

# UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America

v.

GREGORY ABBOTT, MARCIA ABBOTT, GAMAL  
ABDELAZIZ, DIANE BLAKE, TODD BLAKE, JANE  
BUCKINGHAM, GORDON CAPLAN, I-HSIN CHEN  
(see below for additional names)

Case No.

MJ No. 19-6087-MPK

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2011 to the present in the county of Suffolk and elsewhere in the  
District of Massachusetts, the defendant(s) violated:

*Code Section*

18 USC 1349

*Offense Description*

Conspiracy to commit mail fraud and honest services mail fraud

This criminal complaint is based on these facts:

See Affidavit of FBI SA Laura Smith. Amy and Gregory Colburn, Robert Flaxman, Mossimo Giannulli, Elizabeth and Manuel Henriquez, Douglas Hodge, Felicity Huffman, Agustin Huneeus Jr., Bruce and Davina Isackson, Michelle Janavs, Elisabeth Kimmel, Marjorie Klapper, Lori Loughlin, Toby MacFarlane, William McGlashan Jr., Marci Palatella, Peter Jan Sartorio, Stephen Semprevivo, Devin Sloane, John Wilson, Homayoun Zadeh, Robert Zangrillo

☐ Continued on the attached sheet.

  
*Complainant's signature*

Laura Smith, FBI Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 03/11/2019

City and state: Boston, Massachusetts



Hon. M. Page Kelley, USMJ

*Printed name and title*

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Gregory Abbott Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) New York, NYBirth date (Yr only): 1950 SSN (last4#): 6967 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_


Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Gregory Abbott

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Marcia Abbott Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) New York, NYBirth date (Yr only): 1959 SSN (last4#): 6076 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

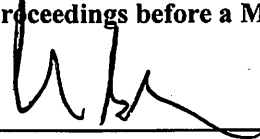
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Name of Defendant Marcia Abbott

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		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Gamal Abdelaziz Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Las Vegas, NVBirth date (Yr only): 1956 SSN (last4#): 4560 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

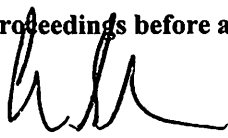
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**District Court Case Number** (To be filled in by deputy clerk):19-MJ-6087-MPK**Name of Defendant** Gamal Abdelaziz**U.S.C. Citations**

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Set 3	<u></u>	<u></u>	<u></u>
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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Diane Blake Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) San Francisco, CABirth date (Yr only): 1965 SSN (last4#): 0175 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

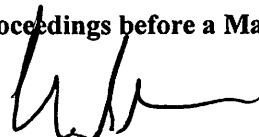
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Name of Defendant Diane Blake

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18-7227-MPK, 19-6029-MPK, 19-6030-MPK

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Todd Blake Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) San Francisco, CABirth date (Yr only): 1965 SSN (last4#): 4272 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

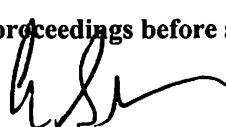
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Name of Defendant Todd Blake

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Jane Buckingham Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Beverly Hills, CABirth date (Yr only): 1968 SSN (last4#): 9593 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

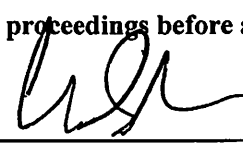
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District Court Case Number (To be filled in by deputy clerk):

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Name of Defendant Jane Buckingham

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Alias Name \_\_\_\_\_

Address (City & State) Greenwich, CTBirth date (Yr only): 1966 SSN (last4#): 4886 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

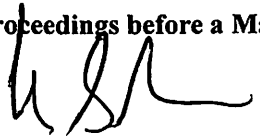
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**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Gordon Caplan

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name I-Hsin "Joey" Chen Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Newport Beach, CABirth date (Yr only): 1954 SSN (last4#): 1777 Sex M Race: Asian Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

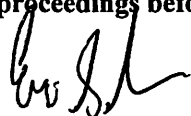
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant I-Hsin "Joey" Chen

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPK  
Same Defendant \_\_\_\_\_ New Defendant X  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number See additional information  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Defendant Name Amy Colburn Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Palo Alto, CABirth date (Yr only): 1969 SSN (last4#): 5371 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

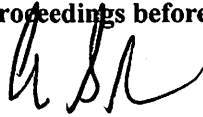
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

**District Court Case Number** (To be filled in by deputy clerk):19-MJ-6087-MPK**Name of Defendant** Amy Colburn**U.S.C. Citations**

	<b><u>Index Key/Code</u></b>	<b><u>Description of Offense Charged</u></b>	<b><u>Count Numbers</u></b>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

**ADDITIONAL INFORMATION:** 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Gregory Colburn Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Palo Alto, CABirth date (Yr only): 1957 SSN (last4#): 0184 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

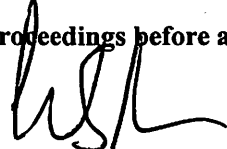
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 



District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Gregory Colburn

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Robert Flaxman Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Laguna Beach, CABirth date (Yr only): 1956 SSN (last4#): 6356 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Robert Flaxman

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Mossimo Giannulli Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Los Angeles, CABirth date (Yr only): 1966 SSN (last4#): 8718 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

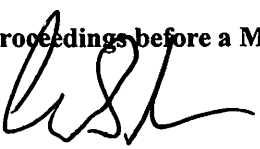
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Mossimo Giannulli

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Elizabeth Henriquez Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Atherton, CABirth date (Yr only): 1962 SSN (last4#): 1740 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

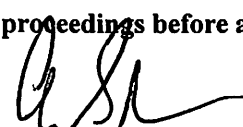
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Elizabeth Henriquez

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Manuel Henriquez Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Atherton, CABirth date (Yr only): 1963 SSN (last4#): 3827 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_


Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 



District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant

Manuel Henriquez

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

## ADDITIONAL INFORMATION:

18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Douglas Hodge Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Laguna Beach, CABirth date (Yr only): 1957 SSN (last4#): 6554 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Douglas Hodge

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
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Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
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Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Felicity Huffman Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Los Angeles, CABirth date (Yr only): 1962 SSN (last4#): 0048 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Felicity Huffman

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Agustin Huneeus Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) San Francisco, CABirth date (Yr only): 1966 SSN (last4#): 8589 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Agustin Huneeus

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

## Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston

## Related Case Information:

County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

## Defendant Information:

Defendant Name Bruce Isackson Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Hillsborough, CABirth date (Yr only): 1957 SSN (last4#): 4663 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

## U.S. Attorney Information:

AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody

## Location Status:

Arrest Date \_\_\_\_\_

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Bruce Isackson

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
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ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Davina Isackson Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Hillsborough, CABirth date (Yr only): 1963 SSN (last4#): 1968 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

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Continue on Page 2 for Entry of U.S.C. Citations

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**District Court Case Number** (To be filled in by deputy clerk): 19-MJ-6087-MPK

**Name of Defendant** Davina Isackson

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
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Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
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Set 6	<u></u>	<u></u>	<u></u>
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Set 9	<u></u>	<u></u>	<u></u>
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Set 11	<u></u>	<u></u>	<u></u>
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Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

**ADDITIONAL INFORMATION:** 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Michelle Janavs Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Newport Coast, CABirth date (Yr only): 1970 SSN (last4#): 5558 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Michelle Janavs

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
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Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Elisabeth Kimmel Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Las Vegas, NVBirth date (Yr only): 1964 SSN (last4#): 8114 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

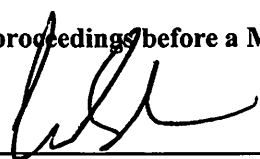
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Elisabeth Kimmel

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Marjorie Klapper Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Menlo Park, CABirth date (Yr only): 1968 SSN (last4#): 8316 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

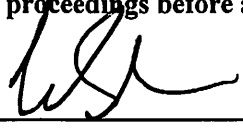
**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status: \_\_\_\_\_

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Marjorie Klapper**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

**ADDITIONAL INFORMATION:** 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Lori Loughlin Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Los Angeles, CABirth date (Yr only): 1964 SSN (last4#): 7715 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

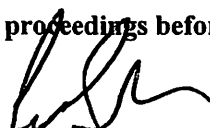
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Lori Loughlin

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Toby MacFarlane Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Del Mar, CABirth date (Yr only): 1963 SSN (last4#): 9315 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Toby MacFarlane

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name William McGlashan Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Mill Valley, CABirth date (Yr only): 1963 SSN (last4#): 8399 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

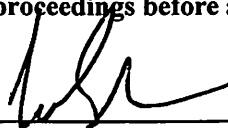
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant William McGlashan

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	18 U.S.C. 1349	Conspiracy to Commit Mail Fraud	1
		& Honest Services Mail Fraud	
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK

18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK

19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK

18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Marci Palatella Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Hillsborough, CABirth date (Yr only): 1955 SSN (last4#): 5012 Sex W Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

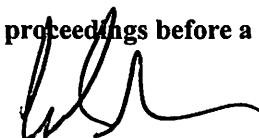
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Marci Palatella

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
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Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Peter Jan Sartorio Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Menlo Park, CABirth date (Yr only): 1965 SSN (last4#): 0499 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

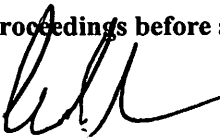
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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Continue on Page 2 for Entry of U.S.C. Citations

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Peter Jan Sartorio

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
		<u>&amp; Honest Services Mail Fraud</u>	
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
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**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. \_\_\_\_\_ Case No. 19-MJ-6087-MPKSame Defendant \_\_\_\_\_ New Defendant X

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Stephen Semprevivo Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Los Angeles, CABirth date (Yr only): 1962 SSN (last4#): 0229 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

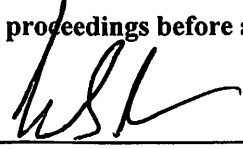
Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Stephen Semprevivo**U.S.C. Citations**

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Devin Sloane Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Los Angeles, CABirth date (Yr only): 1966 SSN (last4#): 9286 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_


Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Devin Sloane

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name John Wilson Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Hyannis Port, MABirth date (Yr only): 1959 SSN (last4#): 0685 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

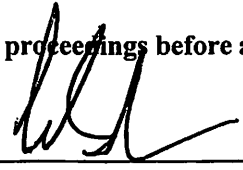
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**U.S. Attorney Information:**AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

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**District Court Case Number** (To be filled in by deputy clerk):19-MJ-6087-MPK**Name of Defendant** John Wilson**U.S.C. Citations**

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Homayoun Zadeh Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Calabasas, CABirth date (Yr only): 1961 SSN (last4#): 4306 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

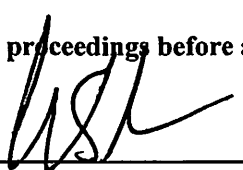
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District Court Case Number (To be filled in by deputy clerk):

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Name of Defendant Homayoun Zadeh

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Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number See additional information

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Robert Zangrillo Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address (City & State) Miami Beach, FLBirth date (Yr only): 1966 SSN (last4#): 8400 Sex M Race: White Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

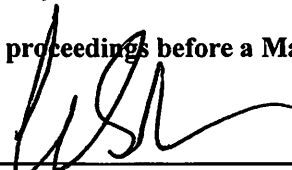
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District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant Robert Zangrillo

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18-7227-MPK, 19-6029-MPK, 19-6030-MPK

## AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Laura Smith, being duly sworn, state as follows:

### INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the Boston, Massachusetts Field Office. I joined the FBI in 2010 as a forensic accountant conducting complex financial investigations. I am currently a special agent on a squad that investigates economic crimes, including various forms of corporate fraud, securities fraud and bribery. I hold a Bachelor's degree in Criminal Justice-Economic Crimes Investigation and a Master's degree in Accounting. As an FBI Special Agent, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), in that I am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

2. I make this affidavit in support of criminal complaints charging the following individuals (collectively, "the defendants") with conspiracy to commit mail fraud and honest services mail fraud, in violation of Title 18, United States Code, Section 1349:

DEFENDANT	PAGE
GREGORY ABBOTT	36
MARCIA ABBOTT	36
GAMAL ABDELAZIZ	83
DIANE BLAKE	169
TODD BLAKE	169
JANE BUCKINGHAM	15
GORDON CAPLAN	22
I-HSIN "JOEY" CHEN	42
AMY COLBURN	193

GREGORY COLBURN	193
ROBERT FLAXMAN	196
MOSSIMO GIANNULLI	88
ELIZABETH HENRIQUEZ	44
MANUEL HENRIQUEZ	44
DOUGLAS HODGE	162
FELICITY HUFFMAN	72
AGUSTIN HUNEEUS, Jr.	96
BRUCE ISACKSON	107
DAVINA ISACKSON	107
MICHELLE JANAVS	153
ELISABETH KIMMEL	143
MARJORIE KLAPPER	79
LORI LOUGHLIN	88
TOBY MACFARLANE	180
WILLIAM E. McGLASHAN, Jr.	58
MARCI PALATELLA	137
PETER JAN SARTORIO	177
STEPHEN SEMPREVIVO	186
DEVIN SLOANE	129
JOHN B. WILSON	122
HOMAYOUN ZADEH	199
ROBERT ZANGRILLO	118

3. Specifically, as set forth below, I have probable cause to believe that the defendants conspired with others known and unknown: (1) to bribe college entrance exam administrators to facilitate cheating on college entrance exams; (2) to bribe varsity coaches and administrators at elite universities to designate certain applicants as recruited athletes or as other favored candidates, thereby facilitating the applicants' admission to those universities; and (3) to

use the façade of a charitable organization to conceal the nature and source of the bribe payments.

4. The facts set forth in this affidavit come from my personal involvement with this investigation, interviews with witnesses, including the cooperating witnesses described below, and my review of documents—including bank records, flight records, e-mails, telephone toll records, cell site data and other materials obtained through grand jury subpoenas and search warrants—as well as Court-authorized Title III wiretap recordings, consensual recordings made by a cooperating witness, and information provided by other law enforcement agents.

5. In submitting this affidavit, I have not included each and every fact known to me about this investigation. Rather, I have included only those facts that I believe are sufficient to establish probable cause.

