSUMED AS A PURCHASER. THE REMAINDER OF THE PURCHASE PRICE WAS TO BE PAID IN CASH, WHICH ROBERT DELVICARIO REMITTED TO MR. RAKIEC IN THE FORM OF THREE BANK CHECKS IN THE AMOUNT OF \$180,000.00, \$174,000.00 AND \$61,000.00. THE \$180,000.00 BANK CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "ESCROW ACCOUNT" AND THE \$174,000.00 CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "PROFESSIONAL ACCOUNT." THE \$61,000.00 BANK CHECK WAS DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT.

ON OR ABOUT FEBRUARY 12, 2008, ADONIS ABSTRACT LLC OPENED AN ADDITIONAL BANK ACCOUNT AT COMMERCE BANK. THE ACCOUNT WAS ENTITLED ADONIS ABSTRACT LLC "BUSINESS CHECKING" ACCOUNT AND THE SIGNATORIES WERE ROBERT DELVICARIO AND IVAN STRELKOV. THE ADDRESS ON THE ACCOUNT WAS 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, ROBERT DELVICARIO'S PRINCIPAL RESIDENCE.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 27, 2007, ROBERT DELVICARIO FORMED LBW CORPORATION.
- 2) ON OR ABOUT SEPTEMBER 4, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$180,000.00 FROM THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT TO ADONIS ABSTRACT LLC "ESCROW" ACCOUNT.
- 3) ON OR ABOUT SEPTEMBER 26, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A

CHECK IN THE AMOUNT OF \$180,000.00 ON THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.

- 4) THE DEFENDANTS USED THE ABOVE CHECK IN THE AMOUNT OF \$180,000.00 TO PURCHASE AN HSBC BANK CHECK IN THE SAME AMOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.
- 5) ON OR ABOUT SEPTEMBER 5, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$125,000.00 ON THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC.
- 6) ON SEPTEMBER 5, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED THE ABOVE \$125,000.00 CHECK ALONG WITH \$49,990.00 IN UNITED STATES CURRENCY INTO THE ADONIS ABSTRACT LLC "PROFESSIONAL" ACCOUNT.
- 7) ON OR ABOUT SEPTEMBER 26, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$174,000.00 ON THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" ACCOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.
- 8) THE DEFENDANTS USED THE ABOVE CHECK IN THE AMOUNT OF \$174,000.00 TO PURCHASE AN HSBC BANK CHECK IN THE SAME AMOUNT AND PAYABLE TO CAR BRITE CAR WASH INC.
- 9) ON OR ABOUT OCTOBER 1, 2007, ROBERT DELVICARIO DELIVERED A HSBC BANK BANK CHECK IN THE AMOUNT OF \$61,000.00 DRAWN ON ROBERT DELIVCARIO'S PERSONAL HSBC BANK ACCOUNT, DATED SEPTEMBER 26, 2007, AND MADE PAYABLE TO CAR BRITE CAR WASH.
- 10) ON OR ABOUT OCTOBER 1, 2007, LBW CORPORATION PURCHASED CAR BRITE CAR WASH FOR \$950,000.00; AND

B. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS;

AND

D. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

E. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

F. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

G. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

H. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE

IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

I. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

VII. SALE OF CAR BRITE CAR WASH

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND LBW CORPORATION ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, AND MONEY LAUNDERING IN THE SECOND DEGREE, IN THAT ON OR ABOUT MARCH 5, 2009 AND JULY 8, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, MONEY LAUNDERING IN THE SECOND DEGREE, [PL 470.15(1)(b)(ii)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IN ORDER TO FURTHER LAUNDER THE PROCEEDS OF THE ENTERPRISE, ON OR ABOUT MARCH 5, 2009 ROBERT DELVICARIO AND LENNOX JOHNSON SOLD CAR BRITE CAR WASH TO SANDRO CARNEVALE. ROBERT DELVICARIO RECEIVED \$388,000.00 IN CASH AND A RELEASE FROM THE NOTE THEY HELD WITH MR. RAKIEC, WHICH NOTE SANDRO CARNEVALE ASSUMED.

ON MARCH 5, 2009, \$388,207.53 WAS DEPOSITED INTO THE TD BANK ACCOUNT (FORMERLY KNOWN AS COMMERCE BANK) OF LBW CORPORATION, A CORPORATION FORMED BY ROBERT DELVICARIO TO RECEIVE FUNDS AND PAY LENNOX JOHNSON.

ON OR ABOUT MARCH 9, 2009, A CHECK IN THE AMOUNT OF \$211,634.50 WAS DRAWN ON THE LBW CORPORATION'S BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND LBW CORPORATION, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT MARCH 5, 2009, LBW CORPORATION SOLD CAR BRITE CAR WASH TO SANDRO CARNEVALE.

- 2) ON OR ABOUT MARCH 5, 2009, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A BANK CHECK IN THE AMOUNT OF \$388,206.53 DRAWN BY SANDRO CARNEVALE AND MADE PAYABLE TO LBW CORPORATION, INTO LBW CORPORATION'S TD BANK BANK ACCOUNT.
- 3) ON OR ABOUT MARCH 9, 2009, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$211,634.50 ON THE LBW CORPORATION'S TD BANK BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.
- 4) ON OR ABOUT JULY 8, 2009, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A BANK CHECK IN THE AMOUNT OF \$100,000.00 DRAWN BY SANDRO CARNEVALE AND MADE PAYABLE TO LBW CORPORATION, INTO LBW CORPORATION'S TD BANK BANK ACCOUNT; AND

B. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

VIII. SCHWARTZ & ASSOCIATES, P.C. HSBC MORTGAGE CLOSING AND IOLA ACCOUNTS - PART 1

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE THIRD DEGREE, BURGLARY IN THE THIRD DEGREE, GRAND LARCENY IN THE SECOND DEGREE, ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE, CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE SECOND DEGREE, MONEY LAUNDERING IN THE SECOND DEGREE, FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, FORGERY IN THE FIRST DEGREE AND CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE IN THAT ON, OR ABOUT AND BETWEEN MAY 1, 2008 AND JULY 28, 2008, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IN THAT ON, OR ABOUT AND BETWEEN MAY 1, 2008 AND JULY 28, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT MAY 27, 2008, THE ADONIS ABSTRACT LLC HSBC "OPERATING," "ESCROW," "PREMIUM," AND "COMMISSION" BANK ACCOUNTS WERE EMPTIED AND CLOSED WITH A BALANCE OF ZERO, WHILE ADONIS ABSTRACT LLC HSBC "SPECIAL," "PROFESSIONAL" AND "TIFFANY" ACCOUNTS BECAME DORMANT, EACH WITH A REMAINING BALANCE OF APPROXIMATELY \$300.00 OR LESS.

ON OR ABOUT MAY 27, 2008, THE ENTERPRISE CONTRIVED A SCHEME TO DRAIN MONIES FROM THE HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT" OF THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., LOCATED AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK. IT WAS THE FURTHER GOAL OF THE CONSPIRACY TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THEIR ORIGINS.

ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, ROBERT DELVICARIO, IN CONCERT WITH SHANDA BRUCE AND LENNOX JOHNSON, REMOVED SEVERAL BLANK PAPER BUSINESS CHECKS FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. THOSE CHECKS CAME FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT."

ROBERT DELVICARIO COMPLETED THE MONEY AMOUNTS, THE DATE AND THE MEMO PORTION OF THE CHECKS ON AT LEAST TWO OF THE STOLEN CHECKS, ONE BEING CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT," IN THE AMOUNT OF \$147,038.02 AND THE OTHER BEING CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT," IN THE AMOUNT OF \$165,035.42.

ON MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED AN UNNAMED CO-CONSPIRATOR TO OBTAIN A NEW JERSEY IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON' USING A BIRTH CERTIFICATE AND SOCIAL SECURITY CARD OF 'JESSICA ROBERTSON' PROVIDED BY LENNOX JOHNSON AND SHANDA BRUCE. THEY ALSO DIRECTED THE UNNAMED CO-CONSPIRATOR TO OPEN BANK ACCOUNTS IN THE NAME OF 'JESSICA ROBERTSON' USING THE ABOVE-MENTIONED STOLEN CHECKS, AND SHANDA BRUCE COMPLETED THE PAYEE PORTION OF CHECKS NUMBER 1498 AND 6402 WITH THE NAME OF 'JESSICA ROBERTSON.'

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE ATTEMPTED TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, BY ATTEMPTING TO DEPOSIT CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT" IN THE AMOUNT OF \$147,038.02.

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE SUCCESSFULLY OPENED A BANK ACCOUNT IN THE

NAME OF 'JESSICA ROBERTSON' AT A WACHOVIA BANK IN CLIFTON, NEW JERSEY, DEPOSITING INTO SAID ACCOUNT CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT" IN THE AMOUNT OF \$165,035.42.

THEREAFTER, BEGINNING ON JUNE 23, 2008, THE MEMBERS OF THE ENTERPRISE MADE A SERIES OF ATM, TELLER, AND CHECK WITHDRAWALS FROM THE WACHOVIA ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON.'

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK, ROBERT DELVICARIO IN CONCERT WITH SHANDA BRUCE AND LENNOX JOHNSON REMOVED A SERIES OF PAPER BUSINESS CHECKS FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C.
- 2) ON OR ABOUT MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE PROVIDED A BIRTH CERTIFICATE AND SOCIAL SECURITY CARD OF JESSICA ROBERTSON TO THE UNNAMED CO-CONSPIRATOR AND DIRECTED THE UNNAMED CO-CONSPIRATOR TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AND OBTAIN A BANK CARD IN THE NAME OF 'JESSICA ROBERTSON' WITH WACHOVIA BANK IN CLIFTON, NEW JERSEY.
- 3) ON OR ABOUT MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE DROVE THE UNNAMED CO-CONSPIRATOR FROM WACHOVIA BANK TO THE NEW JERSEY MOTOR VEHICLE COMMISSION AND DIRECTED THE UNNAMED CO-CONSPIRATOR TO USE THE BANK CARD, SOCIAL SECURITY CARD AND BIRTH CERTIFICATE OF JESSICA ROBERTSON TO OBTAIN A NEW JERSEY IDENTIFICATION CARD FROM THE NEW JERSEY MOTOR VEHICLE COMMISSION.
- 4) ON OR ABOUT MAY 30, 2008, AT THE NEW JERSEY MOTOR VEHICLE COMMISSION, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED CO-CONSPIRATOR OBTAINED A NEW JERSEY NONDRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON.'
- 5) ON OR ABOUT MAY 30, 2008, AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, SHANDA BRUCE COMPLETED THE PAYEE INFORMATION ON CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. MORTGAGE CLOSING ACCOUNT WITH THE NAME OF 'JESSICA ROBERTSON' AND PROVIDED IT TO THE UNNAMED CO-CONSPIRATOR.
- 6) ON OR ABOUT MAY 30, 2008, AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED COCONSPIRATOR ATTEMPTED TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' BY ATTEMPTING TO DEPOSIT CHECK NUMBER 1498 IN THE AMOUNT OF \$147,038.02 AND MADE

PAYABLE TO 'JESSICA ROBERTSON.'