### PROBABLE CAUSE

#### Overview of the Conspiracy

6. Beginning in or about 2011, and continuing through the present, the defendants—principally individuals whose high-school aged children were applying to college—conspired with others to use bribery and other forms of fraud to facilitate their children's admission to colleges and universities in the District of Massachusetts and elsewhere, including Yale University, Stanford University, the University of Texas, the University of Southern California, and the University of California – Los Angeles, among others. Evidence I have reviewed shows that the scheme included the following:

a. Bribing college entrance exam administrators to allow a third party to facilitate cheating on college entrance exams, in some cases by posing as the actual students, and in others by providing students with answers during the exams or by correcting their answers after they had completed the exams;



b. Bribing university athletic coaches and administrators to designate applicants as purported athletic recruits—regardless of their athletic abilities, and in some cases, even though they did not play the sport they were purportedly recruited to play—thereby facilitating their admission to universities in place of more qualified applicants;

c. Having a third party take classes in place of the actual students, with the understanding that grades earned in those classes would be submitted as part of the students' college applications;

d. Submitting falsified applications for admission to universities in the District of Massachusetts and elsewhere that, among other things, included the fraudulently obtained exam scores and class grades, and often listed fake awards and athletic activities; and

e. Disguising the nature and source of the bribe payments by funneling the money through the accounts of a purported charity, from which many of the bribes were then paid.

#### Certain Relevant Persons and Entities

7. The Edge College & Career Network, LLC, also known as “The Key,” is a for-profit college counseling and preparation business based in Newport Beach, California that was established in or about 2007 and registered in California in or about 2012.

8. The Key Worldwide Foundation (“KWF”) is a non-profit corporation founded in or about 2012 and based in Newport Beach, California. In or about 2013, the Internal Revenue Service (“IRS”) approved KWF as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, meaning that KWF is exempt from paying federal income tax, and that individuals who contribute to KWF may deduct those contributions from their taxable income, subject to certain limitations.

9. ACT, Inc. is a non-profit organization headquartered in Iowa City, Iowa that administers the ACT exam, a standardized test that is widely used as part of the college

admissions process in the United States. The ACT includes sections on English, mathematics, reading and science, and is graded on a scale of 1 to 36.

10. The College Board is a non-profit organization headquartered in New York, New York. Together with Educational Testing Service (“ETS”), a non-profit organization headquartered in Lawrence Township, New Jersey, the College Board develops and administers the SAT, a standardized test that, like the ACT exam, is widely used as part of the college admissions process in the United States. Between 2005 and January 2016 the SAT was graded on a scale of 600 to 2400. As of March 2016, the SAT has been scored on a scale of 400 to 1600. The College Board and ETS also develop and administer SAT subject tests, which are also used as part of the college admissions process.

11. Georgetown University (“Georgetown”) is a highly selective private university located in Washington, D.C.

12. Stanford University (“Stanford”) is a highly selective private university located in Palo Alto, California.

13. The University of California at Los Angeles (“UCLA”) is a highly selective public university located in Los Angeles, California.

14. The University of San Diego (“USD”) is a selective private university located in San Diego, California.

15. The University of Southern California (“USC”) is a highly selective private university located in Los Angeles, California.

16. The University of Texas at Austin (“U-Texas”) is a highly selective public university located in Austin, Texas.

17. Wake Forest University (“Wake Forest”) is a highly selective private university located in Winston-Salem, North Carolina.

18. Yale University (“Yale”) is a highly selective private university located in New Haven, Connecticut.

19. The athletic teams of Georgetown, Stanford, UCLA, USD, USC, U-Texas, Wake Forest and Yale (collectively, “the Universities”) compete in most sports at the Division I level, the highest level of intercollegiate athletics sanctioned by the National Collegiate Athletic Association (“NCAA”).

20. Cooperating Witness 1 (“CW-1”) is an individual who participated in the scheme. CW-1 founded and, together with others, operated The Key and KWF.<sup>1</sup>

21. Cooperating Witness 2 (“CW-2”) is an individual who participated in the scheme. CW-2 was employed at relevant times as the director of college entrance exam preparation at a private college preparatory school and sports academy in Bradenton, Florida.<sup>2</sup>

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<sup>1</sup> CW-1 has agreed to plead guilty in the United States District Court for the District of Massachusetts to racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d); money laundering conspiracy, in violation of Title 18, United States Code, Section 1956(h); conspiracy to defraud the United States, in violation of Title 18, United States Code, Section 371; and obstruction of justice, in violation of Title 18, United States Code, Section 1512(c). CW-1 has been cooperating with the government’s investigation since in or about late September 2018, in the hope of obtaining leniency when he is sentenced. In or about October 2018, after he began cooperating with the government, CW-1 alerted several subjects of the investigation to its existence, resulting in the obstruction of justice charge to which he has agreed to plead guilty. Information provided by CW-1 has been corroborated by, among other things, Court-authorized wiretaps, e-mails, documents, consensual recordings, and interviews of other witnesses, including cooperating witnesses.

<sup>2</sup> CW-2 has agreed to plead guilty in the United States District Court for the District of Massachusetts to conspiracy to commit mail fraud and honest services mail fraud, in violation of Title 18, United States Code, Section 1349; and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h). CW-2 has been cooperating with the government’s investigation since in or about February 2019, in the hope of obtaining leniency when he is sentenced. Information provided by CW-2 has been corroborated by, among other

22. Cooperating Witness 3 (“CW-3”) is an individual who participated in the scheme. CW-3 was employed at relevant times as the head coach of women’s soccer at Yale.<sup>3</sup>

General Background on Standardized Testing and the College Admissions Process

23. The ACT and the SAT are typically administered to large groups of students on specified dates and under strict time limits. However, students with certain learning or other disabilities may qualify for extended time. In such circumstances, students take the test alone, under the supervision of a test administrator retained by ACT, Inc. or the College Board.

24. Prior to administering the ACT, test administrators must typically certify that they will administer the exam in accordance with the ACT Administration Manual, and will ensure that the “test materials are kept secure and confidential, used for this examinee only, and returned to ACT immediately after testing.” Similarly, prior to administering the SAT exam, test administrators must typically certify that they will administer the test in accordance with the SAT coordinator’s manual, that the SAT is the property of the College Board, and that no one other than the student can “open the test book and see the test content.”

25. The ACT and SAT exams, and the scores students earn on those exams, are the intellectual and physical property of ACT, Inc. and the College Board, respectively.

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things, Court-authorized wiretaps, e-mails, documents, consensual recordings, and interviews of other witnesses, including cooperating witnesses.

<sup>3</sup> CW-3 has agreed to plead guilty in the United States District Court for the District of Massachusetts to wire fraud, in violation of Title 18, United States Code, Section 1343; honest services wire fraud, in violation of Title 18, United States Code, Sections 1343 and 1346; and conspiracy to commit the same, in violation of Title 18, United States Code, Section 1349. CW-3 has been cooperating with the government’s investigation since in or about April 2018, in the hope of obtaining leniency when he is sentenced. Information provided by CW-3 has been corroborated by, among other things, Court-authorized wiretaps, e-mails, documents, consensual recordings, and interviews of other witnesses, including cooperating witnesses.

26. Most of the Universities require prospective students to submit standardized test scores—typically, either the ACT or the SAT—as part of their application packages. When submitted, standardized test scores are a material part of the admissions process at each of the Universities.

27. All of the Universities also recruit students with demonstrated athletic abilities, and typically apply different criteria when evaluating applications from such students, with the expectation that recruited athletes will be contributing members of the Universities' athletic teams once enrolled. Typically, the admissions offices at the Universities allot a set number of admission slots to each head coach of a varsity sport for that coach's recruited athletes. At each of the Universities, the admissions prospects of recruited athletes are higher—and in some cases substantially higher—than those of non-recruited athletes with similar grades and standardized test scores.

28. Student athletes recruited by coaches at USC and UCLA, for example, are typically considered by designated admissions committees, which give consideration to their athletic abilities, and may admit applicants whose grades and standardized test scores are below those of other USC or UCLA students, including non-recruited athletes. At Wake Forest, as another example, approximately 128 admissions slots are designated for athletic recruitment, and recruited students are typically assured of admission to the university provided they meet certain minimum academic standards. Similarly, at Georgetown, approximately 158 admissions slots are allocated to athletic coaches, and students recruited for those slots have substantially higher admissions prospects than non-recruited students.

29. At each of the Universities, admissions slots, the determination of which students to admit, and the resulting composition of undergraduate classes are important assets of the University.

#### The College Entrance Exam Cheating Scheme

30. The college entrance exam cheating scheme generally worked as follows:

a. CW-1 instructed clients of The Key to seek extended time for their children on college entrance exams if they had not done so already, including by having the children purport to have learning disabilities in order to obtain the medical documentation that ACT, Inc. and the College Board typically require before granting students extended time.

b. Once the students were granted extended time—which generally allowed them to take an exam over two days instead of one, and in an individualized setting—CW-1 instructed his clients to change the location of the exam to one of two test centers he told them he “controlled”: a public high school in Houston, Texas (the “Houston Test Center”) or a private college preparatory school in West Hollywood, California (the “West Hollywood Test Center”). For example, in explaining the scheme to defendant WILLIAM E. McGLASHAN, Jr., CW-1 explained that he needed to “control the center” for the scheme to work, and that by obtaining “extended time” for the test, McGLASHAN’s son would be able to take the test at CW-1’s “facility,” rather than at his own high school. At those test centers, CW-1 had established relationships with test administrators who had agreed to accept bribes to facilitate the cheating scheme: Niki Williams at the Houston Test Center, and Igor Dvorskiy at the West Hollywood Test Center.<sup>4</sup> CW-1 typically instructed his clients to fabricate a reason—such as a bar mitzvah

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<sup>4</sup> Williams and Dvorskiy have been indicted by a federal grand jury in the District of Massachusetts on a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).

or a wedding—that their children purportedly needed to take the test in Houston or West Hollywood instead of at their own schools.

c. After the location of the exam had been changed, ACT, Inc. and the College Board sent the exams to those test centers, typically via private interstate commercial carrier, such as Federal Express (“FedEx”) in the case of ACT, Inc., and United Parcel Service (“UPS”) in the case of the College Board.

d. CW-1 bribed the test administrators to allow a third-party—typically CW-2—to take the exams in place of the actual students, to serve as a purported proctor for the exams while providing students with the correct answers, or to review and correct the students’ answers after they completed the exams. In many instances, the students taking the exams were unaware that their parents had arranged for this cheating.

e. The corrupt test administrators sent the doctored exams back to ACT, Inc. and the College Board, typically via either UPS or FedEx.

f. CW-1’s clients paid CW-1 between \$15,000 and \$75,000 per test to participate in the cheating scheme, with the payments typically structured as purported donations to the KWF charity.

g. CW-1, in turn, paid Dvorskiy bribes of approximately \$10,000 per test to permit the cheating. CW-1 likewise bribed Williams, typically via payments through a mutual acquaintance, Martin Fox, who introduced CW-1 to Williams.<sup>5</sup> However, in July 2018, CW-1 sent Williams a \$5,000 check directly. CW-1 also paid CW-2 approximately \$10,000 to take or

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<sup>5</sup> Fox has been indicted by a federal grand jury in the District of Massachusetts on a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).

correct each student's test. Most of the payments to Dvorskiy and CW-2 were drawn on the account of the KWF charity.

h. In explaining the scheme to clients, CW-1 typically sought to earn their trust and confidence by noting that he had previously done the same thing many times before with other families. As set forth below, for example, CW-1 had the following exchange with defendant GORDON CAPLAN in a call on or about June 15, 2018 (prior to the time CW-1 began cooperating with the government's investigation), that was intercepted pursuant to a Court-authorized wiretap:<sup>6</sup>

CAPLAN And it works?

CW-1 Every time. (laughing)

CAPLAN (laughing)

CW-1 I mean, I'm sure I did 30 of them at different, you know, dates because there's different dates, and they're all families like yours, and they're all kids that wouldn't have perform[ed] as well, and then they did really well, and it was like, the kids thought, and it was so funny 'cause the kids will call me and say, "Maybe I should do that again. I did pretty well and if I took it again, I'll do better even." Right? And they just have no idea that they didn't even get the score that they thought they got.

Indeed, in many cases, CW-1's clients referred other parents to him, or inquired directly about other parents' involvement in the scheme. For example, as set forth in greater detail below, defendant AGUSTIN HUNEEUS, Jr., told CW-1, in substance, that he was aware that McGLASHAN had participated in the college entrance exam scheme, but that McGLASHAN had not advised his own son of that fact, and that McGLASHAN's son thus "had no idea ... that you helped him on the ACT."

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<sup>6</sup> Excerpts of wiretap interceptions and consensual recordings set forth herein are based on draft transcripts of those recordings.



i. The children of CW-1's clients submitted the fraudulently obtained exam scores as part of their applications to universities nationwide, including Boston College, Boston University and Northeastern University in the District of Massachusetts.<sup>7</sup>

#### The College Recruitment Scheme

31. Between approximately 2011 and 2018, parents paid CW-1 approximately \$25 million to bribe coaches and university administrators to designate their children as purported recruited athletes, or as members of other favored admissions categories, thereby facilitating the children's admission to those universities. The recruitment scheme typically worked as follows:

a. CW-1 told parents, in sum and in substance, that he could facilitate their children's admission to certain universities via what he termed the "side door." He described the side door scheme as a *quid pro quo*, pursuant to which the parents would purport to make charitable donations to KWF. CW-1, in turn, would funnel those payments to particular athletic coaches, or to university programs designated by those coaches, using KWF to disguise the nature and source of the payments. CW-1 typically explained to parents that, in exchange for the payments, the coaches would designate their children as recruited athletes—regardless of their athletic abilities—thereby facilitating their admission to the universities.

b. CW-1 typically explained to his clients, in substance, that the scheme was a tried-and-true method of gaining admission to colleges, and that many other families were participating or had already participated in it, leveraging connections CW-1 had developed at multiple universities over years of work with prior clients. For example, set forth below is how

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<sup>7</sup> In addition, as set forth herein, e-mails, wire transfers and mailings in furtherance of the conspiracy were sent to and from the District of Massachusetts, telephone calls in furtherance of the conspiracy were also made to and from the District of Massachusetts, and two of the conspirators have residences in the District of Massachusetts.

CW-1 described the scheme to CAPLAN in the June 15, 2018 call, during which CW-1 represented to CAPLAN that he had successfully engaged in the same scheme with nearly 800 other families:

Okay, so, who we are-- what we do is we help the wealthiest families in the U.S. get their kids into school .... Every year there are-- is a group of families, especially where I am right now in the Bay Area, Palo Alto, I just flew in. That they want guarantees, they want this thing done. They don't want to be messing around with this thing. And so they want in at certain schools. So I did 761 what I would call, "side doors." There is a front door which means you get in on your own. The back door is through institutional advancement, which is ten times as much money. And I've created this side door in. Because the back door, when you go through institutional advancement, as you know, everybody's got a friend of a friend, who knows somebody who knows somebody but there's no guarantee, they're just gonna give you a second look. My families want a guarantee. So, if you said to me 'here's our grades, here's our scores, here's our ability, and we want to go to X school' and you give me one or two schools, and then I'll go after those schools and try to get a guarantee done. So that, by the time, the summer of her senior year, before her senior year, hopefully we can have this thing done, so that in the fall, before December 15th, you already knows she's in. Done. And you make a financial commitment. It depends on what school you want, may determine how much that actually is. But that's kind of how the the side and back door work.

c. Once parents agreed to participate in the scheme, CW-1 sent bribes to coaches and, in one case, a university administrator, typically out of a KWF bank account. In some instances, he directed the money to the recipients directly, for their personal use, including one recipient who received bribe payments by mail at his residence in the District of Massachusetts. In other instances, he directed the money to designated accounts at the Universities that were controlled by the recipients, including in some instances via mailings from the District of Massachusetts. In still other instances, CW-1's clients made the payments directly to the designated accounts at the Universities, as directed by the bribe recipients.

d. In recruiting coaches to participate in the scheme, CW-1 sought to earn their trust and confidence by making clear to them, as he did to his clients, that other coaches were already engaged in the same conduct with him. For example, set forth below are two

excerpts from a call on or about May 4, 2018, in which CW-1 sought to enlist the assistance of CW-3 in recruiting additional coaches to join the conspiracy:

CW-1                    You can say he's doing it at, for this year I did [seven elite schools], we've done it everywhere.

CW-3                    Okay, see that might, yeah it definitely would make them feel more comfortable with all those places.

....

CW-3                    Okay, alright, and all those schools, like, you-- you're-- you're comfortable. I can-- I can tell her comfortably that you worked with all those schools.

CW-1                    Absolutely.

CW-3                    Huh.

CW-1                    It's all different-- it's all—absolutely, but it's all-- it's different programs at every school.

CW-3                    Right, right, right, I know, I know. But saying that you worked with those schools I think that makes her feel more comfortable, knowing that you've worked with all the schools before.

CW-1                    You can tell them I did 760 of these this year, 96 the year before.

e.            In exchange for the bribes, the recipients designated the children of CW-1's clients as purported athletic recruits—without regard for their athletic abilities—or as members of other favored admissions categories, such as “VIP lists,” thereby facilitating their admission to the Universities.

f.            As part of the scheme, CW-1, together with others, also fabricated athletic “profiles” for students, which CW-1 submitted to the Universities in support of the students’ applications, and which contained falsified athletic credentials—including fake honors the students had purportedly received and elite athletic teams they had purportedly played on. In some instances, parents assisted CW-1 in creating the fabricated profiles, including by supplying staged photographs of their children engaged in athletic activity. In other instances, CW-1 and

his associates simply found photos of athletes on the Internet and either used those photos or used software such as PhotoShop to insert the applicants' faces onto the bodies of legitimate athletes. For example, as set forth in greater detail below, CW-1 explained to McGLASHAN that he would create a falsified athletic profile for McGLASHAN's son, something he told McGLASHAN he had "already done ... a million times," and which would involve him using "Photoshop and stuff" to deceive university admissions officers.

g. As another example, on or about November 13, 2017, CW-1 sent a falsified athletic profile to CW-3. The profile falsely described an applicant as the co-captain of a prominent club soccer team in southern California. CW-3, in exchange for a promised bribe payment, designated the applicant as a recruit for the Yale women's soccer team, despite the fact that, as he knew at the time, she did not play competitive soccer. On or about January 1, 2018—after the applicant was admitted to Yale—CW-1 mailed CW-3 a check in the amount of \$400,000, drawn on a KWF bank account. Relatives of the applicant subsequently paid CW-1 approximately \$1.2 million in multiple installments, including approximately \$900,000 that was directed to KWF as a purported charitable donation.

### THE INDIVIDUAL DEFENDANTS

#### A. JANE BUCKINGHAM

32. Defendant JANE BUCKINGHAM is a resident of Los Angeles, California. BUCKINGHAM is chief executive officer ("CEO") of a boutique marketing company based in Los Angeles.

33. In or about June 2018, BUCKINGHAM agreed to make a purported charitable donation of \$50,000 to KWF, in exchange for which CW-1 arranged to have CW-2 take the ACT on behalf of BUCKINGHAM's son at the Houston Test Center the following month.

34. Thereafter, CW-1 made arrangements with Williams to to allow CW-2 to purport to proctor the ACT for BUCKINGHAM's son. In return, CW-1 promised Williams that he would send her money to "go on vacation."

35. In a call with BUCKINGHAM on or about July 10, 2018, CW-1 explained, in substance, that CW-2 would not require all of the extended time BUCKINGHAM's son had been granted to take the ACT. The following is an excerpt from the conversation, which was intercepted pursuant to a Court-authorized wiretap.

CW-1	Hey there, so I just talked to Niki. So you guys are gonna meet at 8 a.m. in front of the [Houston Test Center].
BUCKINGHAM	Okay.
CW-1	And you're actually not gonna take the test there you because they're doing some re-modeling at the school.
BUCKINGHAM	Okay.
CW-1	But she's gonna walk you across the street to Texas Southern University, 'cause it's right across the street.
BUCKINGHAM	Okay.
CW-1	And they're gonna have a classroom all set up for the proctor, [CW-2] and [your son], and then Niki will take care of the rest.
BUCKINGHAM	Amazing, and is it okay if he takes it all in one day?
CW-1	He's going to take it one day 'cause [CW-2] is only flying in from Florida for one day.
BUCKINGHAM	There you go that's--
CW-1	But on, but on, but on the form it will say two days.
BUCKINGHAM	Got it, got it.
CW-1	So we will document that he took it over two days.

36. After speaking with BUCKINGHAM, CW-1 called CW-2 to review the logistics of the plan for CW-2 to take the exam. CW-1 told CW-2 that he would send him a check for \$10,000.

37. In a call on or about July 12, 2018, BUCKINGHAM advised CW-1, in substance, that her son had developed tonsillitis and that his doctor had advised against allowing him to travel. BUCKINGHAM asked CW-1 whether it would be possible for her to obtain a copy of the exam that she could have her son take at home—so that he would believe he had taken the test—while CW-2 took the actual exam on his behalf in Houston. The following is an excerpt from the conversation.

BUCKINGHAM        So I guess my question is, look--

CW-1                Go ahead.

BUCKINGHAM        First of all, he can get on the plane like he, according to him, he's like, "I really don't feel that bad, I think I'm okay." And I do think that this doctor is a little over conservative. Part of my challenge is that my ex-husband is being incredibly difficult about the whole surgery, and if I take him to Houston and then he can't get the surgery he's gonna be very annoyed with me. So my question is, there is no way for him to not go and it still to be done, I assume?

CW-1                Oh maybe I can do that, but I just don't-- I have to talk to the proctor [to make sure she is] fine with doing it.

BUCKINGHAM        Right.

CW-1                It's the gal who runs the school.

BUCKINGHAM        Right.

CW-1                So I have to ask her. I just got off the phone with her, but if, are you okay with that? And then just--

BUCKINGHAM        Well what?

CW-1                The score.

BUCKINGHAM      What I would do is, I would say to you, can you give me a test for him to take at home that we proctor him, that I proctor him?

CW-1              Got it, got it. Okay, yeah, I guess we could do we could do something like that.

BUCKINGHAM      I mean that's just, I guess, and it's the only thing I can think of, if you think it's doable?

CW-1              Yeah, so, the only fact, the only other way is that ACT allows a three week window, unlike SAT, which is a three day window.

BUCKINGHAM      Right.

CW-1              So I just talked to Niki, the gal at [the Houston Test Center], and she is back on the 25th of July.

BUCKINGHAM      It just depends on whether he gets the surgery or not.

CW-1              I know, I know.

BUCKINGHAM      He can't, he can't fly for two weeks after that.

CW-1              Okay, so let me call Niki and ask her if she would have a problem with [CW-2] just doing this.

BUCKINGHAM      Yeah.

CW-1              Which would actually make it easier for him to do it, because it would take less time, but let me call Niki right now and see what she says.

38.      Later that same day, CW-1 called BUCKINGHAM to tell her that Williams was willing to go along with BUCKINGHAM's plan. The following are two excerpts from the conversation.

CW-1              Okay, so here's the deal.

BUCKINGHAM      Okay.

CW-1              So Niki is is willing to do it.

BUCKINGHAM      Yep.

CW-1                    We are looking for my, correct, that we are trying to get ourselves like 34 on the ACT?

BUCKINGHAM        Yeah, yeah.

CW-1                    So [CW-2] will do that. It's really-- can be a 33, it could be a 34, it could be a 35.

BUCKINGHAM        Right.

....

CW-1                    But, so, anyways, so the, she said she would do it, she would send us a copy of the test that we're gonna take--

BUCKINGHAM        Okay.

CW-1                    And then, even though we're already gonna send in his test, there at least [your son] will have taken the same test.

BUCKINGHAM        Thank you, thank you.

CW-1                    Okay, so your donation is gonna be 50. It'll it'll end up being through our foundation.

BUCKINGHAM        Okay.

CW-1                    And I'm already sending a check to the proctor today, and to Niki today, 'cause she said, "I gotta have the money first."

BUCKINGHAM        Okay.

CW-1                    I said, "Niki, I have been doing this forever." She said, "I get it, but this like, this is crazy."

BUCKINGHAM        Yeah. I know this is craziness, I know it is. And then I need you to get him into USC, and then I need you to cure cancer and [make peace] in the Middle East.

CW-1                    I can do that, I can do that if you can figure out a way to boot your husband out so that he treats you well-- you're treated better--

BUCKINGHAM        That's impossible. That's impossible. But, you know, peace in the Middle East. You know, Harvard, the rest of it. I have faith in you.



CW-1                      Got it, got it. Alright, so I will tell [CW-2] now that he's just gonna pick it up [from] Niki, take it, [and] Niki will send us a copy, and then [your son] can take it sometime next week when he's feeling better.

BUCKINGHAM            Yeah, I mean look, he can take it Saturday, I have no problem with him taking [it then].

CW-1                      But it's not an issue with that. It can be anytime he wants.

BUCKINGHAM            Right, okay, okay.

CW-1                      That's not an issue, 'cause it has to be sent in from Houston.

BUCKINGHAM            And is-- will you send me where and how I should send the check?

CW-1                      Oh yeah, yeah, yeah, yeah. We'll send it so that you get your [IRS tax] writeoff.

BUCKINGHAM            Oh, even better!

CW-1                      Yeah, it will be, it will be through the, our foundation, our 501(c)(3), and then we'll send the checks to all the parties.

BUCKINGHAM            Okay.

CW-1                      And that way you, there's no, people aren't saying, "Well, why [did] you send a check to [the Houston Test Center]?" and da da da.

BUCKINGHAM            Right, right.

39.     On or about July 13, 2018, CW-2 asked CW-1 for a handwriting sample from BUCKINGHAM's son so that CW-2 could attempt to match his handwriting on the exam. CW-1 called BUCKINGHAM to request the sample. The following is an excerpt from the conversation.

CW-1                      Hey could you get me a handwriting sample?

BUCKINGHAM            Yep.

CW-1                      And a signature sample, so that he can kind of get close. Had he not taken the test before we wouldn't have to do this, but I just want to make sure we're close in our writing.

BUCKINGHAM Yes. He has not great writing. I'm gonna give you that, but I'm going to, actually I'm bringing [him] to the doctor right now, so we will sit down in the waiting room and I will send it to you.

40. Shortly thereafter, BUCKINGHAM sent CW-1 an e-mail with the notation, "Good luck with this." Attached to the e-mail was a photograph of the following:

TO WHOM IT MAY CONCERN, THIS PROVIDES AN EXAMPLE OF MY CURRENT WRITING STYLE.  
THANK YOU FOR YOUR ATTENTION.  
Sincerely,  
-

41. CW-2 took the ACT exam on or about July 14, 2018, in his room at a Houston-area hotel. The next day, CW-1 e-mailed BUCKINGHAM, "Test went well."

42. On or about July 17, 2018, BUCKINGHAM asked CW-1, via e-mail, "[D]o you think we could get a copy of the ACT for [my son] to take?" Later that same day, an employee of The Key e-mailed BUCKINGHAM a copy of an ACT practice test.

43. On or about July 18, 2018, BUCKINGHAM wired \$35,000 to a bank account in the name of the KWF charity as a partial payment toward the agreed-upon fee of \$50,000. BUCKINGHAM advised CW-1 that she would seek to have her former spouse pay the remaining \$15,000 she owed.

44. BUCKINGHAM's son received a score of 35 out of a possible 36 on the ACT exam CW-2 secretly took on his behalf.

45. On or about October 29, 2018, at the direction of law enforcement agents, CW-1 called BUCKINGHAM from Boston, Massachusetts. On the call, BUCKINGHAM said that she would "probably like to do the same thing with [my daughter] with her ACTs" because she is "not a great test taker." BUCKINGHAM said her daughter would not "need to get a 35" to be

admitted to her chosen schools, “but if she got a 32 or 33, I’m assuming that would make her pretty competitive.”

B. GORDON CAPLAN

46. Defendant GORDON CAPLAN is a resident of Greenwich, Connecticut and New York, New York. CAPLAN is an attorney and the co-chairman of an international law firm based in New York.

47. In or about November and December 2018, CAPLAN participated in the college entrance exam cheating scheme by making a purported charitable donation of \$75,000 to KWF, in exchange for which CW-1 arranged to have CW-2 purport to proctor CAPLAN’s daughter’s ACT exam and correct the answers after she had completed it.

48. In a call on or about June 15, 2018, CW-1 explained to CAPLAN, in sum and substance, how the scheme worked. The following is an excerpt from the conversation, which was intercepted pursuant to a Court-authorized wiretap.