- 7) ON OR ABOUT MAY 30, 2008, AT THE WACHOVIA BANK IN CLIFTON, NEW JERSEY, SHANDA BRUCE COMPLETED THE PAYEE INFORMATION ON CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA" ACCOUNT WITH THE NAME OF 'JESSICA ROBERTSON' AND PROVIDED IT TO THE UNNAMED CO-CONSPIRATOR.
- 8) ON OR ABOUT MAY 30, 2008, AT THE WACHOVIA BANK IN CLIFTON, NEW JERSEY, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED CO-CONSPIRATOR OPENED A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' BY DEPOSITING CHECK NUMBER 6402 IN THE AMOUNT OF \$165,035.42 AND MADE PAYABLE TO 'JESSICA ROBERTSON.'
- 9) ON OR ABOUT JUNE 23, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$500.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 10) ON OR ABOUT JUNE 24, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 11) ON OR ABOUT JUNE 25, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE A COUNTER WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 12) ON OR ABOUT JUNE 25, 2008, THE UNNAMED CO-CONSPIRATOR MADE A TRANSFER IN THE AMOUNT OF \$100,000.00 FROM THE 'JESSICA ROBERTSON' WACHOVIA BANK CHECKING ACCOUNT TO THE 'JESSICA ROBERTSON' WACHOVIA BANK SAVINGS ACCOUNT.
- 13) ON OR ABOUT JUNE 27, 2008, THE UNNAMED CO-CONSPIRATOR MADE A TRANSFER IN THE AMOUNT OF \$20,000.00 FROM THE 'JESSICA ROBERTSON' WACHOVIA BANK SAVINGS ACCOUNT TO THE 'JESSICA ROBERTSON' WACHOVIA BANK CHECKING ACCOUNT.
- 14) ON OR ABOUT JULY 9, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 15) ON OR ABOUT JULY 10, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 16) ON OR ABOUT JULY 11, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE

UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.

- 17) ON OR ABOUT JULY 12, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 18) ON OR ABOUT JULY 14, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 19) ON OR ABOUT JULY 15, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 20) ON OR ABOUT JULY 15, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE A TELLER WITHDRAWAL IN THE AMOUNT OF \$40,000.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 21) ON OR ABOUT JULY 28, 2008, AT THE DELAWARE DIVISION OF MOTOR VEHICLES, SHANDA BRUCE OBTAINED A DELAWARE NON-DRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON; AND

B. ENTERED OR REMAINED UNLAWFULLY IN A BUILDING WITH INTENT TO COMMIT A CRIME THEREIN; AND

C. DID STEAL PROPERTY, NAMELY A QUANTITY OF UNITED STATES CURRENCY OWNED BY THE LAW OFFICE OF SCHWARTZ & ASSOCIATES, P.C., AND THE VALUE OF SAID PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS; AND

D. DID ATTEMPT TO STEAL PROPERTY, NAMELY A QUANTITY OF UNITED STATES CURRENCY OWNED BY THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., AND THE VALUE OF SAID PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS; AND

E. KNOWINGLY POSSESSES STOLEN PROPERTY, WITH INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF; AND THE VALUE OF THE PROPERTY EXCEEDED FIFTY THOUSAND DOLLARS; AND

F. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

G. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

H. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

I. KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS; AND

J. MAKES OR CAUSES A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDES AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF; AND

K. MAKES OR CAUSES A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDES AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF; AND

L. MAKES OR CAUSES A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDES AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR

CONCEAL THE COMMISSION THEREOF; AND

M. MAKES OR CAUSES A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDES AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF; AND

N. WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH IS OR PURPORTS TO BE, OR WHICH IS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD, AS THAT TERM IS DEFINED IN SUBDIVISION 7 OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS; AND

O. WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH IS OR PURPORTS TO BE, OR WHICH IS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD, AS THAT TERM IS DEFINED IN SUBDIVISION 7 OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS; AND

P. WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH IS OR PURPORTS TO BE, OR WHICH IS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD, AS THAT TERM IS DEFINED IN SUBDIVISION 7 OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS; AND

Q. WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH IS OR PURPORTS TO BE, OR WHICH IS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD, AS THAT TERM IS DEFINED IN SUBDIVISION 7 OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS; AND

R. WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, UTTERED OR POSSESSED ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.10; AND

S. WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, UTTERED OR POSSESSED ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.10.

IX. SCHWARTZ & ASSOCIATES, P.C. HSBC MORTGAGE CLOSING
AND IOLA ACCOUNTS - PART 2

THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY ENGAGED IN CONDUCT CONSTITUTING AND WERE CRIMINALLY RESPONSIBLE FOR THE CRIMES OF CONSPIRACY IN THE FIFTH DEGREE, CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE THIRD DEGREE, MONEY LAUNDERING IN THE THIRD DEGREE; IN THAT ON, OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS,

A. DID, WITH INTENT THAT CONDUCT CONSTITUTING A FELONY, NAMELY, MONEY LAUNDERING IN THE THIRD, [PL 470.15(1)(b)(ii)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IT WAS ALSO THE COMMON PURPOSE OF THE ENTERPRISE TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THE ORIGIN AND DESTINATION OF THOSE MONIES, THEREBY REAPING THE FINANCIAL REWARDS OF THE CRIMINAL CONDUCT WITHOUT DETECTION BY LAW ENFORCEMENT. THUS, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED OTHERS IN THE ENTERPRISE TO NEGOTIATE SEVERAL TRANSACTIONS INVOLVING VEHICLE PURCHASES AND TO ASSUME THE ROLE OF 'JESSICA ROBERTSON' TO DO SO.

IN LATE JUNE 2008, THERMINE REMY AND LENNOX JOHNSON APPROACHED SILENT MOTORS, INC., LOCATED ON REMSEN AVENUE IN BROOKLYN IN ORDER TO SECURE THE PURCHASE OF TWO LUXURY VEHICLES IN THE NAME OF 'JESSICA ROBERTSON.' THERMINE REMY PROVIDED TWO CHECKS DRAWN ON THE WACHOVIA BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' TO SILENT MOTORS INC. ONE CHECK NUMBER 95 IN THE AMOUNT OF \$57,000.00 AND ONE CHECK NUMBER 97 IN THE AMOUNT OF \$58,500.00. THEY SUCCESSFULLY PURCHASED A 2006 LEXUS GS300 FOR \$37,000.00, WHICH WAS PHYSICALLY RETRIEVED BY THERMINE REMY. IN OCTOBER 2008, THAT LEXUS GS300 WAS SUBSEQUENTLY SOLD BY LENNOX JOHNSON AND ROBERT DELVICARIO THROUGH PLANET AUTO, LOCATED NEXT DOOR TO CAR BRITE CAR WASH, INC. ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK.

IN JANUARY 2009, THERMINE REMY AND PHEDERLINE PROPHETE, ON BEHALF OF THE ENTERPRISE AND IN THE NAME OF 'JESSICA ROBERTSON' SUCCESSFULLY PURCHASED A 2006 HONDA ACCORD FOR \$18,500.00 FROM SILENT MOTORS, INC.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE, THERMINE REMY AND PHEDERLINE PROPHETE, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 25, 2008, THERMINE REMY PROVIDED TO SILENT MOTORS, INC. OF 418 REMSEN AVENUE IN BROOKLYN, NEW YORK, A CHECK NUMBER 95 IN THE AMOUNT OF \$57,000.00 AND MADE PAYABLE TO SILENT MOTORS, INC., DRAWN ON THE 'JESSICA

ROBERTSON' WACHOVIA BANK ACCOUNT.

- 2) ON OR ABOUT JULY 10, 2008, THERMINE REMY PROVIDED TO SILENT MOTORS, INC. OF 418 REMSEN AVENUE IN BROOKLYN, NEW YORK, A CHECK NUMBER 97 IN THE AMOUNT OF \$58,500.00 AND MADE PAYABLE TO SILENT MOTORS, INC., DRAWN ON THE 'JESSICA ROBERTSON' WACHOVIA BANK ACCOUNT.
- 3) ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND JULY 31, 2008, THERMINE REMY RETRIEVED A 2006 LEXUS GS300 FROM SILENT MOTORS, INC., PURCHASED WITH THE MONIES FROM CHECK NUMBER 95 LISTED ABOVE FOR THE PRICE OF \$37,000.00
- 4) ON OR ABOUT JULY 28, 2008, AT THE DELAWARE DIVISION OF MOTOR VEHICLES, SHANDA BRUCE OBTAINED A DELAWARE NON-DRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON.'
- 5) ON OR ABOUT AND BETWEEN JANUARY 1, 2009 AND FEBRUARY 1, 2009, THERMINE REMY AND PHEDERLINE PROPHETE RETRIEVED A 2006 HONDA ACCORD FROM SILENT MOTORS, INC., PURCHASED WITH THE MONIES FROM CHECK NUMBER 95 LISTED ABOVE FOR THE PRICE OF \$18,500.00; AND

B. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS; AND

C. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS; AND

D. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS; AND

E. KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF

CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART ARE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP, OR THE CONTROL OF THE PROCEEDS OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS; AND

F. KNOWINGLY POSSESSED STOLEN PROPERTY, TO WIT A 2006 LEXUS GS300, WITH THE INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, AND WHEN THE VALUE OF THE PROPERTY EXCEEDS THREE THOUSAND DOLLARS; AND

G. KNOWINGLY POSSESSED STOLEN PROPERTY, TO WIT A 2006 HONDA ACCORD, WITH THE INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, AND WHEN THE VALUE OF THE PROPERTY EXCEEDS THREE THOUSAND DOLLARS.