CW-1        So here’s the first thing we need to do. And I think I mentioned this to your wife. We need to get your daughter tested for a learning difference. Here’s why. If she gets tested for a learning difference, and let’s say it’s my person that does it, or whoever you want to do it, I need that person to get her 100% extended time over multiple days. So what that means is, we’ll have to show that there’s some discrepancies in her learning, which there’s gotta be anyways. And if she gets 100%, Gordon, then, I own two schools. I can have her test at one of my schools, and I can guarantee her a score. If it’s ACT, I can guarantee her a score in the, in the 30s. And if it’s the SAT, I can guarantee her a score in the 1400s. Now, all of a sudden, her test score does not become an issue with all the colleges. Because she’s strong enough. Then, if we clean up her transcript, then her ability, with her athletic ability and her testing and her getting better at school, it’s much easier to get her into school, because you’re not fighting huge obstacles at the types of schools you’re talking about. Now, if we do that, there’s a financial consideration that you have to pay to the school to get it done, because this is absolutely unheard of, to make this happen. I can make scores happen, and nobody on the planet can get scores to happen. She won’t even know that it happened. It will happen as though, she will think that she’s really super smart, and she got lucky on a test, and you got a score now. There’s lots of ways to do this. I can do anything and everything, if you guys are amenable to doing it.

CAPLAN Okay, so let me let me understand the two components. What is the, what is the, the number?

CW-1 So the number-- the number--

CAPLAN --At Cornell for instance.<sup>8</sup>

CW-1 Well, hold on a second. The number on the testing is \$75,000. Okay? It's \$75,000 to get any test scores you would like to get on the SAT or ACT. Okay, that's--

CAPLAN Explain to me how that works.

CW-1 I just explained it to you. You get extended time, you gotta get the extended time first. Then you're going to fly to L.A. And you're going to be going on a fake recruiting visit. You'll visit some schools, while you're out here in L.A. And then on a Saturday, which is the national test day if it's ACT or SAT, she's going to sit down and take the test. I will have a proctor in the room, that's why, when you have 100% extended time, you have-- you get to take it at a-- you don't take it with everybody else, you get to take it over multiple days. And you get to take it at a-- you can take it at your school or another school. Okay? And then this kid, 'cause she's taking online classes, you have to go somewhere anyway.<sup>9</sup> So you come to my school, take the test on a Saturday. She'll be in the room for six, six and a half hours taking this test. My proctor would then answer her questions, and by the end of the day, she would leave, and my proctor would make sure she would gets a score that would be equivalent to the number that we need to get.

CAPLAN Okay.

CW-1 That's how simple it is. She doesn't know. Nobody knows what happens. It happened, she feels great about herself. She got a test a score, and now you're actually capable for help getting into a school. Because the test score's no longer an issue. Does that make sense?

CAPLAN That does.

49. Later that same day, CW-1 had a follow-up call with CAPLAN in which he again explained, in substance, how the scheme worked, and in particular the need for CAPLAN's daughter "to be stupid" when a psychologist evaluated her for learning disabilities in order to

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<sup>8</sup> CAPLAN's reference to the "number" for Cornell was a reference to the athletic recruitment scheme, which he also expressed an interest in but ultimately decided not to pursue.

<sup>9</sup> CAPLAN's daughter was enrolled at an online high school.

obtain the documentation necessary to obtain extended time on the exam. The following are two excerpts from the conversation.

CAPLAN Well again, thanks for taking the time earlier today. Look, I'm particularly interested in working with you guys and figuring out what's best for [my daughter]. She's an interesting kid. I'm sure you've seen them all. But this notion of effectively going in, flying out to L.A., sitting with your proctor, and taking the exam is pretty interesting.

CW-1 It's the homerun of homeruns.

CAPLAN And it works?

CW-1 Every time. (laughing)

CAPLAN (laughing)

CW-1 I mean, I'm sure I did 30 of them at different, you know, dates because there's different dates, and they're all families like yours, and they're all kids that wouldn't have perform[ed] as well, and then they did really well, and it was like, the kids thought, and it was so funny 'cause the kids will call me and say, "Maybe I should do that again. I did pretty well and if I took it again, I'll do better even." Right? And they just have no idea that they didn't even get the score that they thought they got.

CAPLAN Right.

CW-1 Which is great, that's the way you want it. They feel good about themselves.

CAPLAN Yeah, absolutely, and there's nothing, just ask you directly, there's nothing that the schools are concerned about with this, or have a problem with?

CW-1 Schools don't know. Schools don't know. That's why you have to get 100% time or you have to get 50% multiple days. The only, so the way it works is, if you get 50% time you have to take it at a national test center okay? If you get 100% time you have to find a school that'll actually give you the test. So, if she were at a traditional school, she would be taking it at that school. What I do is, I always tell the family, "Oh, you got a bar mitzvah out of town that weekend, so you found a school to take it at," and they go take it at our school and then they come home and they get a score. So the key is the testing, and we have to get the testing so that we show a discrepancy. It sounds like she has a discrepancy, but I need the discrepancies to be significant enough so that we don't have to appeal and we can go forward. The fact that she's in an online school, that may be helpful for us as well.

CAPLAN And you work all of that out? You figure that out? Or?

CW-1            Yeah, absolutely.

CAPLAN        And do you ever have a problem getting the 100% time?

CW-1            Oh yeah, there's times when we have to appeal because, you know, for whatever reason. You have to understand that College Board and ACT both outsource their decisions to a committee, 'cause they're tired of being sued. For, you know, so they do the outsourcing. So, sometimes you have to re-appeal so that psychologist that'll do the testing, will actually write up an appeal. So we'll do that, and I also need to tell [your daughter] when she gets tested, to be as, to be stupid, not to be as smart as she is. The goal is to be slow, to be not as bright, all that, so we show discrepancies. And she knows that she's getting all this extra time, everywhere that she is right now. At the Academy kids are getting extra time all the time.

CAPLAN        You mean the Greenwich Academy?

CW-1            Everywhere.

CAPLAN        Oh, oh you mean at her tennis academy. I see. Yeah. Okay.

CW-1            Yeah, everywhere around the country. What happened is, all the wealthy families that figured out that if I get my kid tested and they get extended time, they can do better on the test. So most of these kids don't even have issues, but they're getting time. The playing field is not fair.

CAPLAN        No, it's not. I mean this is, to be honest, it feels a little weird. But.

CW-1            I know it does. I know it does. But when she gets the score and we have choices, you're gonna be saying, okay, I'll take all my kids, we're gonna do the same thing. (laughing)

CAPLAN        Yeah, I will.

....

CAPLAN        So, how do I get this done with you? What do I need to do?

CW-1            So what I need to do is, I'm gonna talk to our psychologist, and we may have to send her to you, or you to her, so that she can get the testing done. I'm gonna talk to her, because she's going to a school online, there are forms that have to be filled out by her teachers that she's doing online, so we'll need to send the whole packet to them. It's a huge writeup. It's, you know, it's, I don't know what it is, it costs like four or five grand to get the report all done and all the testing done and have, takes two days to get the testing done. And it shows all the discrepancies. Here's the great thing. When she goes to college, she gets to bring this report with her and she'll get extended time in all those things in whatever

school she goes to, which is huge again. She'll get all the accommodations when she gets to college as well.

CAPLAN Huh.

CW-1 Which will be really helpful.

CAPLAN Okay, okay.

CW-1 So I need to follow up, what I need to do is get your wife to send me her classes she's in, her transcript, and then let me then have a discussion with our psychologist and ask her what she needs to get the ball rolling.

CAPLAN Okay. And how do I ensure that she's working with you, and, you know, the people that you want her working with?

CW-1 So what happens is, I think your family already talked to my person who lives in New York.

CAPLAN Alright.

CW-1 [My employee] and she'll start working with [my employee]. [My employee] will be aware of everything that's going on, she won't say anything 'cause she knows. 'Cause we have a bunch of other New York families that are doing the same thing. And then what we'll do is, she'll work on a weekly basis with [my employee], the testing will be done by the psychologist, and then lastly, I already got the proctor already set up. He lives in Florida. He actually played tennis at Harvard and he'll be the proctor. And then, when we get a score, and get her grades changed, and she retakes her classes, then we'll figure out how good she is, late spring next year and we'll go after those schools--

CAPLAN Okay, so what?

CW-1 --want to get into.

CAPLAN When will the-- so when will she take this extended test?

CW-1 Here's the thing, we gotta get her tested, and I gotta figure out if her school will check the box that, normally it takes four months of getting accommodations but she doesn't go to a traditional school, so they should be able to check off the box without the four months. Then we would take it late fall this year and we would take it one time and be done.

CAPLAN Hmm. And a score of? You would think would be?

CW-1 The score will be whatever we need it to be.

CAPLAN Got it, okay. I will.

50. During a call with CAPLAN and CAPLAN's spouse on or about July 5, 2018, CW-1 suggested that they hire a member of his staff to take classes for her, in order to improve her grades in preparation for her application to college. CW-1 explained, "We would do them online and one of my people would take the class for her." CAPLAN's spouse replied that she had a "problem with that." At that point, CAPLAN picked up the phone and spoke with CW-1 privately. The following are two excerpts from the conversation.

CAPLAN It's just you and me. Is that kosher? I mean, can we?

CW-1 Absolutely, I do it all the time man. I do it all the time for families and then we take college classes for kids, you know, online to raise their GPA. Because again, it's not, nobody knows who you are 'cause you're, you don't take a, there is nothing that, you know, is filmed when you take your test and everything, that's what's so great about it. So that's why I asked.

CAPLAN Is, let me put it differently, if somebody catches this, what happens?

CW-1 The only one who can catch it is if you guys tell somebody.

CAPLAN I am not going to tell anybody.

CW-1 Well (laughing)

CAPLAN (laughing)

CW-1 Neither am I. And, neither am I. So the only way is, if somebody says at [your daughter's] school, "Oh by the way, you re-took this class, congratulations, you got an A, blah, blah blah," she can't act like, "Really? When did I take that?"

CAPLAN I see, okay.

51. Later in the call, CAPLAN inquired again about the "ACT thing."

CW-1 Yeah, so, you're getting tested by our psychologist,

CAPLAN Right.

CW-1 I don't know what she charges, and I, I don't make any money on this stuff. I don't really care about it to be frank with you. The school that she would be taking the test at, with the proctor, is \$75,000 and we get the score we need to get. It's one time, it's done, she can't, but she has to show up and be there. She'll ask--



CAPLAN Done, done, not a problem.

CW-1 She'll, she'll think, right, she'll think she took it. She'll feel good about herself. She'll get a great score and she'll be like, "Mom and dad, can I..." You know what's going to happen? She's going to say, "Dad, can I re-take the test again? 'Cause I think I can do better." And that happens all the time, right? She'll get whatever, and we will say no, just so you know that.

CAPLAN But it will be somewhere in the 30s  
....

CAPLAN Okay, well look, we are in for the, get her extra time, to the extent we can, extra time on the test.

CW-1 Right

CAPLAN And then, and taking the test one time and get her a, you know, a score in the 30s.

CW-1 Correct.

CAPLAN We are in for that, at 75, not an issue.

CW-1 Done.

CAPLAN Done. The other stuff (laughing)--

CW-1 That will be up to you guys, it doesn't matter to me.

CAPLAN Yeah, I, I hear ya. It's just, to be honest, I'm not worried about the moral issue here. I'm worried about the, if she's caught doing that, you know, she's finished. So I, I just--

CW-1 It's never happened before in twenty-some-odd years. The only way anything can happen is if she--

CAPLAN Someone talks--

CW-1 Yeah, if she tells somebody. And that's why even on the payment to the school thing, nobody, we never tell the, you know, she just needs to know that you're gonna get some help on this class.

CAPLAN Correct.

CW-1 She'll be more than happy.

CAPLAN Oh yeah, I, she, she won't talk.

52. On or about July 21, 2018, CAPLAN and his daughter flew to Los Angeles to meet with a psychologist in an effort to obtain the medical documentation required to receive extended time on the ACT exam.

53. After twice denying the request, the ACT ultimately granted CAPLAN's daughter extended time on the exam at the request of law enforcement on or about November 6, 2018. In a call two days later, CAPLAN asked CW-1, in sum and substance, whether anyone involved in the cheating scheme had ever been caught. The following is an excerpt from the conversation, which was consensually recorded.<sup>10</sup>

CAPLAN      So [my daughter] did get the extension. Totally unexpected. We got it last night.

CW-1          Really?

CAPLAN      Yeah.

CW-1          That's cool. Cool.

CAPLAN      Yeah. And you were right. I mean, it was like third time was the charm. So everybody was telling us there's no way, and then all of a sudden it comes in through [her school]. So, again, and-- keep in mind I am a lawyer. So I'm sort of rules oriented. Doing this with you, no way-- she's taking the test. It's her taking the test, right? There's no way--

CW-1          So--

CAPLAN      -- any trouble comes out of this, nothing like that?

CW-1          Okay. So-- so normally-- so let me-- [I] explained this to you before and--

CAPLAN      Yes, and I-- and I apologize. It's just--

CW-1          No, no. I get you.

CAPLAN      Bear with me.

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<sup>10</sup> By the time of this conversation, CW-1 was cooperating with the government's investigation.

CW-1            Okay. So I'm going to-- I'll explain to you the process and you get-- you get to decide the process. Okay? So what normally happens in our case is I'll call [CW-2], who's our proctor, and I'll call Igor, who's the principal of [the West Hollywood Test Center] and I'll say, "Okay, what dates are you available?" Because, my guess, if you're taking the ACT, our next test date is between December 8th and we have two weeks to take the test. Is that what the letter says?

CAPLAN        That's a good question.

CW-1            It should, but just call it that it is. Okay?

CAPLAN        Okay.

CW-1            All right. I'll--

CAPLAN        And I could-- I could forward it to you, too.

CW-1            Okay. That's normally the case. So then-- so what happens is, is then you guys have already registered for the December 8th test at a national test center, correct?

CAPLAN        I believe so, yes.

CW-1            Okay. So then what happens is, I need the ticket that--

CAPLAN        And your-- I'm sorry. Your e-mail is [E-MAIL ADDRESS REDACTED]

CW-1            It's [E-MAIL ADDRESS REDACTED].

CAPLAN        Yeah. At Gmail, right?

CW-1            Yes. [E-MAIL ADDRESS REDACTED].

CAPLAN        Okay. Just sent it to you.