COUNT TWO

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO AND LENNOX JOHNSON OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON OR ABOUT AND BETWEEN MAY 24, 2006 AND JANUARY 23, 2007, IN THE COUNTY OF KINGS, STATE OF NEW YORK AND ELSEWHERE, ROBERT DELVICARIO AND LENNOX JOHNSON, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, LENNOX JOHNSON, ROBERT DELVICARIO, MARK SCHWARTZ, CHRISTINA PETROWSKI AND PETER KLAGES, A FRIEND OF CHRISTINA PETROWSKI, CONSTRUCTED A REAL ESTATE TRANSACTION IN WHICH 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, THE RESIDENCE OF ROBERT DELVICARIO, WAS TO BE SOLD BY LORETA DELVICARIO, WIFE OF ROBERT DELVICARIO AND RECORD OWNER OF THE PROPERTY, TO PETER KLAGES. THE PRIOR ENCUMBRANCES WERE SATISFIED AND A NEW MORTGAGE WAS ASSUMED BY PETER KLAGES. MONIES FROM LENNOX JOHNSON, THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. MORTGAGE CLOSING BANK ACCOUNT, MEC ENTERPRISES LTD. BANK ACCOUNT, AND ELSEWHERE WERE USED TO SOURCE A PRE-CLOSING PAYMENT TO KLAGES IN THE AMOUNT OF \$70,000.00. \$35,000.00 WAS USED BY KLAGES TO MAKE PAYMENTS ON THE NEW MORTGAGE, AND THE REMAINING \$35,000.00 WAS PAID TO DELVICARIO. PROCEEDS FROM THE CLOSING WENT TO SATISFY DELVICARIO'S OLD MORTGAGE, LENNOX JOHNSON, AND ROBERT DELVICARIO. IN FACT A CHECK IN THE AMOUNT OF \$95,000.00 MADE PAYABLE TO LENNOX JOHNSON AND A CHECK IN THE AMOUNT OF \$57,885.57 MADE PAYABLE TO LORETA AND ROBERT DELVICARIO WERE ISSUED FROM THE NET PROCEEDS AT

THE CLOSING. THE CHECK MADE PAYABLE TO LORETA DELVICARIO WAS DEPOSITED INTO THE PERSONAL BANK ACCOUNT OF ROBERT DELVICARIO. KLAGES DID NOT ASSUME POSSESSION OF THE PROPERTY AND TO DATE RECEIVES MONIES FROM DELVICARIO TO PAY THE MORTGAGE ON THE PROPERTY. ON JANUARY 23, 2007, A DEED TRANSFERRING THE OWNERSHIP OF 47 CEDAR ROAD PROPERTY FROM LORETA DELVICARIO TO PETER KLAGES (49%) AND ROBERT DELVICARIO (51%) WAS RECORDED WITH THE SUFFOLK COUNTY CLERK'S OFFICE.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO AND LENNOX JOHNSON, AND ADONIS ABSTRACT, LLC ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN MAY 24, 2006 AND JUNE 20, 2006, CHRISTINA PETROWSKI APPROACHED PETER KLAGES TO ACT AS A PURCHASER OF THE RESIDENCE OF ROBERT DELVICARIO, HELD IN THE NAME OF LORETA DELVICARIO.
- 2) ON OR ABOUT MAY 24, 2006 THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY \$9,800.00 IN CASH INTO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT, WITH THE NAME OF LENNOX NOTED ON THOSE DEPOSITS ON THE STATEMENTS.
- 3) ON OR ABOUT MAY 31, 2006 THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY \$9,700.00 IN CASH INTO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT, WITH THE NAME OF LENNOX NOTED ON THOSE DEPOSITS ON THE STATEMENTS.
- 4) ON OR ABOUT JUNE 16, 2006 THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$52,955.69 OF SCHWARTZ & ASSOCIATED P.C. CLIENTS' FUNDS FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING" ACCOUNT TO THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT.
- 5) ON OR ABOUT JUNE 20, 2006, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$70,000.00 ON THE MEC ENTERPRISES, LTD. HSBC BANK ACCOUNT AND MADE PAYABLE TO PETER KLAGES.
- 6) ON OR ABOUT JUNE 27, 2006, A CHECK IN THE AMOUNT OF \$35,000.00 WAS DRAWN ON MR. KLAGES' PERSONAL BANK ACCOUNT AND MADE OUT TO MERYL HALPERN, ATTORNEY FOR LORETA DELVICARIO.
- 7) ON OR ABOUT AUGUST 10, 2006, ROBERT DELVICARIO DEPOSITED A \$35,000.00 CHECK DRAWN FROM AN ATTORNEY TRUST ACCOUNT OF MERYL HALPERN INTO HIS PERSONAL HSBC BANK ACCOUNT.
- 8) ON OR ABOUT AUGUST 7, 2006, THE DEFENDANTS COMPLETED OR CAUSED TO BE COMPLETED A NOTICE OF MECHANICS LIEN, DATED MAY 1, 2006, IN FAVOR OF PETER KLAGES IN THE AMOUNT OF \$68,000.00 FOR CONSTRUCTION WORK PERFORMED IN AN UPSTATE HOME OWNED BY CHRISTINA

PETROWSKI.

- 9) THE DEFENDANTS CAUSED THE NOTICE OF LIEN TO BE MADE PART OF THE MORTGAGE APPLICATION FILE FOR MORTGAGE IT.
- 10) ON OR ABOUT AND BETWEEN JULY 13, 2006 AND AUGUST 7, 2006 THE DEFENDANTS CAUSED A MORTGAGE APPLICATION TO BE COMPLETED INDICATING THAT PETER KLAGES, THE BORROWER, INTENDED TO USE 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK AS HIS PRIMARY RESIDENCE.
- 11) ON OR ABOUT AND BETWEEN JULY 13, 2006 AND AUGUST 7, 2006 THE DEFENDANTS CAUSED A MORTGAGE APPLICATION TO BE COMPLETED INDICATING THAT PETER KLAGES, THE BORROWER, HAD A MONTHLY INCOME OF APPROXIMATELY \$21,375.00.
- 12) ON OR ABOUT AUGUST 7, 2006 THE DEFENDANTS CAUSED THE CLOSING ON THE SALE OF 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK TO MR. KLAGES FROM LORETA DELVICARIO TOOK PLACE AT A CHEESECAKE FACTORY LOCATED AT THE ROOSEVELT MALL IN NASSAU COUNTY.
- 13) ON OR ABOUT JANUARY 23, 2007 THE DEFENDANTS FILED OR CAUSED TO BE FILED A DEED WITH THE SUFFOLK COUNTY CLERK'S OFFICE INDICATING THE TRANSFER OF 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK FROM LORETA DELVICARIO TO ROBERT DELVICARIO (51%) AND PETER KLAGES (49%).
- 14) ON OR ABOUT AND BETWEEN AUGUST 2006 AND THE PRESENT, THE DEFENDANTS DIRECTED PETER KLAGES TO SUBMIT PAYMENTS ON THE MORTGAGE HE ASSUMED FOR THE 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK, PROPERTY.

COUNT THREE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO AND LENNOX JOHNSON OF THE CRIMES OF GRAND LARCENY IN THE SECOND DEGREE [P.L. 155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, IN THE COUNTY OF KINGS AND ELSEWHERE, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM THE CLIENTS OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT FOUR

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO AND LENNOX JOHNSON OF MONEY LAUNDERING IN THE THIRD DEGREE, IN VIOLATION OF SECTION [470.10(1)(b)(i)(A)(iii)] OF

THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, FROM IN OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS.

COUNT FIVE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO AND LENNOX JOHNSON OF MONEY LAUNDERING IN THE THIRD DEGREE, IN VIOLATION OF SECTION [470.10(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, FROM IN OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS.

COUNT SIX

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO AND LENNOX JOHNSON OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE [P.L. § 175.10], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2006 AND AUGUST 7, 2006, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, MADE OR CAUSED A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, A MORTGAGE FILE OF MORTGAGE IT, AND WHEN THE INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF.

COUNT SEVEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO AND LENNOX JOHNSON AND OTHERS OF THE CRIME OF OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE [P.L. § 175.35], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT JANUARY 23, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT A WRITTEN INSTRUMENT CONTAINS A FALSE STATEMENT OR FALSE INFORMATION, OFFERED OR PRESENTED IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WILL BE FILED WITH, REGISTERED OR RECORDED IN OR OTHERWISE BECOME A PART OF THE RECORDS OF SUCH PUBLIC OFFICE.