CW-1            Okay. So-- so what normally happens is, you'll send me the ticket and then I will give it to Igor. Igor will do the paperwork so that the test center is moved to the [West Hollywood Test Center]. Okay?

CAPLAN        Okay. Okay.

CW-1            So then what'll happen is, instead of wherever she was going to take the test, it'll-- now a test will show up-- usually the Wednesday before the 8th, at [the West Hollywood Test Center]. Then what'll happen is, [CW-2], who is the proctor, will fly in, and he will show up on Friday night, just like you guys would show up on Friday night, and then on Saturday morning at 7:45, 8 o'clock, you guys will show up at the school, which is on [LOCATION REDACTED]. And

then what'll happen is, you'll go in, [CW-2] will be your proctor. And so this is-- this is, again, how it all works. She'll take the test. It'll be all her taking the test and then at the end of the test, it would be decided that we want to score, let's say, 33, so that she never has to take the test again. It'll be one and done. Then she'll-- you guys will leave and then [CW-2] will then look at all of her answers. Because her answers will be put on a separate sheet of paper and then [CW-2] will go through the answers and will figure out on all four of the-- there's five sections. The fifth is writing. On all four sections and he will decipher her answers and-- and he will go back and-- and ensure that he makes it so that her score ends up being between a 32 and 34, just depending on the curve for that particular test day. And normally he's right on. And that is essentially how it would happen.

CAPLAN And has anybody ever gotten into an issue with this?

CW-1 Nobody. We've done this for four or five years and had probably 20-plus people do it. So-- but that's the process.

CAPLAN Never been an issue?

CW-1 Never been an issue. So the decision here is yours. I'm-- I'm not-- I don't want to influence you in any way. It's totally up to you guys, however you guys want to do this.

CAPLAN And do other-- are you guys the only ones who do this or--?

CW-1 Based on what I know. I only know myself and the families that we work with. And so, you know, we have lots and lots of families. Not everybody gets extended time. Not everybody gets extended time with multiple days. So there's lots of people who cannot do it and then there's lots of people that do do it. So it's kind of all in your corner. But now-- you understand the process now.

CAPLAN I do.

CW-1 So that, it's really simple and easy, and it's-- it's up to you to decide one way or another. And it doesn't matter to me. Whatever you guys want to do.

CAPLAN No, I understand that, [CW-1]. I-- I appreciate that and I-- I appreciate the candor here, and the directness. Okay. Give me a little bit to think about it and I will be back to you on it tomorrow. You-- you obviously need to firm this up right away, right?

CW-1 Yeah, because we'll need to get the \$25,000 wire and then I need to call [CW-2] and Igor to see-- to make sure they're available. My guess is you guys are available on the 8th because you guys were going to take it on the 8th anyways.

CAPLAN Yeah. We'll just make ourselves available.

54. On or about November 13, 2018, CAPLAN wired \$25,000 to a bank account in Boston, Massachusetts in the name of the KWF charity that, unbeknownst to CAPLAN, CW-1 had opened at the direction of law enforcement agents. CW-1 had previously advised CAPLAN that the \$25,000 would be a "deposit" to reserve the services of CW-2, who CW-1 said was his "best test-taker" and could "nail a score-- he's that good."

55. On or about November 15, 2018, CAPLAN called CW-1 about changing the location of the test to the West Hollywood Test Center, and again inquired whether anyone "has ever gotten in trouble with this?" The following is an excerpt from the conversation, which was consensually recorded.

CW-1 You got my-- you got my e-mail?

CAPLAN I did and, that's sort of what I'm responding to, and part of the reason why I'm taking [my spouse] off of this. [My spouse is] very nervous about all this, and I just - I want to have a-- if we make this change, does that create some sort of suspicion or issue? They say, "Why the hell is somebody living in Greenwich taking it out in California?"

CW-1 Good point. Good point. So normally-- so anybody-- you know, for-- all of the kids that have taken the [test] some live somewhere else. They always-- and essentially if anybody were to-- to ask, essentially, "We're going to a-- a bat mitzvah," or, "We're going to a wedding. We're going to be gone that weekend. That's the weekend we're going to take the test." In your case, for your daughter, because she goes to a-- an unorthodox school, not your typical-- you know, brick and mortar kind of place, it's simple, because she could be playing a tournament there, we've got to take the test. Anything. But nobody ever asks them. But to-- you have to do this to be able to move the test from where it's located. Plus, when you did your original ticket, I believe you didn't have the time.

CAPLAN No, we didn't.

CW-1 Right. So now you got to go to a place that will actually administer and proctor the test for you. Because the place that you would go on that national test center date, they could not do that at that center, because they don't-- they have to have somebody special be a proctor, to go into a room-- a special room. But that's why they don't give those, with those kind of accommodations at a national test center.

CAPLAN [Let me] ask you straight up. You've never had an issue with this? No one has ever gotten in trouble with this?

CW-1 I've never--

CAPLAN Um--

CW-1 --had an issue with anybody. We've done this, you know, probably 20 times plus. We did it this summer, because, you know, they moved the ACT, they offered a July test date in California. You couldn't take it in California so we-- we weren't a test center for the-- the summer, so a young person had to go to Houston to do it. We just did it for the subject test for a-- actually a girl that lives both in New York and Aspen. So nothing-- nothing to this point has happened.

CAPLAN Could you ever see that happening?

CW-1 I-- I'm not-- I have never seen it happen. The only-- so what happened is they changed the test form so that's why Igor got confused, because the form is different for this new school year. So that's why we called ACT, to say, "Okay, what's the simplest way to do this, because she already had a regular ticket, not an accommodations ticket, and this is exactly what they told us on the phone.

CAPLAN But what I'm-- what I'm asking is, is there any way for this to get back to [my daughter] or to the family? I mean, this comes out-- I-- I don't even want to know what you guys do.

CW-1 So the-- so here-- again, let me just-- I'll just go retrace again. When [your daughter] takes the test, on the 8th, she's going to take the test like she's regularly taking the test, but she will take it, [CW-2] will be there. [CW-2] can answer any questions that she has. But [CW-2] will proctor the test. She will have all the time, she'll use her computer. She will think when she's done with the test she has taken the test. No doubt about it. The difference is-- is that what we'll do is, instead of her bubbling into the test, which we do with all kids who have learning differences, is they bub-- they write their answers on a separate sheet to the side of it, so that we can rebubble, so we don't screw up the bubbling, which happens a lot for kids. Because they screw up their bubbling. And then she'll-- she'll leave at the end of the test time. Which I don't know who's going to take her. And then--

CAPLAN I will. I'll be there.

CW-1 Okay. And you'll-- you'll meet [CW-2] and Igor, and you'll-- you'll go your own way. [Your daughter] will go in and take the test. She'll be the only one, taking it in the room with-- with [CW-2]. She will take the test. She will walk out the door. At the end of it she'll say to you, "Dad, it was so hard," or "I'm so tired," or whatever the typical reaction out of the kid. Then [CW-2] will finish the exam. He will then take the exam and look at her-- what she's done, and then ensure that

whatever score we decide that we want to get-- he has it down to a-- unbelievable that he can do it. Get that number based on the four sections. She'll do the computer writing of the essay herself. That'll be all her. He can help her if she wants some guidance [inaudible] approach. But other than that, that will be all her writing. And she will sign it and she'll walk out of there and she will never know that this actually occurred. You will get your results back in, you know, anywhere from, 11-- depends on what day it goes back in. But anywhere from 11 to 20 days. And she'll get her results and she'll say, "Oh, my God, Dad, I got a 33!"

CAPLAN      So she's been taking Logic Prep and has been getting-- I think her highest score so far is a 22, and she'll probably get up to a 24 on her next practice test. The fact that this could be different than what she had been showing on the practice test--

CW-1        What-- so you tell me if you want-- would [you] prefer to have her get a 28? 27? 28? 29? Probably based on what you're just telling me right now, right, that-- maybe that's a better approach, because that's still a very good score with her abilities and disability but--

CAPLAN      Well, I-- I'm thinking 30, 31 is all we need to do here.

CW-1        Okay. Done deal. Done deal. It'll be-- it'll be 30, 31. So what happens is the test is curved. I don't know if you know that. The test is curved against everybody in the country. So it can-- we can be one question off, or two questions off, and it can be a 30, it can be a 31. It may be a 29. It could be a 32. Just depends on the curve of the day. But it'll be-- it'll be right there.

CAPLAN      But what I'm asking you is, will that be an issue? So when Logic Prep asks us, well, how did she score, will they say, "Hmm?"

CW-1        So - well, I don't think it matters what they say, because at the end of the day she had a great day, they get credit for her doing really well and they have nothing to do with ACT and/or the colleges she's going to apply [to].

CAPLAN      And they don't feel incumbent on them to say this is suspicious?

CW-1        Well, I don't see why they would. It would only be a success story for them.

CAPLAN      Okay. Okay. I will send out the e-mail and I will send you what I get back.

56.        On or about December 6, 2018, two days before the ACT exam, CAPLAN and CW-1 spoke again. The following is an excerpt from the conversation, which was consensually recorded.

CAPLAN When will we know the score?

CW-1 Normally, you know, the score, between-- it could be, in 11 days or it could be in 20 days. It depends on-- so what normally happens is Igor sends everything in on Monday. And because they're giving the test nationally as long as the test is in by Wednesday, then usually you get scored with everybody else in the country, because everybody has to have-- from their test centers-- have to have their tests back. And then normally you get your scores back in anywhere from 11 to 20 days. And there's been times when it's taken as much as 30 days but that would be because there's an issue across the country, not because of anything that happened with her.

CAPLAN And the score we're hoping for here is, we're really hoping for, is a 32. Is that what we discussed?

CW-1 You tell me. Whatever you think we want to have. And we will get within one point. So if you say 32, it'll be either 31, 32, 33. If you say you want 31, it'll be 30, 31, 32. It just depends on the curve of the test for that day.

CAPLAN Yeah, I-- I don't want it to be higher than a 32.

CW-1 Okay. So--

CAPLAN It's just-- it's just going to be hard to justify in light-- light of-- [CW-1] look--

CW-1 No, I t--

CAPLAN I, this is all a hope, right? What she-- what we hope she can do.

CW-1 Right.

CAPLAN We hope she can get a 32 or pretty close thereto.

CW-1 Got you. So can I just-- I want to clarify. So she's going to take the test on her own, she's going to do her best, all that stuff, and then we're going to do our magic on the back end.

CAPLAN You're going to-- you're going to do what you do.

CW-1 Okay, all right, I just want to make sure that the-- I just want to sure that we're all on the same page. That essentially, that's why I know I can get a 31, 32, you know, so we're going to aim for 31, so that if we go 30 or 32 we're safe, how's that?

CAPLAN I think that's fine.



CW-1            Okay, I--

CAPLAN        I think that's fine, I-- I'm just, uh, uh, uh, uh, [CW-1], you understand my--

CW-1            I totally get it.

CAPLAN        And you are absolutely confident there is no issue here.

CW-1            We've been doing this for a long time. Luckily she'll be the only one taking the test, on Saturday. Sometimes there's multiple kids. So all I can do is just tell you that [CW-2] will fly in from Florida. He is an expert at getting within-- it just depends on one-point standard deviation on the-- whatever the curve is. Igor does his part. He signs off. He's the site coordinator. Nobody'll be there but you guys. And that'll be it. And I, you know, I've never even been there, I--

CAPLAN        Igor has never had an-- Igor has never had an issue? He has no blemishes on anybody?

CW-1            No. No issues at all.

CAPLAN        Okay.

57.        On or about December 8, 2018, law enforcement agents observed Dvorskiy arrive at the West Hollywood Test Center at approximately 7:05 a.m. CAPLAN and his daughter arrived approximately ten minutes later, and Dvorskiy, CAPLAN and CAPLAN's daughter went inside the building. At approximately 7:21 a.m., CW-2 entered the West Hollywood Test Center. At approximately 7:31 a.m., Dvorskiy and CAPLAN walked out of the building and had a brief conversation. At approximately 11:52 a.m., CAPLAN's daughter left the West Hollywood Test Center, met CAPLAN, and drove away.

58.        On or about December 20, 2018, CAPLAN wired an additional \$50,000 into the KWF bank account in Boston.

C. GREGORY ABBOTT and MARCIA ABBOTT

59.        Defendants GREGORY ABBOTT and MARCIA ABBOTT, a married couple (collectively, the "ABBOTTS"), are residents of New York, New York and Aspen, Colorado.

GREGORY ABBOTT is the founder and chairman of a packaging company for the food and beverage industry, and the former chairman and CEO of a private-label clothing manufacturer.

60. As set forth below, in or about April 2018, the ABBOTTS made a purported charitable donation of \$50,000 to KWF, in exchange for which CW-1 arranged to have CW-2 purport to proctor their daughter's ACT, and correct her answers after she had completed it.

61. In or about March 2018, MARCIA ABBOTT e-mailed CW-1 her daughter's ACT registration form and admissions ticket, in preparation for her daughter to take the ACT at the West Hollywood Test Center.

62. On or about April 9, 2018, CW-1's accountant e-mailed GREGORY ABBOTT an invoice for \$50,000, with a note thanking him for his "generous donation to the Key Worldwide Foundation." CW-1 was copied on the e-mail, and later forwarded it to MARCIA ABBOTT.

63. Three days later, \$50,000 was wired from a brokerage account in the name of the Abbott Family Foundation to a bank account in the name of the KWF charity. That same day, GREGORY ABBOTT left CW-1 a voicemail stating, in substance, that he had sent the wire.

64. On or about April 13, 2018, CW-2 flew from Tampa, Florida to Los Angeles, California. The following day, the ABBOTTS' daughter took the ACT at the West Hollywood Test Center. CW-2 purported to proctor the exam and, after the ABBOTTS' daughter had completed it, corrected her answers. On or about April 15, 2018, CW-2 returned to Florida.

65. On or about April 17, 2018, at CW-1's direction, KWF paid Dvorskiy \$20,000, representing \$10,000 for the ABBOTTS' daughter and \$10,000 for the son of I-HSIEN "JOEY" CHEN, who took the ACT at the West Hollywood Test Center at the same time as the ABBOTTS' daughter, as set forth below. On or about May 14, 2018, KWF paid CW-2 \$20,000, representing \$10,000 for each of the two students.