COUNT EIGHT

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND ROBO CAPITAL SECURITIES, INC. OF THE CRIMES OF CONSPIRACY IN THE FIFTH DEGREE [P.L. §105.05] COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN JUNE 8, 2006 AND JUNE 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A FELONY, NAMELY, GRAND LARCENY IN THE THIRD DEGREE, [PL 155.35], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON JUNE 8, 2006, CHRISTINA PETROWSKI FORMED "ROBO CAPITAL SECURITIES, INC.," WITH PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY. ON JUNE 13, 2006 CHRISTINA PETROWSKI AND MARK SCHWARTZ OPENED AN HSBC BANK ACCOUNT IN THE NAME OF ROBO CAPITAL SECURITIES, INC. SEVERAL INITIAL DEPOSITS WERE MADE TO OPEN THE ACCOUNT INCLUDING \$100,000.00 THAT ORIGINATED FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "IOLA" ACCOUNT AND MEC ENTERPRISES LTD. HSBC BANK ACCOUNT. OF THESE DEPOSITS, \$50,000.00 REPRESENTED FUNDS BELONGING TO ALEXANDER RESKALLAH, A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. FROM THE MONIES THUS DEPOSITED IN THE ROBO CAPITAL SECURITIES, INC. ACCOUNT, APPROXIMATELY \$132,000.00, INCLUDING THE FUNDS DERIVED FROM THE "IOLA" ACCOUNT, WERE USED BY CHRISTINA PETROWSKI TO PURCHASE SHARES ON BEHALF OF ROBO CAPITAL SECURITIES INC. OF POWER MEDICAL INTERVENTIONS, INC., A MEDICAL TECHNOLOGY CORPORATION. RICHARD CARDINALE, FRIEND AND CLIENT OF SCHWARTZ & ASSOCIATES, P.C. BROKERED THIS TRANSACTION THROUGH HIS FIRM CALLED EMPIRE ASSET MANAGEMENT COMPANY. WHEN THE CLIENT, SONIA RESKALLAH, GUARDIAN OF ALEXANDER RESKALLAH, WHOSE IOLA MONIES WERE USED TO PURCHASE THE SHARES, DEMANDED FROM SCHWARTZ & ASSOCIATES, P.C., THE RETURN OF HER MONIES, MARK SCHWARTZ AND ROBERT DELVICARIO WROTE CHECKS TOTTALLING \$50,000.00 TO ROBO CAPITAL SECURITIES, INC. THOSE CHECKS WERE DEPOSITED INTO ROBO CAPITAL SECURITIES, INC.'S, HSBC BANK ACCOUNT. SUBSEQUENTLY, ON JANUARY 17, 2007, A WIRE

TRANSFER IN THE AMOUNT OF \$50,000.00 MADE PAYABLE TO ALEXANDER RESKALLAH, THE MINOR CHILD OF SONIA RESKALLAH, WAS MADE FROM THE ROBO CAPITAL SECURITIES INC. HSBC BANK ACCOUNT. THE MONIES USED TO FUND ROBERT DELVICARIO'S CHECK CAME FROM THE ADONIS ABSTRACT, LLC HSBC "OPERATING ACCOUNT." LATER, IN JUNE 2008, AFTER THE FALL OF THE STOCK MARKET AND THE SUBSEQUENT DECLINE IN STOCK VALUES, CHRISTINA PETROWSKI SOLD THE ROBO INVESTMENT PORTFOLIO AT A SIGNIFICANT LOSS, RECEIVING APPROXIMATELY \$34,148.75 FROM THE SALE OF THE SECURITIES. ON JUNE 27, 2008, CHRISTINA PETROWSKI CLOSED THE ROBO CAPITAL SECURITIES, INC. BANK ACCOUNT WITH A CHECK DRAWN FROM THAT ACCOUNT MADE PAYABLE TO LENNOX JOHNSON IN THE AMOUNT OF \$34,148.75.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ROBO CAPITAL SECURITIES, INC. ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 8, 2006, CHRISTINA PETROWSKI FORMED ROBO CAPITAL SECURITIES, INC.
- 2) ON OR ABOUT JUNE 13, 2006, MARK SCHWARTZ AND CHRISTINA PETROWSKI OPENED AN HSBC BANK ACCOUNT IN THE NAME OF ROBO CAPITAL SECURITIES WITH AN ADDRESS OF 3607 QUENTIN ROAD, BROOKLYN, NEW YORK.
- 3) ON OR ABOUT JUNE 13, 2006, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$50,000.00 DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "IOLA" ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., WITH A MEMO LINE OF "RESKALLAH," INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 4) ON OR ABOUT JUNE 20, 2006, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$50,000.00 DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "IOLA" ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., WITH MEMO LINE OF "LENNOX JOHNSON," INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 5) ON OR ABOUT JUNE 21, 2006, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED \$132,000.00 TO SIGNATURE BANK FROM THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT TO ACQUIRE SHARES OF POWER MEDICAL INTERVENTIONS, INC.
- 6) SUBSEQUENT TO THE WIRE TRANSFER, ROBO CAPITAL SECURITIES, INC. ACQUIRED SHARES OF POWER MEDICAL INTERVENTIONS, INC. FOR THE VALUE OF \$132,000.00 MINUS BROKER FEES TO EMPIRE ASSET MANAGEMENT COMPANY.
- 7) ON OR ABOUT JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$20,000.00 DRAWN ON THE ADONIS ABSTRACT, LLC HSBC "OPERATING" ACCOUNT AND MADE

PAYABLE TO ADONIS ABSTRACT, LLC
"PROFESSIONAL" ACCOUNT, INTO THE
PERSONAL HSBC BANK ACCOUNT OF ROBERT
DELVICARIO.

- 8) ON JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$20,000.00 DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 9) ON JANUARY 17, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$30,000.00 DRAWN ON A NUMBERED AND UNNAMED BANK ACCOUNT AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 10) ON JANUARY 18, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED A WIRE TRANSFER IN THE AMOUNT OF \$50,000.00 FROM ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT TO WELLS FARGO BANK FOR THE BENEFIT OF ALEXANDER RESKALLAH.
- 11) IN JUNE 2008, CHRISTINA PETROWSKI DIRECTED RICHARD CARDINALE TO SELL THE ROBO CAPITAL SECURITIES, INC. SHARES IN POWER MEDICAL INTERVENTIONS, INC.
- 12) ON OR ABOUT JUNE 20, 2008, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK IN THE AMOUNT OF \$34,148.75 DRAWN ON THE ACCOUNT OF NATIONAL FINANCIAL SERVICES, LLC, REPRESENTATIVE OF EMPIRE ASSET MANAGEMENT COMPANY AND MADE PAYABLE TO ROBO CAPITAL SECURITIES, INC., INTO THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT.
- 13) ON OR ABOUT JUNE 27, 2008, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT \$34,148.75 ON THE ROBO CAPITAL SECURITIES, INC. HSBC BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.

COUNT NINE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND ROBO CAPITAL SECURITIES, INC. OF THE CRIME OF GRAND LARCENY IN THE THIRD DEGREE [P.L. § 155.35], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 13, 2006 AND JUNE 21, 2006, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING THREE THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM SONIA RESKALLAH AND OTHER CLIENTS OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT TEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND ROBO CAPITAL SECURITIES, INC. OF THE CRIME OF MONEY LAUNDERING IN THE FOURTH DEGREE, IN VIOLATION OF SECTION [470.05(1)(a)(i)(A)(b)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, FROM IN OR ABOUT AND BETWEEN JUNE 13, 2006 AND JULY 27, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS.

COUNT ELEVEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND ROBO CAPITAL SECURITIES, INC. OF THE CRIME OF MONEY LAUNDERING IN THE FOURTH DEGREE, IN VIOLATION OF SECTION [470.05(1)(a)(ii)(A)(b)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, FROM IN OR ABOUT AND BETWEEN JUNE 13, 2006 AND JULY 27, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTION WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART ARE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP, OR THE CONTROL OF THE PROCEEDS OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS.

COUNT TWELVE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN JULY 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT

THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IN 2007 TAM LE BECAME A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. TO SECURE ASSISTANCE IN THE BONDING OF SEVERAL MECHANICS' LIENS ON A PROPERTY TAM LE PURCHASED IN WILLIAMSBURG, BROOKLYN. TOWARD THAT END, ON OR ABOUT JULY 27, 2007, TAM LE PRESENTED CHECKS TOTALING APPROXIMATELY \$133,000.00 TO ADONIS ABSTRACT, LLC, TO BE HELD IN ESCROW IN ORDER TO BOND THE LIENS, THUS ALLOWING MR. LE TO CLOSE ON THE CONVERSION OF HIS CONSTRUCTION LOAN. IN DECEMBER 2008, THE MECHANICS LIENS ON MR. LE'S PROPERTY WERE DISMISSED AND MR. LE UNSUCCESSFULLY DEMANDED THE RETURN OF HIS ESCROWED MONIES FROM ADONIS ABSTRACT, LLC. INSTEAD, THE \$ 133,000.00 (MINUS ONLY APPROXIMATELY \$4,308.00 THAT WAS DULY PAID ON BEHALF OF MR. LE FROM THAT OPERATING ACCOUNT TO THE CITY REGISTRAR) WERE DEPOSITED INTO THE ADONIS ABSTRACT, LLC HSBC "OPERATING" ACCOUNT IN AUGUST 2007. THE ADONIS ABSTRACT, LLC HSBC "OPERATING" ACCOUNT CLOSED IN MAY 2008 WITH A ZERO BALANCE, AFTER A CHECK IN THE AMOUNT OF \$546.87, DRAWN ON THAT ACCOUNT AND MADE OUT TO CASH, WAS ENDORSED AND CASHED BY ROBERT DELVICARIO. NO OTHER PAYMENTS WERE MADE TO OR ON BEHALF OF MR. LE, AND THUS HE LOST APPROXIMATELY \$129,000.00.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT, LLC ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JULY 27, 2007, CHRISTINA PETROWSKI ACCEPTED CHECKS FROM TAM LE TOTALLING APPROXIMATELY \$133,000.00 AND MADE PAYABLE TO ADONIS ABSTRACT, LLC.
- 2) ON OR ABOUT AUGUST 6, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED CHECKS TOTALLING APPROXIMATELY \$133,000.00 FROM THE 686 GRAND STREET, LLC CLOSING, INTO THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT.
- 3) ON OR ABOUT AND BETWEEN SEPTEMBER 4, 2007 AND SEPTEMBER 26, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED VIA WIRE TRANSFERS FROM THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT TO THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT TO PURCHASE A BANK CHECK IN THE AMOUNT OF \$180,000.00 AND MADE PAYABLE TO CAR BRITE CAR WASH INC. TO PURCHASE THAT CAR WASH ON OCTOBER 1, 2007.
- 4) ON OR ABOUT AND BETWEEN AUGUST 6, 2007 TO THE PRESENT, THE DEFENDANTS PAID OR CAUSED TO BE PAID APPROXIMATELY \$4,308.00 FROM THE ADONIS ABSTRACT LLC ON BEHALF OF TAM LE AND 686 GRAND STREET, LLC, TO THE NEW YORK CITY REGISTRAR.

COUNT THIRTEEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT LLC OF THE CRIME OF GRAND LARCENY IN THE SECOND DEGREE [P.L. § 155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JULY 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM TAM LE AND 686 GRAND STREET LLC, CLIENT OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT FOURTEEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, FROM IN OR ABOUT JULY 27, 2007, TO IN OR ABOUT OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT FIFTEEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT JULY 27, 2007, TO IN OR ABOUT OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT,

GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT SIXTEEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON OR ABOUT AND BETWEEN FEBRUARY 15, 2007 AND FEBRUARY 6, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

TIFFANY PARTNERS, LLC, WAS A CLIENT OF SCHWARTZ & ASSOCIATES, P.C. RELATING TO A REAL ESTATE DEVELOPMENT AT 20 TIFFANY PLACE IN BROOKLYN. THE PRINCIPAL PARTNERS OF TIFFANY PARTNERS, LLC WERE RICHARD CARDINALE, TONY CARDINALE, ANGELO BRACCO, AND GREG BARBAGALLO. DURING THE COURSE OF A CONSTRUCTION AT 20 TIFFANY PLACE, THE PRINCIPAL CONTRACTOR, MATTHEWS DEVELOPMENT CO., INC., AS WELL AS A SUBCONTRACTOR, VISONE CONSULTING & CONSTRUCTION CORP., FILED MECHANICS LIENS ON THE PROPERTY IN MAY 2007 AND JANUARY 2007, RESPECTIVELY. IN ORDER TO CLOSE ON THE SALE OF SEVERAL CONDOMINIUMS AT THE 20 TIFFANY PLACE PROJECT, TIFFANY PARTNERS, LLC WAS REQUIRED TO BOND THEIR LIENS. THUS, FROM MARCH TO JULY 2007, TIFFANY PARTNERS, LLC PLACED APPROXIMATELY \$270,000.00 INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT AND "TIFFANY" ACCOUNT FOR THE PURPOSE OF SERVING AS A BOND ON THE LIENS AND ALLOW THE CLOSINGS ON SALE OF CONDOMINIUM UNITS TO PROCEED. BOTH OF THOSE ACCOUNTS CLOSED ON OR ABOUT MAY 27, 2008, WITH A ZERO BALANCE. THE TIFFANY PARTNERS, LLC'S MECHANICS' LIENS REMAIN ACTIVE. NO PAYMENTS WERE MADE TO OR ON BEHALF OF TIFFANY PARTNERS, LLC'S FROM THE HSBC ADONIS ABSTRACT, LLC BANK ACCOUNTS TO SATISFY THE MECHANICS LIENS.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND ADONIS ABSTRACT LLC, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT FEBRUARY 15, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1026 IN THE AMOUNT OF \$10,000.00, DATED FEBRUARY 12, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.

- 2) ON OR ABOUT MARCH 14, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1031 IN THE AMOUNT OF \$10,000.00, DATED MARCH 13, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 3) ON OR ABOUT MARCH 20, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1040 IN THE AMOUNT OF \$10,000.00, DATED MARCH 19, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 4) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1662 IN THE AMOUNT OF \$10,000.00, DATED MARCH 21, 2007, DRAWN ON THE TIFFANY PARTNERS, LLC HSBC BANK ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 5) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1053 IN THE AMOUNT OF \$10,000.00, DATED MARCH 22, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 6) ON OR ABOUT MARCH 23, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1060 IN THE AMOUNT OF \$10,000.00, DATED MARCH 22, 2007, DRAWN ON THE SCHWARTZ & ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.
- 7) ON OR ABOUT APRIL 30, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1065 IN THE AMOUNT OF \$10,000.00, DATED APRIL 27, 2007, DRAWN ON THE SCHWARTZ &

ASSOCIATES, P.C. HSBC "TIFFANY TOWER ESCROW" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "ESCROW" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY VISONE CONSULTING AND CONSTRUCTION CORP.

- 8) ON OR ABOUT JULY 26, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1761 IN THE AMOUNT OF \$200,000.00, DATED JULY 23, 2007, DRAWN ON THE TIFFANY PARTNERS, LLC HSBC BANK ACCOUNT MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "TIFFANY" ACCOUNT TO BOND A LIEN PLACED ON 20 TIFFANY PLACE BY MATTHEWS DEVELOPMENT CO., INC.
- 9) ON OR ABOUT JULY 28, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A CHECK NUMBER 1089 IN THE AMOUNT OF \$30,000.00, DATED JUNE 27, 2007, DRAWN ON THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT MADE PAYABLE TO ADONIS ABSTRACT, LLC, INTO THE ADONIS ABSTRACT, LLC HSBC "TIFFANY" ACCOUNT.
- 10) ON OR ABOUT FEBRUARY 6, 2008, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$230,000.00 FROM ADONIS ABSTRACT LLC HSBC "TIFFANY" ACCOUNT TO THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" ACCOUNT.
- 11) ON OR ABOUT AND BETWEEN JANUARY 2007 AND THE PRESENT, THE DEFENDANTS MADE NO PAYMENTS FROM THE ADONIS ABSTRACT LLC HSBC "ESCROW," "TIFFANY," "PROFESSIONAL" OR ANY OTHER ACCOUNTS ON BEHALF OF OR TO TIFFANY PARTNERS, LLC OR THE LIENHOLDERS, MATTHEWS DEVELOPMENT CO., INC. AND VISONE CONSULTING AND CONSTRUCTION CORP.

COUNT SEVENTEEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIME OF GRAND LARCENY IN THE SECOND DEGREE [P.L. § 155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN FEBRUARY 15, 2007 AND FEBRUARY 6, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM TIFFANY PARTNERS, LLC, CLIENT OF THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT EIGHTEEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN FEBRUARY 15, 2007 AND FEBRUARY 6, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT NINETEEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND ADONIS ABSTRACT LLC OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN FEBRUARY 15, 2007 AND FEBRUARY 6, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO AND ADONIS ABSTRACT, LLC OF THE CRIME OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN JULY 19, 2007 AND JULY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY,

GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT; AND

FROM JULY 19, 2007 THROUGH JULY 30, 2008, ROBERT DELVICARIO AND ADONIS ABSTRACT LLC ACTED AS TITLE INSURANCE AGENT ON BEHALF OF OLD REPUBLIC TITLE INSURANCE COMPANY FOR NUMEROUS REAL ESTATE CLOSINGS. AT THOSE CLOSINGS, MONIES WERE DELIVERED TO ADONIS ABSTRACT LLC FOR THE PURPOSE OF SECURING TITLE INSURANCE, PAYMENT OF TAXES AND RECORDING OF DEEDS AND MORTGAGES. IN FACT, FROM JULY 19, 2007 THROUGH MAY 19, 2008, APPROXIMATELY IN EXCESS OF \$168,000.00 WAS DEPOSITED INTO THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" AND "OPERATING" ACCOUNTS AND ADONIS ABSTRACT, LLC COMMERCE BANK ACCOUNTS FROM CLOSINGS ASSOCIATED WITH CLIENTS HENRY/WRIGHT, VOLODARSKY, TIFFANY PARTNERS LLC, FINKELSTEIN, KNIGHT, KIROVA, ARAB, AND NEVEROVSKAYA. RATHER THAN USING THOSE MONIES TO PROPERLY COMPLETE THE RECORDINGS AND PAY THE APPROPRIATE TAXES, ROBERT DELVICARIO KEPT THE FUNDS. AS PREVIOUSLY STATED, THOSE ADONIS ABSTRACT LLC BANK ACCOUNTS BECAME DORMANT AT THE END OF MAY 2008 WITH LITTLE OR NO BALANCE.

IN JUNE 2008 OLD REPUBLIC RECEIVED CLAIMS OF UNRECORDED DEEDS AND MORTGAGES FROM SEVERAL CLIENTS, INCLUDING THE ABOVE-MENTIONED CLIENTS, WHOSE CLOSINGS WERE HANDLED BY ADONIS ABSTRACT LLC. OLD REPUBLIC CONTACTED ADONIS ABSTRACT LLC IN AN ATTEMPT TO HAVE THE NECESSARY RECORDINGS COMPLETED. OLD REPUBLIC SUBSEQUENTLY TERMINATED ITS RELATIONSHIP WITH ADONIS ABSTRACT LLC AND THEN PROPERLY RECORDED ALL OF THE UNRECORDED INSTRUMENTS. AS A RESULT, OLD REPUBLIC SUFFERED A DIRECT LOSS OF APPROXIMATELY \$141,139.25.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, ADONIS ABSTRACT LLC, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN JULY 19, 2007 AND MAY 19, 2008, ROBERT DELVICARIO, ON BEHALF OF ADONIS ABSTRACT LLC, AS AGENT FOR OLD REPUBLIC TITLE INSURANCE COMPANY, ACCEPTED FUNDS FROM REAL ESTATE CLOSINGS TOWARDS FILING AND RECORDING OF DEEDS AND MORTGAGES, AS WELL AS PAYMENT OF TAXES, FOR THE FOLLOWING CLIENTS: HENRY/WRIGHT, VOLODARSKY, TIFFANY PARTNERS LLC, FINKELSTEIN, KNIGHT, KIROVA, ARAB, AND NEVEROVSKAYA IN THE AMOUNT OF APPROXIMATELY IN EXCESS OF \$168,000.00.
- 2) ON OR ABOUT AND BETWEEN JULY 19, 2007 AND MAY 19, 2008, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED APPROXIMATELY IN EXCESS OF \$168,000.00 INTO THE ADONIS ABSTRACT, LLC HSBC "OPERATING" AND "PROFESSIONAL," AS WELL AS THE ADONIS ABSTRACT, LLC COMMERCE BANK BANK ACCOUNTS.
- 3) ON OR ABOUT AND BETWEEN JULY 19, 2007

AND MAY 19, 2008, THE DEFENDANTS MADE PAYMENTS ON BEHALF OF THE ABOVE-MENTIONED CLIENTS IN THE AMOUNT OF APPROXIMATELY \$7,344.93.