66. The ABBOTTS' daughter received a score of 35 out of a possible 36 on the exam.

67. On or about June 6, 2018, MARCIA ABBOTT called CW-1 to inquire, in substance, whether CW-1 could arrange for someone to take SAT subject tests for her daughter. The call was intercepted pursuant to a Court-authorized wiretap. CW-1 replied, "[GREGORY ABBOTT] would have to be willing to pay for it." MARCIA ABBOTT responded, "Yeah, well he can donate, I mean, whatever the donations are."

68. On or about August 3, 2018, MARCIA ABBOTT called CW-1 to inquire, in substance, how cheating on the subject tests would work. The following is an excerpt from the conversation.

MARCIA ABBOTT      What is the situation with subject tests? Is it basically the same that happened with the SATs?

CW-1                      Yeah, it's a little more a little more expensive because now you gotta have somebody which, you gotta make sure that you do well on both of those areas. It's not like the SATs. They're much harder.

MARCIA ABBOTT      Yeah, well they're very specialized, and for her she was gonna take Math II and English Lit.

CW-1                      Right, so if we have somebody help her, I have to get, I have to figure out who that's gonna be, that's gonna be able to take care of both of those

MARCIA ABBOTT      Alright, she loves the guy [CW-2] who took the SATs, she said. She said she started having heart palpitations but she said he was so sweet, he let me walk around the hallway. She said, "Can't I take my SAT subjects with him?" And I said, "Nah, I don't think so. I mean, I think, you know, you just, it's whole different area and that was 'cause we happened to be out in California seeing schools. So you know we're gonna take them here." So, alright, so there's no way for [August] 27th. Then I guess we should take them here down [in the Aspen area] on the 27th and let's see how she does.

CW-1                      Absolutely, absolutely.

MARCIA ABBOTT      And what would be, the donation be for, if you found someone for October? Because the other one was, what, \$50,000?

CW-1                      It was, I think it was 50. It will be at least 75.

MARCIA ABBOTT        Yeah, that's fine.

69.     In a call on or about September 4, 2018, MARCIA ABBOTT told CW-1, in substance, that she wanted to proceed with the cheating scheme for the SAT subject tests because her daughter did not think she had done well on the tests she had taken on her own. The following are two excerpts from the conversation.

MARCIA ABBOTT        Can your people can cover the math and lit?

CW-1                      Yes, if they're available that weekend.

MARCIA ABBOTT        If so, yes, October 6th. So I guess they give a mix alright. Well, let's see how she does, She's convinced that she bombed the lit because she was too tired, so ... And [Duke University] told us they didn't want anything below a 750.

CW-1                      That's right.

MARCIA ABBOTT        It doesn't, it doesn't add to her resume.

CW-1                      That's correct because, yeah well, she would have--

MARCIA ABBOTT        Yeah.

CW-1                      Good thing that she did this for the ACT, 'cause her score was not exceptional.

MARCIA ABBOTT        What? Excuse me what'd you say?

CW-1                      I said it was a good thing that we did it for the first test.

MARCIA ABBOTT        Oh yeah, my gosh, I mean, I'm sure her, you kidding me? She was gonna throw up like every single drug in the world for mono and lyme [disease]. I'm sure it was a disaster.

CW-1                      She got, she got a 23.

MARCIA ABBOTT        Yeah, that would be what I would have guessed at, 25, you know. So yeah, I mean, yeah, I don't know. We'll see how she does on the math. But she herself even says she doesn't have high hopes for English Lit.

....

MARCIA ABBOTT Yeah, so do you think we should do it now then, this week?

CW-1 I have to, I have to ask the person in Houston if she'll do it.

MARCIA ABBOTT Oh, so it'd be in Houston.

CW-1 Yeah, because the person, the person who's gonna be the proctor is based in, half the time, somewhere across the country.

MARCIA ABBOTT Yeah alright, well I rather do, I rather go for it then. Because you know what, even she gets like a 740, 730 on her math, she still needs to get higher.

CW-1 Okay, well I'll talk to the person in Houston tomorrow and see, and the proctor, and see if they're available.

MARCIA ABBOTT Okay, great. And that's your only one in the country?

CW-1 Nobody in the country even has one.

MARCIA ABBOTT Okay, no, I just wanted to know if they're not available, if for some--

CW-1 That this is like, nobody, nobody can do this.

MARCIA ABBOTT And if they're not available then that's it? There's just, there's just one person?

CW-1 Well then, we can do it in November if they're available.

MARCIA ABBOTT And November's not too hard [or] late for early [action]?

CW-1 Not if it is what it is, she's not getting into any schools without them.

MARCIA ABBOTT Yeah I know.

CW-1 So.

MARCIA ABBOTT Okay, well let's see. Let's see what we can do.

70. On or about September 13, 2018, the Abbott Family Foundation made a purported donation of \$75,000 to the KWF charity.

71. In a call with MARCIA ABBOTT on or about September 28, 2018, CW-1 confirmed that the SAT subject tests would occur at the West Hollywood Test Center, and also

discussed the scoring of the tests. CW-1 said, "We'll get 750 and above," to which MARCIA ABBOTT replied, "That's fabulous."

72. On or about October 5, 2018, CW-1 called MARCIA ABBOTT at the direction of law enforcement agents. The following is an excerpt from the conversation, which was consensually recorded.

CW-1 Did you guys get to L.A.?

MARCIA ABBOTT We did. We just checked in. We got on the last flight out of Aspen last night.

CW-1 Congratulations. So I'm in Boston today, but I just wanted to make sure everything was cool. I know [CW-2] has already gotten there to proctor the test. Igor will be there in the morning, so everything should go smoothly. So I just wanted to make sure you-- everything's cool with you guys.

MARCIA ABBOTT Fabulous. Yeah, everything's fine. Igor's the one who proctored her before? Or was it [CW-2]?

CW-1 No, [CW-2] did. Igor will be, the person-- he's the test administrator for the school.

73. On or about October 6, 2018, law enforcement agents observed Dvorskiy arrive at the West Hollywood Test Center at approximately 7:28 a.m., with MARCIA ABBOTT and her daughter arriving approximately 15 minutes later.

74. In a call on or about October 8, 2018, which was consensually recorded, CW-2—who was not cooperating with the government's investigation at the time—told CW-1 that he believed he had scored "800 on the math" and between 700 and 800 on the literature test.

75. In a call on or about October 18, 2018, CW-1 discussed the SAT subject tests with GREGORY ABBOTT. In the call, CW-1 advised GREGORY ABBOTT, in substance, that "it was a good move" for him to pay \$75,000 to have CW-2 take the exam for his daughter.

GREGORY ABBOTT then inquired how his daughter would have scored in the absence of cheating. The following is an excerpt from the call, which was consensually recorded.

GREGORY ABBOTT Do you know how she did on her own?

CW-1 Do I know how she did on her own? Yeah, I do. She scored in the mid-600s.

GREGORY ABBOTT Yeah.

76. Ultimately, the ABBOTTS' daughter received a score of 800 out of a possible 800 on the math subject test and 710 on the literature subject test.

D. I-HSIN "JOEY" CHEN

77. Defendant I-HSIN "JOEY" CHEN is a resident of Newport Beach, California. CHEN operates a Torrance, California-based provider of warehousing and related services for the shipping industry.

78. As set forth below, in or about April 2018, CHEN paid \$75,000 to CW-1's for-profit entity, The Key, in exchange for which CW-1 arranged to have CW-2 purport to proctor CHEN's son's ACT, and correct his answers. As noted above, CHEN's son and the ABBOTTS' daughter both took the exam on the same day at the West Hollywood Test Center.

79. On or about April 16, 2018, CHEN paid CW-1 \$75,000 to participate in the cheating scheme. The money was deposited into The Key's bank account. CW-1 has advised law enforcement agents that he agreed to provide CHEN with an invoice falsely indicating that the payment was for "consulting" services for CHEN's business.

80. CHEN's son scored a 33 out of a possible 36 on the ACT exam.

81. In a call on or about October 23, 2018, CW-1, acting at the direction of law enforcement agents, told CHEN that CW-1's charitable foundation was being audited by the IRS. The following is an excerpt from the conversation, which was consensually recorded.

CW-1 And so they're looking at all the payments that have gone into our foundation.

CHEN Uh-huh.

CW-1 So they asked about your payment, which was for [your son], you know, taking the test that we did for him at [the West Hollywood Test Center], with [CW-2] –

CHEN Yeah.

CW-1 And I've said that your payment of \$75,000--

CHEN Uh-huh.

CW-1 --went to our foundation to help underserved kids.

CHEN Uh-huh.

CW-1 Okay?

CHEN Uh-huh.

82. Shortly after that call, CHEN called CW-1 back and said, in substance, that the description on the invoice he had received from CW-1 said "consulting service." CHEN asked, "[W]hat should I say [if the IRS asks]-- consulting service or foundation?" CW-1 replied, "consulting services for the foundation." CHEN responded, "Okay."

83. In a call on or about February 21, 2019, CW-1, acting at the direction of law enforcement agents, told CHEN that the IRS audit had been completed. The following is an excerpt from the conversation, which was consensually recorded.

CW-1 I wanted to call you 'cause I called you before about our audit--

CHEN Uh-huh.

CW-1 --and I wanted to let you know that our audit is over.

CHEN Uh-huh.

CW-1 We're all okay. And we are okay because, so you, you're not, no issues with you. So nobody will be contacting you, okay?



CHEN Okay.

CW-1 Because your-- the payment that you made, we created a fake consulting invoice that you paid that, instead of making a donation to our foundation.

CHEN Uh-huh.

CW-1 So there was no link, for the audit in our foundation, because we-- you paid the \$75,000 to my for-profit company--

CHEN Uh-huh

CW-1 --with a fake, with a fake consulting invoice. So that's-- that's why we're clear.

CHEN Oh-huh, okay.

CW-1 And then, the other thing is, they asked a question about [CW-2], who took the test for [your son], and Igor, who was the site coordinator, how come I paid them from the foundation at the same time that [your son] was taking the test--

CHEN Uh-huh.

CW-1 --and since you paid the for-profit company the \$75,000, there was no payment for the-- as a donation.

CHEN Uh-huh.

CW-1 And I think that we are past that. So that we both agree that [CW-2] took the test for [your son], right?

CHEN Yeah.

CW-1 And so everything should be fine so I just wanted to make sure that you're okay to know that the audit is over, and we should be in good shape.

CHEN Oh, okay, sounds good.

E. ELIZABETH HENRIQUEZ and MANUEL HENRIQUEZ

84. Defendants ELIZABETH HENRIQUEZ and MANUEL HENRIQUEZ, a married couple (together, the "HENRIQUEZES"), are residents of Atherton, California. MANUEL HENRIQUEZ is the founder, chairman, and CEO of a publicly traded specialty finance company based in Palo Alto, California.

85. As set forth below, the HENRIQUEZES participated in the college entrance exam cheating scheme, on four separate occasions, for their two daughters. In addition, the HENRIQUEZES conspired to bribe Gordon Ernst, the head tennis coach at Georgetown University, to designate their older daughter as a tennis recruit in order to facilitate her admission to Georgetown.<sup>11</sup>

86. In or about the fall of 2015, the HENRIQUEZES paid CW-1 \$25,000 to have CW-2 purport to proctor their older daughter's SAT exam, and correct her answers.

87. On or about August 19, 2015, CW-1 e-mailed CW-2 a round-trip plane ticket from Tampa, Florida to San Francisco, California. CW-1 forwarded the ticket receipt to Steven Masera, his bookkeeper, with the instruction to bill the ticket to the "Henriquez account."<sup>12</sup>

88. At or about the same time, CW-1 made arrangements for CW-2 to serve as an exam proctor at the private college preparatory school in Belmont, California, attended by the HENRIQUEZES' daughter. On or about September 19, 2015, CW-1 e-mailed CW-2: "You are going to receive an e-mail from the [high school guidance] counselor to tell you what to do with materials, et cetera ... before responding to her let me know so we can say the right thing."

89. In a series of e-mails in late September, 2015, CW-2 explained to the HENRIQUEZES' daughter's high school counselor, in sum and substance, that he was willing to fly from Tampa to San Francisco to proctor the exam "because my wife has a new-born," noting, "I would really appreciate the opportunity to proctor the test because I'm applying to grad schools and I could quite frankly use the work." The counselor responded, "I have you set up to

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<sup>11</sup> Ernst has been indicted by a federal grand jury in the District of Massachusetts on a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).

<sup>12</sup> Masera has been indicted by a federal grand jury in the District of Massachusetts on a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).

proctor and read for [the HENRIQUEZES' daughter] this coming Saturday, October 3rd at 8:00 a.m." CW-2 forwarded the e-mail to CW-1, who forwarded it to ELIZABETH HENRIQUEZ with the note, "[CW-2] has the testing covered."

90. On or about September 28, 2015, CW-1 directed Masera to bill the "parents 15k that is to be written to [CW-1] and goes to my home or personal account. 10k to The Key for Testing Support."

91. On or about October 2, 2015, CW-2 flew to San Francisco. That same day, ELIZABETH HENRIQUEZ e-mailed CW-2 directly to "touch base regarding Saturday am plans." She arranged to meet CW-2 at her daughter's high school at 7:15 a.m. the next day.

92. On or about October 3, 2015, CW-2 purported to proctor the exam for the HENRIQUEZES' daughter at her school. According to CW-2, unbeknownst to the school, he sat side-by-side with the daughter during the exam and provided her with answers to the exam questions, and after the exam, he "gloated" with ELIZABETH HENRIQUEZ and her daughter about the fact that they had cheated and gotten away with it.

93. On or about October 20, 2015, CW-1 sent an e-mail instructing Masera to bill \$25,000 to the HENRIQUEZES, with \$15,000 directed into CW-1's personal account. On November 18, 2015, with the invoices still unpaid, CW-1 e-mailed ELIZABETH HENRIQUEZ to inquire about the status of payment. ELIZABETH HENRIQUEZ responded: "Manuel set up electronic checks when we first received the invoices. I will check with him."

94. On or about November 24, 2015, the Henriquez Family Trust wired \$15,000 to CW-1's personal bank account and \$10,000 to an account in the name of The Key. After receiving the funds, CW-1 caused KWF to pay CW-2 a total of \$10,000 in three separate installments.

ZANGRILLO Mm-hmm.

CW-1 --they get to the [USC undergraduate] advisor, and the advisor say[s], "By the way, you were admitted through athletics. Are you competing in a sport?" And, and we know that-- and we don't-- what I don't want her to say, or anything like this, is that she got in through athletics-- she got in because of a payment to athletics, which I know--

ZANGRILLO Right.

CW-1 --that she won't-- right?

ZANGRILLO Right. No, she won't say that.

CW-1 Okay. And then we should be fine.

N. JOHN B. WILSON

287. Defendant JOHN B. WILSON is a resident of Lynnfield, Massachusetts.

WILSON is the founder and CEO of a private equity and real estate development firm.

288. As set forth below, WILSON conspired to bribe Jovan Vavic, the USC water polo coach, to designate his son as a purported recruit to the USC men's water polo team, thereby facilitating his admission to USC. WILSON also sought to use bribes to obtain the admission of his two daughters to Stanford University and Harvard University as recruited athletes.

289. CW-1 has advised law enforcement agents that he first began working with WILSON in or about 2012, and that WILSON agreed to make a purported contribution to KWF to facilitate a bribe to Vavic to designate WILSON's son as a purported water polo recruit.

290. On or about February 10, 2013, WILSON e-mailed CW-1 and asked for the "deadline to decide on side door for USC or BC or Georgetown etc. this year" and to "confirm for which schools is side door option really viable." CW-1 responded that the deadline for USC and Boston College was "mid July." When WILSON replied that he thought the deadline for

USC was earlier, CW-1 explained: "Jovan [Vavic] is giving me 1 boys slot and as of yet no one has stepped up to commit that is why it is later."

291. On or about February 28, 2013, WILSON's spouse, who was copied on the earlier e-mail chain, replied to CW-1 and WILSON and asked, "Is this spot still available for USC[?]" CW-1 responded that the spot was still available. WILSON's spouse replied to CW-1 and WILSON and asked, in substance, whether another candidate was looking at USC such that she and WILSON should "be pushing [their son] to decide if that's his number 1 choice." WILSON's spouse indicated that their son "is unaware of this arrangement."

292. On or about March 26, 2013, WILSON e-mailed CW-1 and asked, "Would the other kids know [my son] was a bench warmer side door person?" In a follow-up e-mail the next day, WILSON added: "So it sounds like even if [my son] practices all the time etc it will be known that he is a bench warming candidate? Obviously his skill level may be below the other freshmen. In your view will he be so weak as to be a clear misfit at practice etc?"

293. CW-1 advised WILSON that his son would not actually be expected to play water polo for USC. On or about March 27, 2013, in response to an e-mail from WILSON about his son's commitment to the team "if he did the side door at USC," CW-1 replied: "Travel is only if he is playing so No- the commitment is to be on the roster not attend all practices but he will have to attend drug tests and other mandatory functions for 1 year then walk away/frankly after the 1st semester he can move on."

294. In an e-mail to CW-1 on or about August 24, 2013, WILSON inquired about the timing of his payments to Vavic to secure his son's admission as a purported water polo recruit. WILSON wrote: "What does Jovan need by [S]ept 20? Do u have what we need? Do I make the first payment to u then?" CW-1 responded, in substance, that he had everything he needed to

send to Vavic “so he can add [your son] to his recruit list and present him to admissions in October.” WILSON replied: “Great - let me know when u have verified u have it all completed and into Jovan. Also when and where to wire money.”

295. In an e-mail exchange on or about October 3, 2013, Vavic advised CW-1 that he needed an athletic profile for WILSON’s son and that it “needs to be a good resume.” CW-1 subsequently provided Vavic with a falsified profile that included fabricated swimming times and awards.

296. In an e-mail exchange on or about January 21, 2014, Vavic asked CW-1 to confirm that WILSON’s son was still interested in attending USC. CW-1 confirmed that WILSON’s son was still interested and that the “family is ready to help.” Vavic replied that he would present WILSON’s son to the USC subcommittee for athletic admissions with his “top walkons.”

297. On or about February 26, 2014, Vavic e-mailed a USC athletics administrator that WILSON’s son “would be the fastest player on our team, he swims 50 y in 20 [seconds], my fastest players are around 22 [seconds], this kid can fly.” CW-1 has advised that this purported performance figure, which was derived from the falsified athletic profile CW-1 provided Vavic, was fabricated.

298. WILSON’s son was granted admission to USC as water polo recruit on or about February 28, 2014. USC mailed him a formal offer letter on or about March 26, 2014.

299. On or about March 1, 2014—one day after the admissions decision—WILSON e-mailed CW-1 under the subject line “USC fees.” WILSON wrote:

Thanks again for making this happen! Pls give me the invoice. What are the options for the payment? Can we make it for consulting or whatever from the [K]ey so that I can pay it from the corporate account ?

CW-1 replied that he could make the invoice for business consulting fees, so that WILSON could "write off as an expense." WILSON replied, "Awesome!"

300. On or about April 7, 2014, WILSON's company wired \$100,000 to KWF, as well as \$100,000 to The Key, CW-1's for-profit entity, and \$20,000 to CW-1 directly.

301. On or about April 16, 2014, CW-1 withdrew a \$100,000 cashier's check, made out to "USC Men's Water Polo," from The Key's account. The "Purpose/Remitter" identified on the check was "Wilson Family."

302. On or about July 28, 2014, USC sent WILSON and his spouse a gift receipt for their \$100,000 donation to USC Athletics.

303. WILSON's son withdrew from the USC water polo team after his first semester at USC.

304. During a call with CW-1 on or about September 29, 2018, WILSON inquired about potential "side door" opportunities for his daughters. CW-1 explained, in substance, that he could get WILSON's daughters into college through the athletic recruitment scheme even if they did not play the sport for which they were purportedly recruited. The following is an excerpt from the call:

WILSON                      And what were the schools in that, if you did the side door? And I'm interested about the side door and that stuff--

CW-1                        So the side door is gonna be-- gonna happen where you want 'em to happen. [inaudible]

WILSON                      It can happen anywhere? Does it have to be a sports side door? I wasn't clear on that.

CW-1                        Well, so that's the-- that's the easiest way to approach it, right--

WILSON                      Yeah.

CW-1 --because all of the coaches have -- you know, they have guaranteed spots, and you've done a good job, you got athletic girls who got great size, they're in the right sports, so, you know, potentially there's a sailing option, and potentially there's a crew option. I mean, I don't know how good of athletes they are. They may be good enough to be able to compete at some of these schools, and then who knows what we have to do, depending on where, where the spots [inaudible].

WILSON Mm-hmm. Yeah, so they--

CW-1 So you have--

WILSON --have to get that sports. What if they're not really that good? I mean, they can do some crew, but I don't know they're gonna be good. [One daughter's] not even that good competitively at sailing. She just taught sailing and did sailing in, you know [inaudible]

CW-1 Right, so--

WILSON --yacht club.

CW-1 But at the end of the day, by the side door, I may be able to go to the sailing coach and say, "Hey, this family's willing to make the contributions. She could be on your team. She is a sailor. She may not be up to the level you are, but she can con-- you know, you're gonna get a benefit, and the family's gonna get benefit. So are you will-- are you interested in doing that?"

305. During a call on or about October 15, 2018, CW-1, acting at the direction of law enforcement agents, listed various "side door" options for WILSON's daughters and noted that for any of those options, WILSON's daughters "don't have to play. They just-- that's the path I'm gonna get 'em in on." WILSON responded, "Gotcha." WILSON asked CW-1 what would happen if his daughters "don't actually get in?" CW-1 replied, "Oh, no, no, no. Y-you don't have to worry about it. They're-- it's g-- it's a done deal." WILSON subsequently advised CW-1 that he wanted to pursue "side doors" for his daughters at Stanford and Harvard.

306. During the same call, CW-1 explained that if WILSON were to deposit \$500,000 into KWF immediately, he would give WILSON first priority on any admission spots he secured,



because CW-1 had to give spots to “whoever’s gonna ante up.” The following is an excerpt from the call, which was consensually recorded.

CW-1                      So if anybody asks me for, like, [the] Stanford spot and we’re not sure yet, then I can call you and say, “Hey, somebody wants that spot and I only have one,” or “I’m gonna get a second one,” or whatever. But having the money already, in advance, makes it much easier. Because I gotta go with whoever’s gonna ante up.

307.     WILSON responded, “Yeah,” and asked CW-1 for his wire information. On or about October 17, 2018, WILSON’s company wired \$500,000 to an account in the name of KWF in the District of Massachusetts. Unbeknownst to WILSON, the account had been opened by CW-1 at the direction of federal agents.

308.     Thereafter, on or about October 27, 2018, CW-1, at the direction of law enforcement agents, advised WILSON that he had secured a “side door” deal for one of WILSON’s daughters with the Stanford sailing coach, John Vandemoer, and that the deal with Vandemoer was hidden from Stanford.<sup>21</sup> The following is an excerpt from the call, which was consensually recorded.

CW-1                      So I had a conversation with the Stanford sailing coach and, so I just gave the Stanford sailing coach [\$]160,000 for his program and while we were having that conversation I said, “Hey, I’m hoping that this 160 that I’m helping you with helps secure a spot for next year. Can I be guaranteed a spot for next year?” And he said, “Yes.”

WILSON                      [inaudible] all it takes?

CW-1                      So-- no, no, no, no. That’s not all it takes.

WILSON                      Okay. (Laughter)

CW-1                      This is not TJ Maxx or Marshall’s or something like that. So--

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<sup>21</sup> Vandemoer has agreed to plead guilty, in the United States District Court for the District of Massachusetts, to a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).

WILSON Right.

CW-1 So essentially if you're-- I want you to have first dibs, like I told you. So if you want I can provide John Vandemoer-- which I'm going to essentially send John directly the check, to the coach. I can send him your [\$]500,000 that you wired into my account to secure the spot for one of your girls. I asked him for a second spot in sailing and he said he can't do that because he has to actually recruit some real sailors so that Stanford doesn't--

WILSON (Laughter)

CW-1 --catch on.

WILSON Right.

CW-1 Okay. So--

WILSON Yeah, no. He's got to--

CW-1 --Stanford--

WILSON -- actually have some sailors. Yeah.

CW-1 Yeah. So that Stanford doesn't catch on to what he's doing.

WILSON Right.

CW-1 So-- and I-- that doesn't mean I'm not going to pursue other Stanford coaches, and to be frank with you, it doesn't matter if it's one of the girls who's not a sailor. I can still put her as a sailor. Or, obviously, the one that is, I can-- I'll mark that she's a sailor because she is, but not at the level in which she can sail at Stanford.

WILSON Right, right.

309. In a call on or about November 29, 2018, CW-1, at the direction of law enforcement agents, told WILSON that he had secured an admissions spot at Harvard through a fictitious "senior women's administrator," and that, in exchange for a \$500,000 payment to her, the administrator would designate one of WILSON's daughters as an athletic recruit. The following is an excerpt from the call, which was consensually recorded.

CW-1                    So I got the senior women's administrator at Harvard is going to give us a spot. What we have to do is we'll have to give her \$500,000. That money, obviously, like the others, will go through my foundation and then I will fund the senior women's administrator at Harvard. And then in the spring, since I've already paid John Vandemoer the 500 and now we'll give the senior women's administrator 500, so I got another deal for you. Is-- your total's going to be 1.5. 250 will come in the spring for Stanford and 250 for Harvard in the spring and we'll ha-- and we'll be solid. We'll be done. We'll apply like a normal student but we'll know that we're getting in in the late fall of next year.

WILSON                Okay, great. So what is that going to be? This is the senior women's-- what does she have, no team or anything like that or--

CW-1                    She'll figure it out. So it won't mean-- it doesn't matter the sport at this point. She will figure it out and get it done. So-- and the same thing for-- maybe she won't have to sail but we're going to put her through sailing and John Vandemoer. This is actually a better play at Harvard because she will just get her in through athletics in one of the sports but it won't matter. It won't matter at all.

310.    During the call, CW-1 told WILSON he would need another \$500,000 payment to secure the spot at Harvard. Thereafter, on or about December 11, 2018, WILSON's company wired another \$500,000 to the Massachusetts account in the name of KWF.

O. DEVIN SLOANE

311.    Defendant DEVIN SLOANE is a resident of Los Angeles, California. SLOANE is the founder and CEO a Los Angeles-based provider of drinking water and wastewater systems, among other businesses.

312.    As set forth below, SLOANE conspired to bribe USC's Heinel to designate SLOANE's son as a recruit to the USC men's water polo team, thereby facilitating his admission to USC.

313.    On or about January 4, 2017, SLOANE e-mailed CW-1: "Should we start thinking of a short list of schools to tour now?" CW-1 responded, in substance, that a short list typically required "SAT and Subject test scores," but that SLOANE could begin to create a list if

“you are ready to commit to the notion of the financial side door. Your thoughts?” SLOANE replied three minutes later that he and his son would “come up with schools to visit.”

314. CW-1 has advised law enforcement agents that he agreed with SLOANE to secure his son’s admission to USC as a purported water polo recruit, even though SLOANE’s son did not play water polo competitively.

315. Records obtained from Amazon.com indicate that, on or about June 5, 2017 and June 16, 2017, SLOANE purchased water polo gear, including a ball and a cap.

316. Thereafter, on or about June 26, 2017, SLOANE received an e-mail from a graphic designer bearing the subject line, “Water Polo Photo – 06/26/17.” The designer wrote:

We researched a few water polo athlete images and the majority are cropped against a background so they can use them in promotional materials (and it takes out undesirable elements from the crowd etc). We were able to adjust the color and complete a clean extraction to mimic this look (attached).

317. SLOANE responded, “OK, but any chance to put him in a setting that looks like an outdoor [polo] pool?” The graphic designer replied:

We looked for a few shots yesterday but could not find one that was a solid fit (we’re looking within istockphoto for the pool BG scene). We’ll keep looking and should have a few final examples today.

318. On or about June 27, 2017, SLOANE e-mailed CW-1 a photograph of his son purporting to play water polo, with his right arm and upper torso exposed above the water line. In the e-mail, SLOANE asked, “Does this work??” CW-1 responded: “Yes but a little high out of the water- no one gets that high.”