COUNT TWENTY ONE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO AND ADONIS ABSTRACT, LLC, OF THE CRIME OF GRAND LARCENY IN THE SECOND DEGREE [P.L. § 155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JULY 19, 2007 AND JULY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

COUNT TWENTY TWO

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN JUNE 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, MONEY LAUNDERING IN THE SECOND DEGREE, [PL 470.15(2)(b)(ii)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT OCTOBER 1, 2007, ROBERT DELVICARIO PURCHASED A CAR WASH BUSINESS, CAR BRITE CAR WASH, LOCATED ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK, FROM MR. MARIAN RAKIEC. THE PURCHASE PRICE WAS \$950,000.00. \$450,000.00 OF THE PURCHASE PRICE WAS COMPRISED OF A NOTE HELD BY MARIAN RAKIEC WHICH LBW CORPORATION ASSUMED AS A PURCHASER. THE REMAINDER OF THE PURCHASE PRICE WAS TO BE PAID IN CASH, WHICH ROBERT DELVICARIO REMITTED TO MR. RAKIEC IN THE FORM OF THREE BANK CHECKS IN THE AMOUNT OF \$180,000.00, \$174,000.00 AND \$61,000.00. THE \$180,000.00 BANK CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "ESCROW ACCOUNT" AND THE \$174,000.00 CHECK WAS DRAWN ON THE ADONIS ABSTRACT LLC "PROFESSIONAL ACCOUNT." THE \$61,000.00 BANK CHECK WAS DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT.

ON OR ABOUT FEBRUARY 12, 2008, ADONIS ABSTRACT LLC OPENED AN ADDITIONAL BANK ACCOUNT AT COMMERCE BANK. THE ACCOUNT WAS ENTITLED ADONIS ABSTRACT LLC "BUSINESS CHECKING" ACCOUNT AND THE SIGNATORIES WERE ROBERT DELVICARIO AND IVAN STRELKOV. THE ADDRESS ON THE ACCOUNT WAS 47 CEDAR ROAD, EAST NORTHPORT, NEW YORK,

ROBERT DELVICARIO'S PRINCIPAL RESIDENCE.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 27, 2007, ROBERT DELVICARIO FORMED LBW CORPORATION.
- 2) ON OR ABOUT SEPTEMBER 4, 2007, THE DEFENDANTS TRANSFERRED OR CAUSED TO BE TRANSFERRED APPROXIMATELY \$180,000.00 FROM THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT TO ADONIS ABSTRACT LLC "ESCROW" ACCOUNT.
- 3) ON OR ABOUT SEPTEMBER 26, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$180,000.00 ON THE ADONIS ABSTRACT LLC HSBC "ESCROW" ACCOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.
- 4) THE DEFENDANTS USED THE ABOVE CHECK IN THE AMOUNT OF \$180,000.00 TO PURCHASE AN HSBC BANK CHECK IN THE SAME AMOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.
- 5) ON OR ABOUT SEPTEMBER 5, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$125,000.00 ON THE ADONIS ABSTRACT LLC HSBC "OPERATING" ACCOUNT AND MADE PAYABLE TO ADONIS ABSTRACT, LLC.
- 6) ON SEPTEMBER 5, 2007, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED THE ABOVE \$125,000.00 CHECK ALONG WITH \$49,990.00 IN UNITED STATES CURRENCY INTO THE ADONIS ABSTRACT LLC "PROFESSIONAL" ACCOUNT.
- 7) ON OR ABOUT SEPTEMBER 26, 2007, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$174,000.00 ON THE ADONIS ABSTRACT LLC HSBC "PROFESSIONAL" ACCOUNT AND MADE PAYABLE TO CAR BRITE CAR WASH INC.
- 8) THE DEFENDANTS USED THE ABOVE CHECK IN THE AMOUNT OF \$174,000.00 TO PURCHASE AN HSBC BANK CHECK IN THE SAME AMOUNT AND PAYABLE TO CAR BRITE CAR WASH INC.
- 9) ON OR ABOUT OCTOBER 1, 2007, ROBERT DELVICARIO DELIVERED A HSBC BANK BANK CHECK IN THE AMOUNT OF \$61,000.00 DRAWN ON ROBERT DELVICARIO'S PERSONAL HSBC BANK ACCOUNT, DATED SEPTEMBER 26, 2007, AND MADE PAYABLE TO CAR BRITE CAR WASH.
- 10) ON OR ABOUT OCTOBER 1, 2007, LBW CORPORATION PURCHASED CAR BRITE CAR WASH FOR \$950,000.00.

COUNT TWENTY THREE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007, AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY FOUR

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007, AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY FIVE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT JUNE 27, 2007, AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY SIX

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(i)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY SEVEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007, AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF

SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY EIGHT

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT TWENTY NINE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007, AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE

OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT THIRTY

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, ADONIS ABSTRACT LLC AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(i)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 27, 2007 AND OCTOBER 1, 2007, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT THIRTY ONE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND LBW CORPORATION OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN MARCH 5, 2009 AND JULY 8, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, MONEY LAUNDERING IN THE SECOND DEGREE, [PL 470.15(1)(b)(i)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IN ORDER TO FURTHER LAUNDER THE PROCEEDS OF THE ENTERPRISE, ON OR ABOUT MARCH 5, 2009 ROBERT DELVICARIO AND LENNOX JOHNSON SOLD CAR BRITE CAR WASH TO SANDRO CARNEVALE. ROBERT DELVICARIO RECEIVED \$388,000.00 IN CASH AND A RELEASE FROM THE NOTE THEY HELD WITH MR. RAKIEC, WHICH NOTE SANDRO CARNEVALE ASSUMED.

ON MARCH 5, 2009, \$388,207.53 WAS DEPOSITED INTO THE TD BANK ACCOUNT (FORMERLY KNOWN AS COMMERCE BANK) OF LBW CORPORATION, A CORPORATION FORMED BY ROBERT DELVICARIO TO RECEIVE FUNDS AND PAY LENNOX JOHNSON.

ON OR ABOUT MARCH 9, 2009, A CHECK IN THE AMOUNT OF \$211,634.50 WAS DRAWN ON THE LBW CORPORATION'S BANK

ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND LBW CORPORATION, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT MARCH 5, 2009, LBW CORPORATION SOLD CAR BRITE CAR WASH TO SANDRO CARNEVALE.
- 2) ON OR ABOUT MARCH 5, 2009, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A BANK CHECK IN THE AMOUNT OF \$388,206.53 DRAWN BY SANDRO CARNEVALE AND MADE PAYABLE TO LBW CORPORATION, INTO LBW CORPORATION'S TD BANK BANK ACCOUNT.
- 3) ON OR ABOUT MARCH 9, 2009, THE DEFENDANTS DREW OR CAUSED TO BE DRAWN A CHECK IN THE AMOUNT OF \$211,634.50 ON THE LBW CORPORATION'S TD BANK BANK ACCOUNT AND MADE PAYABLE TO LENNOX JOHNSON.
- 4) ON OR ABOUT JULY 8, 2009, THE DEFENDANTS DEPOSITED OR CAUSED TO BE DEPOSITED A BANK CHECK IN THE AMOUNT OF \$100,000.00 DRAWN BY SANDRO CARNEVALE AND MADE PAYABLE TO LBW CORPORATION, INTO LBW CORPORATION'S TD BANK BANK ACCOUNT.

COUNT THIRTY TWO

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND LBW CORPORATION OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MARCH 5, 2009 AND JULY 8, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT THIRTY THREE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND LBW CORPORATION OF THE CRIME OF

MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MARCH 5, 2009 AND JULY 8, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT THIRTY FOUR

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(1)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN MAY 1, 2008 AND JULY 28, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A CLASS C FELONY, NAMELY, GRAND LARCENY IN THE SECOND DEGREE, [PL 155.40(1)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

ON OR ABOUT MAY 27, 2008, THE ADONIS ABSTRACT LLC HSBC "OPERATING," "ESCROW," "PREMIUM," AND "COMMISSION" BANK ACCOUNTS WERE EMPTIED AND CLOSED WITH A BALANCE OF ZERO, WHILE ADONIS ABSTRACT LLC HSBC "SPECIAL," "PROFESSIONAL" AND "TIFFANY" ACCOUNTS BECAME DORMANT, EACH WITH A REMAINING BALANCE OF APPROXIMATELY \$300.00 OR LESS.

ON OR ABOUT MAY 27, 2008, THE ENTERPRISE CONTRIVED A SCHEME TO DRAIN MONIES FROM THE HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT" OF THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., LOCATED AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK. IT WAS THE FURTHER GOAL OF THE CONSPIRACY TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THEIR ORIGINS.

ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, ROBERT DELVICARIO, IN CONCERT WITH SHANDA BRUCE AND LENNOX JOHNSON, REMOVED SEVERAL BLANK PAPER BUSINESS CHECKS FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C. THOSE CHECKS CAME FROM THE SCHWARTZ & ASSOCIATES, P.C. HSBC "MORTGAGE CLOSING ACCOUNT" AND "IOLA ACCOUNT."

ROBERT DELVICARIO COMPLETED THE MONEY AMOUNTS, THE DATE AND THE MEMO PORTION OF THE CHECKS ON AT LEAST TWO OF THE STOLEN CHECKS, ONE BEING CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT," IN THE AMOUNT OF \$147,038.02 AND THE OTHER

BEING CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT," IN THE AMOUNT OF \$165,035.42.

ON MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED AN UNNAMED CO-CONSPIRATOR TO OBTAIN A NEW JERSEY IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON' USING A BIRTH CERTIFICATE AND SOCIAL SECURITY CARD OF 'JESSICA ROBERTSON' PROVIDED BY LENNOX JOHNSON AND SHANDA BRUCE. THEY ALSO DIRECTED THE UNNAMED CO-CONSPIRATOR TO OPEN BANK ACCOUNTS IN THE NAME OF 'JESSICA ROBERTSON' USING THE ABOVE-MENTIONED STOLEN CHECKS, AND SHANDA BRUCE COMPLETED THE PAYEE PORTION OF CHECKS NUMBER 1498 AND 6402 WITH THE NAME OF 'JESSICA ROBERTSON.'

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE ATTEMPTED TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, BY ATTEMPTING TO DEPOSIT CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. "MORTGAGE CLOSING ACCOUNT" IN THE AMOUNT OF \$147,038.02.

ON MAY 30, 2008, THE UNNAMED CO-CONSPIRATOR OF THE ENTERPRISE SUCCESSFULLY OPENED A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AT A WACHOVIA BANK IN CLIFTON, NEW JERSEY, DEPOSITING INTO SAID ACCOUNT CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA ACCOUNT" IN THE AMOUNT OF \$165,035.42.

THEREAFTER, BEGINNING ON JUNE 23, 2008, THE MEMBERS OF THE ENTERPRISE MADE A SERIES OF ATM, TELLER, AND CHECK WITHDRAWALS FROM THE WACHOVIA ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON.'

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, AT 3607 QUENTIN ROAD IN BROOKLYN, NEW YORK, ROBERT DELVICARIO IN CONCERT WITH SHANDA BRUCE AND LENNOX JOHNSON REMOVED A SERIES OF PAPER BUSINESS CHECKS FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C.
- 2) ON OR ABOUT MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE PROVIDED A BIRTH CERTIFICATE AND SOCIAL SECURITY CARD OF JESSICA ROBERTSON TO THE UNNAMED CO-CONSPIRATOR AND DIRECTED THE UNNAMED CO-CONSPIRATOR TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' AND OBTAIN A BANK CARD IN THE NAME OF 'JESSICA ROBERTSON' WITH WACHOVIA BANK IN CLIFTON, NEW JERSEY.
- 3) ON OR ABOUT MAY 30, 2008, LENNOX JOHNSON AND SHANDA BRUCE DROVE THE UNNAMED CO-CONSPIRATOR FROM WACHOVIA BANK TO THE NEW JERSEY MOTOR VEHICLE COMMISSION AND DIRECTED THE UNNAMED CO-CONSPIRATOR TO USE THE BANK CARD, SOCIAL SECURITY CARD AND BIRTH CERTIFICATE OF JESSICA ROBERTSON TO OBTAIN A NEW JERSEY IDENTIFICATION CARD FROM THE NEW JERSEY

MOTOR VEHICLE COMMISSION.

- 4) ON OR ABOUT MAY 30, 2008, AT THE NEW JERSEY MOTOR VEHICLE COMMISSION, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED CO-CONSPIRATOR OBTAINED A NEW JERSEY NONDRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON.'
- 5) ON OR ABOUT MAY 30, 2008, AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, SHANDA BRUCE COMPLETED THE PAYEE INFORMATION ON CHECK NUMBER 1498 FROM THE SCHWARTZ & ASSOCIATES, P.C. MORTGAGE CLOSING ACCOUNT WITH THE NAME OF 'JESSICA ROBERTSON' AND PROVIDED IT TO THE UNNAMED CO-CONSPIRATOR.
- 6) ON OR ABOUT MAY 30, 2008, AT THE BANK OF AMERICA IN CEDAR GROVE, NEW JERSEY, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED CO-CONSPIRATOR ATTEMPTED TO OPEN A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' BY ATTEMPTING TO DEPOSIT CHECK NUMBER 1498 IN THE AMOUNT OF \$147,038.02 AND MADE PAYABLE TO 'JESSICA ROBERTSON.'
- 7) ON OR ABOUT MAY 30, 2008, AT THE WACHOVIA BANK IN CLIFTON, NEW JERSEY, SHANDA BRUCE COMPLETED THE PAYEE INFORMATION ON CHECK NUMBER 6402 FROM THE SCHWARTZ & ASSOCIATES, P.C. "IOLA" ACCOUNT WITH THE NAME OF 'JESSICA ROBERTSON' AND PROVIDED IT TO THE UNNAMED CO-CONSPIRATOR.
- 8) ON OR ABOUT MAY 30, 2008, AT THE WACHOVIA BANK IN CLIFTON, NEW JERSEY, AT THE DIRECTION OF SHANDA BRUCE AND LENNOX JOHNSON, THE UNNAMED CO-CONSPIRATOR OPENED A BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' BY DEPOSITING CHECK NUMBER 6402 IN THE AMOUNT OF \$165,035.42 AND MADE PAYABLE TO 'JESSICA ROBERTSON.'
- 9) ON OR ABOUT JUNE 23, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$500.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 10) ON OR ABOUT JUNE 24, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 11) ON OR ABOUT JUNE 25, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE A COUNTER WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 12) ON OR ABOUT JUNE 25, 2008, THE UNNAMED CO-CONSPIRATOR MADE A TRANSFER IN THE AMOUNT OF \$100,000.00 FROM THE 'JESSICA ROBERTSON' WACHOVIA BANK CHECKING

ACCOUNT TO THE 'JESSICA ROBERTSON'
WACHOVIA BANK SAVINGS ACCOUNT.

- 13) ON OR ABOUT JUNE 27, 2008, THE UNNAMED CO-CONSPIRATOR MADE A TRANSFER IN THE AMOUNT OF \$20,000.00 FROM THE 'JESSICA ROBERTSON' WACHOVIA BANK SAVINGS ACCOUNT TO THE 'JESSICA ROBERTSON' WACHOVIA BANK CHECKING ACCOUNT.
- 14) ON OR ABOUT JULY 9, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 15) ON OR ABOUT JULY 10, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 16) ON OR ABOUT JULY 11, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 17) ON OR ABOUT JULY 12, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 18) ON OR ABOUT JULY 14, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 19) ON OR ABOUT JULY 15, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE AN ATM WITHDRAWAL IN THE AMOUNT OF \$800.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 20) ON OR ABOUT JULY 15, 2008, AT THE WACHOVIA BANK IN NEW ROCHELLE, NEW YORK, AT THE DIRECTION OF SHANDA BRUCE, THE UNNAMED CO-CONSPIRATOR MADE A TELLER WITHDRAWAL IN THE AMOUNT OF \$40,000.00 FROM THE 'JESSICA ROBERTSON' BANK ACCOUNT.
- 21) ON OR ABOUT JULY 28, 2008, AT THE DELAWARE DIVISION OF MOTOR VEHICLES, SHANDA BRUCE OBTAINED A DELAWARE NON-DRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON.'

COUNT THIRTY FIVE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS
INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO,

LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF BURGLARY IN THE THIRD DEGREE [P.L. § 140.20], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 27, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, STATE OF NEW YORK, EACH AIDING THE OTHER AND WHILE ACTING IN CONCERT WITH OTHERS NOT NAMED, KNOWINGLY ENTERED OR REMAINED UNLAWFULLY IN A BUILDING, TO WIT, THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C., WITH THE INTENT TO COMMIT A CRIME THEREIN.

COUNT THIRTY SIX

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF GRAND LARCENY IN THE SECOND DEGREE [P.L. § 155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 27, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, STOLE PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT THIRTY SEVEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF ATTEMPTED GRAND LARCENY IN THE SECOND DEGREE [P.L. § 110/155.40(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, PURSUANT TO A COMMON SCHEME OR PLAN, ATTEMPTED TO STEAL PROPERTY HAVING AN AGGREGATE VALUE EXCEEDING FIFTY THOUSAND DOLLARS, NAMELY, A QUANTITY OF UNITED STATES CURRENCY FROM THE LAW OFFICES OF SCHWARTZ AND ASSOCIATES, P.C.

COUNT THIRTY EIGHT

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE SECOND DEGREE [P.L. § 165.52], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 27, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWINGLY POSSESSES STOLEN PROPERTY,

WITH INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, AND WHEN THE VALUE OF THE PROPERTY EXCEEDS FIFTY THOUSAND DOLLARS, TO WIT, THE SUM OF UNITED STATES CURRENCY FROM THE LAW OFFICES OF SCHWARTZ & ASSOCIATES, P.C.

COUNT THIRTY NINE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND JULY 15, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT FORTY

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND JULY 15, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT FORTY ONE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF MONEY

LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008, AND JULY 15, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY KNOWING THAT SUCH TRANSPORTATION, TRANSMITTAL OR TRANSFER IS DESIGNED IN WHOLE OR IN PART TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP OR THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT FORTY TWO

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, AND SHANDA BRUCE OF THE CRIME OF MONEY LAUNDERING IN THE SECOND DEGREE, IN VIOLATION OF SECTION [470.15(2)(b)(i)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND JULY 15, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT ONE OR MORE MONETARY INSTRUMENTS REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TRANSPORTED, TRANSMITTED OR TRANSFERRED OR ATTEMPTED TO TRANSPORT, TRANSMIT OR TRANSFER ON ONE OR MORE OCCASIONS MONETARY INSTRUMENTS WHICH IN FACT REPRESENT THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT FROM A PLACE IN ANY COUNTY IN THIS STATE TO OR THROUGH A PLACE OUTSIDE THAT COUNTY OR TO A PLACE IN ANY COUNTY IN THIS STATE FROM OR THROUGH A PLACE OUTSIDE THAT COUNTY WITH THE INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF SUCH MONETARY INSTRUMENT OR INSTRUMENTS EXCEEDED ONE HUNDRED THOUSAND DOLLARS.

COUNT FORTY THREE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE [P.L. § 175.10], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND

ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, MADE OR CAUSED A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF.

COUNT FORTY FOUR

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE [P.L. § 175.10], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, MADE OR CAUSED A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF.

COUNT FORTY FIVE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE [P.L. § 175.10], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, MADE OR CAUSED A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF.

COUNT FORTY SIX

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE [P.L. § 175.10], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, MADE OR CAUSED A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, TO WIT, SCHWARTZ & ASSOCIATES, P.C., AND WHEN THE INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, OR TO AID OR CONCEAL THE COMMISSION THEREOF.

COUNT FORTY SEVEN

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FORGERY IN THE SECOND DEGREE [P.L. § 170.10(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH WAS OR PURPORTED TO BE OR WHICH WAS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD AS THAT TERM IS DEFINED IN SUBDIVISION SEVEN OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS.

COUNT FORTY EIGHT

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FORGERY IN THE SECOND DEGREE [P.L. § 170.10(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH WAS OR PURPORTED TO BE OR WHICH WAS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD AS THAT TERM IS DEFINED IN SUBDIVISION SEVEN OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS.

COUNT FORTY NINE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FORGERY IN THE SECOND DEGREE [P.L. § 170.10(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A

WRITTEN INSTRUMENT WHICH WAS OR PURPORTED TO BE OR WHICH WAS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD AS THAT TERM IS DEFINED IN SUBDIVISION SEVEN OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS.

COUNT FIFTY

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF FORGERY IN THE SECOND DEGREE [P.L. § 170.10(1)], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, FALSELY MADE, COMPLETED OR ALTERED A WRITTEN INSTRUMENT WHICH WAS OR PURPORTED TO BE OR WHICH WAS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED A DEED, WILL, CODICIL, CONTRACT, ASSIGNMENT, COMMERCIAL INSTRUMENT, CREDIT CARD AS THAT TERM IS DEFINED IN SUBDIVISION SEVEN OF SECTION 155.00 OR OTHER INSTRUMENT WHICH DOES OR MAY EVIDENCE, CREATE, TRANSFER, TERMINATE OR OTHERWISE AFFECT A LEGAL RIGHT, INTEREST, OBLIGATION OR STATUS.

COUNT FIFTY ONE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE [P.L. § 170.25], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER, UTTERED OR POSSESSED ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.10.

COUNT FIFTY TWO

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON AND SHANDA BRUCE OF THE CRIME OF CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE [P.L. § 170.25], COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN MAY 24, 2008 AND MAY 30, 2008, IN THE COUNTY OF KINGS AND ELSEWHERE, WHILE ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER,

UTTERED OR POSSESSED ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.10.

COUNT FIFTY THREE

THE GRAND JURY OF THE COUNTY OF KINGS, BY THIS INDICTMENT, ACCUSES THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF THE CRIMES OF CONSPIRACY IN THE FOURTH DEGREE [P.L. §105.10(3)], COMMITTED AS FOLLOWS:

IN THAT ON, OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, DID, WITH INTENT THAT CONDUCT CONSTITUTING A FELONY, NAMELY MONEY LAUNDERING IN THE THIRD DEGREE, [PL 470.15(1)(b)(ii)(A)(iii)], BE PERFORMED, AGREED WITH ONE OR MORE PERSONS TO ENGAGE IN OR CAUSE THE PERFORMANCE OF SUCH CONDUCT.

IT WAS ALSO THE COMMON PURPOSE OF THE ENTERPRISE TO LAUNDER THE PROCEEDS IN ORDER TO CONCEAL THE ORIGIN AND DESTINATION OF THOSE MONIES, THEREBY REAPING THE FINANCIAL REWARDS OF THE CRIMINAL CONDUCT WITHOUT DETECTION BY LAW ENFORCEMENT. THUS, LENNOX JOHNSON AND SHANDA BRUCE DIRECTED OTHERS IN THE ENTERPRISE TO NEGOTIATE SEVERAL TRANSACTIONS INVOLVING VEHICLE PURCHASES AND TO ASSUME THE ROLE OF 'JESSICA ROBERTSON' TO DO SO.

IN LATE JUNE 2008, THERMINE REMY AND LENNOX JOHNSON APPROACHED SILENT MOTORS, INC., LOCATED ON REMSEN AVENUE IN BROOKLYN IN ORDER TO SECURE THE PURCHASE OF TWO LUXURY VEHICLES IN THE NAME OF 'JESSICA ROBERTSON.' THERMINE REMY PROVIDED TWO CHECKS DRAWN ON THE WACHOVIA BANK ACCOUNT IN THE NAME OF 'JESSICA ROBERTSON' TO SILENT MOTORS INC. ONE CHECK NUMBER 95 IN THE AMOUNT OF \$57,000.00 AND ONE CHECK NUMBER 97 IN THE AMOUNT OF \$58,500.00. THEY SUCCESSFULLY PURCHASED A 2006 LEXUS GS300 FOR \$37,000.00, WHICH WAS PHYSICALLY RETRIEVED BY THERMINE REMY. IN OCTOBER 2008, THAT LEXUS GS300 WAS SUBSEQUENTLY SOLD BY LENNOX JOHNSON AND ROBERT DELVICARIO THROUGH PLANET AUTO, LOCATED NEXT DOOR TO CAR BRITE CAR WASH, INC. ON JERICHO TURNPIKE IN HUNTINGTON STATION, NEW YORK.

IN JANUARY 2009, THERMINE REMY AND PHEDERLINE PROPHETE, ON BEHALF OF THE ENTERPRISE AND IN THE NAME OF 'JESSICA ROBERTSON' SUCCESSFULLY PURCHASED A 2006 HONDA ACCORD FOR \$18,500.00 FROM SILENT MOTORS, INC.

DURING THE PERIOD OF THIS OFFENSE, THE DEFENDANTS, ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY, ALONG WITH OTHER PERSONS KNOWN AND UNKNOWN TO THE GRAND JURY, IN ORDER TO FURTHER THE GOALS OF THE CONSPIRACY, ENGAGED IN THE FOLLOWING ACTS:

- 1) ON OR ABOUT JUNE 25, 2008, THERMINE REMY PROVIDED TO SILENT MOTORS, INC. OF 418 REMSEN AVENUE IN BROOKLYN, NEW YORK, A CHECK NUMBER 95 IN THE AMOUNT OF \$57,000.00 AND MADE PAYABLE TO SILENT MOTORS, INC., DRAWN ON THE 'JESSICA

ROBERTSON' WACHOVIA BANK ACCOUNT.

- 2) ON OR ABOUT JULY 10, 2008, THERMINE REMY PROVIDED TO SILENT MOTORS, INC. OF 418 REMSEN AVENUE IN BROOKLYN, NEW YORK, A CHECK NUMBER 97 IN THE AMOUNT OF \$58,500.00 AND MADE PAYABLE TO SILENT MOTORS, INC., DRAWN ON THE 'JESSICA ROBERTSON' WACHOVIA BANK ACCOUNT.
- 3) ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND JULY 31, 2008, THERMINE REMY RETRIEVED A 2006 LEXUS GS300 FROM SILENT MOTORS, INC., PURCHASED WITH THE MONIES FROM CHECK NUMBER 95 LISTED ABOVE FOR THE PRICE OF \$37,000.00
- 4) ON OR ABOUT JULY 28, 2008, AT THE DELAWARE DIVISION OF MOTOR VEHICLES, SHANDA BRUCE OBTAINED A DELAWARE NON-DRIVER IDENTIFICATION CARD IN THE NAME OF 'JESSICA ROBERTSON.'
- 5) ON OR ABOUT AND BETWEEN JANUARY 1, 2009 AND FEBRUARY 1, 2009, THERMINE REMY AND PHEDERLINE PROPHETE RETRIEVED A 2006 HONDA ACCORD FROM SILENT MOTORS, INC., PURCHASED WITH THE MONIES FROM CHECK NUMBER 95 LISTED ABOVE FOR THE PRICE OF \$18,500.00.

COUNT FIFTY FOUR

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF MONEY LAUNDERING IN THE THIRD DEGREE, IN VIOLATION OF SECTION [470.10(1)(b)(i)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS.

COUNT FIFTY FIVE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF MONEY LAUNDERING IN THE THIRD DEGREE, IN VIOLATION OF SECTION [470.10(1)(b)(ii)(A)(iii)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART WERE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP AND THE CONTROL OF THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE SECOND DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIFTY THOUSAND DOLLARS.

COUNT FIFTY SIX

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF THE CRIME OF MONEY LAUNDERING IN THE FOURTH DEGREE, IN VIOLATION OF SECTION [470.05(1)(a)(i)(A)(b)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF SPECIFIED CRIMINAL CONDUCT WITH INTENT TO PROMOTE THE CARRYING ON OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS.

COUNT FIFTY SEVEN

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF THE CRIME OF MONEY LAUNDERING IN THE FOURTH DEGREE, IN VIOLATION OF SECTION [470.05(1)(a)(ii)(A)(b)] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWING THAT THE PROPERTY INVOLVED IN ONE OR MORE FINANCIAL TRANSACTIONS REPRESENTED THE PROCEEDS OF CRIMINAL CONDUCT, CONDUCTED ONE OR MORE SUCH FINANCIAL TRANSACTIONS WHICH IN FACT INVOLVED THE PROCEEDS OF CRIMINAL CONDUCT, KNOWING THAT THE TRANSACTION OR TRANSACTIONS IN WHOLE OR IN PART ARE DESIGNED TO CONCEAL OR DISGUISE THE NATURE, THE LOCATION, THE SOURCE, THE OWNERSHIP, OR THE CONTROL OF THE PROCEEDS OF CRIMINAL CONDUCT, TO WIT, GRAND LARCENY IN THE THIRD

DEGREE, AND THE TOTAL VALUE OF THE PROPERTY INVOLVED IN SUCH FINANCIAL TRANSACTION OR TRANSACTIONS EXCEEDED FIVE THOUSAND DOLLARS.

COUNT FIFTY EIGHT

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE THIRD DEGREE, IN VIOLATION OF SECTION [165.50] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWINGLY POSSESSED STOLEN PROPERTY, TO WIT A 2006 LEXUS GS300, WITH THE INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, AND WHEN THE VALUE OF THE PROPERTY EXCEEDS THREE THOUSAND DOLLARS.

COUNT FIFTY NINE

AND THE GRAND JURY AFORESAID, BY THIS INDICTMENT, FURTHER ACCUSES THE DEFENDANTS ROBERT DELVICARIO, LENNOX JOHNSON, SHANDA BRUCE AND THERMINE REMY OF CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE THIRD DEGREE, IN VIOLATION OF SECTION [165.50] OF THE PENAL LAW OF THE STATE OF NEW YORK, COMMITTED AS FOLLOWS:

THE DEFENDANTS, ON OR ABOUT AND BETWEEN JUNE 25, 2008 AND FEBRUARY 1, 2009, IN THE COUNTY OF KINGS AND ELSEWHERE, ACTING IN CONCERT WITH EACH OTHER AND OTHERS NOT NAMED, KNOWINGLY POSSESSED STOLEN PROPERTY, TO WIT A 2006 HONDA ACCORD, WITH THE INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, AND WHEN THE VALUE OF THE PROPERTY EXCEEDS THREE THOUSAND DOLLARS.

CHARLES J. HYNES
DISTRICT ATTORNEY
KINGS COUNTY