On or about the following day, June 28, 2017, SLOANE sent CW-1 a photograph in which his son appeared to be lower in the water, with his torso and arm now mostly submerged. SLOANE wrote, “Hope this works . . .” CW-1 replied, “perfect.” In both photographs, SLOANE’s son appears to be using the items SLOANE purchased from Amazon.com a few weeks earlier.

319. On or about July 14, 2017, CW-1 e-mailed Janke and directed her to create a water polo profile for SLOANE's son. Two days later, Janke wrote, "Ok sounds good. Please send me the pertinent information and I will get started."

320. On or about July 16, 2017, CW-1 e-mailed SLOANE to request biographical details for the profile. CW-1 indicated that the profile would falsely present SLOANE's son as a "Perimeter Player" who played for the "Italian Junior National Team" and the "LA Water Polo" team. The following day, SLOANE replied with the personal information for the profile.

321. Heinel presented SLOANE's son to the USC subcommittee for athletic admissions in or about November 2017. On or about November 16, 2017, Heinel e-mailed CW-1 a conditional acceptance letter for SLOANE's son, indicating that his admission was premised upon "records [that] indicate that you have the potential to make a significant contribution to the intercollegiate athletic program."

322. Less than two weeks later, on or about November 29, 2017, CW-1 e-mailed SLOANE the following:

Devin can you send a 50K check to USC and the address is below. Additionally the rest of the 200K will be paid to our foundation a 501 3C [sic] after [your son] receives his final letter in March.

Made Payable to:

USC Women's Athletics

Send to:

Donna Heinel  
Senior Women's Athletic Director  
3501 Watt Way  
Los Angeles, California 90089-0602

Please confirm when sent[.]

323. That same day, SLOANE sent Heinel, by FedEx, a \$50,000 check payable to “USC Women[']s Athletics.”

324. On or about January 29, 2018, one of CW-1’s employees e-mailed SLOANE an invoice from KWF in the amount of \$200,000 and wrote, “Thank you for your generous donation.” SLOANE forwarded the e-mail to CW-1 and asked, “Hi [CW-1]: I believe you mentioned this would be due after we received the official letter from USC in March. Is that correct or did something change?” CW-1 responded: “We are getting everyone ready – I am trying to get money in so there is no delay as [U]SC will call the markers in very soon thereafter.”

325. On or about March 22, 2018, USC mailed SLOANE’s son a formal acceptance letter. On or about April 11, 2018, SLOANE wired \$200,000 to KWF.

326. On or about April 1, 2018, a guidance counselor at SLOANE’s son’s high school e-mailed SLOANE and his son for an update on what schools had accepted SLOANE’s son. SLOANE forwarded the request to CW-1 with the note: “What do you think we should do? Either we can list all the non-USC acceptances and not include USC or include everything or do nothing?” CW-1 responded as follows:

They know about USC. One of the counselors questioned [your son] getting in as Water Polo player this week. My folks at [U]SC called me so we could restate [your son] playing in Italy as [his high school] does not have a team.

SLOANE replied, “Any concerns?” Three minutes later SLOANE responded again, as follows:

The more I think about this, it is outrageous! They have no business or legal right considering all the students privacy issues to be calling and challenging/question [my son’s]’s application.

327. On or about April 11, 2018, Heinel e-mailed the USC Director of Admissions as follows:

Wanted to complete the loop. [SLOANE's son] doesn't play on the men's water polo team at [his high school] because they do not sponsor water polo at his school. He plays at LA Water Polo Club during the year and travels international during the summer with the youth junior team in Italy. I don't know if the people at [his high school] are unaware of his participation. He participates in tournaments in Greece, Serbia (how he met Jovan [Vavic]) and Portugal. I believe the parents do have money since he is enrolled in [his high school] plus is able to travel so extensively during the summer. He is small but he has a long torso but short strong legs plus he is fast which helps him win the draws to start play after goals are scored. He is an attack perimeter player. Thanks for bring to my attention.

The information in Heinel's e-mail was fabricated. The USC Director of Admissions replied as follows:

Thanks, for this. If you don't mind, I'll pass an edited/paraphrased version of your note along to the school, to assure them we're looking at this stuff. They seemed unusually skeptical. I think they do have a water polo team, but I wouldn't expect it to be competitive. It's a small school; I read a good deal about tennis, some basketball, but not much else in the way of athletics.

CW-1 forwarded SLOANE this e-mail chain at approximately 10:41 p.m. that same day.

328. Approximately two hours later, CW-1 sent SLOANE the following e-mail, which CW-1 has advised investigators contained fabricated information for SLOANE to use as a script if questioned by his son's high school:

I received a call from Coach Vavic last night asking why [my son's high school] is pushing back on my decision to take [my son] as a member of my team - WHY?

[My son] is strong enough student to compete as a student-athlete and be a positive role model for our program throughout USC - again WHY are they questioning??

Head Water Polo Coach-- Jovan Vavic and Lisa his wife have become family friend for several years since [my son] has participated in Water Polo in the summers while we were in Italy[.]

Coach Vavic goes to Serbia, Greece, Italy, Spain and Portugal with his college teams to train and recruit players to bring to the US; consequently, we have created a close relationship.

Coach Vavic knows [my son] very well and realizes he is not at the National Level of USC as a water polo player but he encouraged us to have [him] consider attending USC and being a part of his team[.]

Coach Vavic stated to us that he has 40-50 guys on his team annually. Only a couple handful play but he needs practice players and great teammates plus he knows we are a generous family.

329. Later that day, Heinel left CW-1 the voicemail referenced in paragraph 218 above, in which she told him, among other things, "I just don't want anybody going into [SLOANE's son's high school] or [GIANNULLI's daughter's high school], you know, yelling at counselors. That'll shut everything -- that'll shut everything down."

330. In a call with CW-1 on or about August 30, 2018, SLOANE described how he had misled a representative of the USC advancement office about the reason for his \$50,000 payment. The following is an excerpt from the call, which was intercepted pursuant to the Court-authorized wiretap.

SLOANE                    I got reached out to by the main development people at, at, [USC's senior vice president for university advancement]--

CW-1                      Yup.

SLOANE                    --at university advancement. But he had an underling reach out to me and then I told the underling, "Hey, I got a letter from [USC's senior vice president for university advancement] himself." She's like, "Oh, oh, okay, well maybe I need to involve him now." I don't know. But she understood it was-- but she knew we made the donation to women's sports, and she's like, "Well, I was curious-- you know, how, how did you come up with that?" I said "Well you know, my mom, my mother was an Olympic athlete and she just passed away last year, and we as a family decided that we wanted to support women's--"

CW-1                      You're the greatest.

SLOANE                    "--women's sports, and my, my son had done a big essay, a big, a big interview with an Olympic hockey-- female hockey player. The subject was, you know, about women in sports and how they need more access, and all that stuff. So we thought it was a good



way.” And I said, “I knew it would get your guys’s attention. You know, I’m a pretty subtle guy, but I knew I’d get on your radar quickly and we want to part of the community,” and all that.

CW-1                      That’s great. You are-- you are slick.

SLOANE                      So that was good.

331.     On or about October 25, 2018, CW-1 called SLOANE from Boston at the direction of law enforcement agents. On the call, CW-1 told SLOANE that the IRS was auditing KWF. SLOANE expressed concern about speaking over the telephone. The following are two excerpts from the call, which was consensually recorded.

CW-1                      So I just want to let you know so my foundation right now--

SLOANE                      Mm-hmm.

CW-1                      --is being audited.

SLOANE                      Uh-huh.

CW-1                      Like everybody on the planet, right?

SLOANE                      Sure.

CW-1                      And so, they’re looking at all of our payments so they, w-- you know, we have hundreds and hundreds of them. So one of them they asked about was the 200K that-- that you paid.

SLOANE                      Yeah.

CW-1                      So I just want to make sure that, [inaudible], so when the IRS talks to me, but what I’m-- what I’m not going to tell the IRS obviously is that the 2-- the 250 which was the total and 200 that went to our foundation went to get [your son] into USC through Donna Heinel for-- for men’s water polo. So I’m not going to do that but I just was-- I just want to make sure we’re on the same page.

SLOANE                      Uh-huh, yeah.

....

CW-1                      So what I’m going to tell the IRS is that your donation--

SLOANE Mm-hmm.

CW-1 --to our foundation essentially went--

SLOANE Wait [inaudible], wait, [CW-1], let me ask you a question, shouldn't we get together for a coffee over this as opposed to over the phone?

CW-1 Whatever you want to do I'm fine.

SLOANE No, no, might be-- might be-- I think m-- better.

CW-1 Okay, okay, so--

SLOANE [inaudible] but-- but yeah, I think [inaudible].

CW-1 [inaudible] I'm in Boston now.

SLOANE Oh, okay.

CW-1 I'm in Boston now. So I mean whatever you want you tell me.

SLOANE Well, you know what the best thing would be, I'm sure you got some materials on your foundation, do you have any like marketing materials about what the foundation d--

CW-1 Well, we don't.

SLOANE Okay.

CW-1 We don't, we have a website and all that stuff. Other than that--

SLOANE Will you send me the link to the website?

CW-1 Yes.

SLOANE And then, maybe I can brush up on that and then—then-- then be consistent like that.

CW-1 Yeah, because essentially what-- all I'm going to tell the IRS is that you made donation to our foundation for underserved kids, that's it.

SLOANE Yeah, yeah, yeah.

CW-1                      And I'll leave it at that.

SLOANE                  Okay. Yeah. Yeah, yeah.

P. MARCI PALATELLA

332. Defendant MARCI PALATELLA is a resident of Hillsborough, California. PALATELLA is the CEO of a liquor distribution company in Burlingame, California.

333. As set forth below, PALATELLA took part in both the college entrance exam cheating scheme and the athletic recruitment scheme, including by conspiring to bribe USC's Heinel to designate her son as a football recruit in order to facilitate his admission to USC.

334. In or about 2016, CW-1 arranged for PALATELLA's son to be evaluated by a psychologist with whom CW-1 was acquainted, in order to obtain the medical documentation necessary to qualify for extended time on his college entrance exams.

335. On or about September 26, 2016, after receiving the psychologist's evaluation, PALATELLA e-mailed CW-1 to inquire whether she should apply for extended time on both the SAT and the ACT. CW-1 replied: "Do both that way if one says no we have the other."

336. On or about February 27, 2017, after her son was granted extended time on the SAT, PALATELLA e-mailed her son's high school that he would be "taking his SAT test at [the West Hollywood Test Center] in Los Angeles on March 11 and 12, 2017." PALATELLA explained that "[w]e are taking [our son] to LA that weekend to look at schools and his outside college advisor recommended he take his test at that facility."

337. On or about March 7, 2017, PALATELLA wired \$75,000 to one of the KWF charitable accounts.

338. On or about March 10, 2017, CW-2 flew from Tampa to Los Angeles for PALATELLA's son's SAT exam. CW-2 purported to proctor the exam the following day and returned to Tampa on or about March 12, 2017.

339. PALATELLA's son received a score of 1410 out of a possible 1600 on the SAT.

340. At or about the same time that PALATELLA made arrangements with CW-1 to facilitate cheating on her son's college entrance exams, she also inquired about the college recruitment scheme. In an e-mail exchange on or about March 13, 2016, PALATELLA asked CW-1 for advice on how to "position" her son for his college applications. In response, CW-1 asked, "Are you willing to make a contribution of several hundred thousand as a donation to get him in as a participant in someone's program." PALATELLA replied: "Money, for the right environment, Yes. But he can never know."

341. On or about the following day, CW-1 provided PALATELLA with a price list, which he described as "the number it would take to get admitted even with the fudging of the scores." For USC, he advised that there was a 75 percent chance of getting her son admitted with a "large but not significant" donation. PALATELLA asked for "the approximate number it would take to get in there," and added, "[w]hen we spoke \$300-400 was one level, and the second level was \$750-1m. Can you clarify?" CW-1 answered: "Georgetown BC may be over 1m others as stated."

342. In an e-mail exchange on or about October 3, 2016, PALATELLA asked CW-1 whether certain schools would be "realistic" for her son assuming he "had a B average, and SAT scores that you can guess at (I'm assuming fairly accurately) . . . if we were also 'generous?'" CW-1 replied:

Several of the school's besides being very difficult to get in are a grind and there are no easy classes. . . . No matter the board member you know the grades and

very good/solid scores will not get him in unless you anti [sic] in the many millions. The only way in is through athletics due to the leeway given athletes.

PALATELLA responded that her son was not a realistic football recruit, noting:

You know that [my son] took a year off football this year and says he just needed a break and will play next year. So given that, and they he's [sic] not the team's star but a good solid player, would he really still have an athletic edge? [My son] is a natural but he's gotten the message that he is not big enough for college football. I think that's one of the reasons he dropped out. . . . How would he have an athletic edge at a bigger named school given the other players are huge?

CW-1 answered:

He needs to get in through Football so my relationship at that levels gives [him] a shot since that is the sport with the lowest grades. Notre Dame and Vandy lowest football players are 3.4 and have to be big time players. Cannot hide him there.

PALATELLA responded, "Ok. Got it," and asked if her son should "go back now this season or can he go back as a senior??" CW-1 replied: "I got it covered no worries on the story for [your son]." PALATELLA responded with four heart emojis.

343. On or about July 27, 2017, approximately four months after engaging in the SAT cheating scheme, PALATELLA e-mailed CW-1 a photo of her son in his football uniform and asked, "Will this work?" CW-1 forwarded the photo to Janke, together with PALATELLA's son's grades and test scores, which included the fraudulently obtained SAT score. Janke created a football profile for PALATELLA's son that falsely described him, among other things, as an active player on his high school football team as a member of the "defensive line" and a "long snapper" and as a member of several local and statewide championship teams between 2015 and 2017.

344. Heinel presented PALATELLA's son to the USC subcommittee for athletic admissions as a purported football recruit on or about November 16, 2017, falsely describing him as a long snapper.

345. On or about November 30, 2017, Heinel e-mailed CW-1 a conditional acceptance letter for PALATELLA's son. The letter stated that he had the "potential to make a significant contribution to the intercollegiate athletic program as well as to the academic life of the university." CW-1 forwarded the letter to PALATELLA.

346. On or about the next day PALATELLA mailed Heinel a \$100,000 check, payable to the USC Women's Athletic Board, with a note that said, "Our son ... is beyond thrilled at the prospect of attending USC as a freshman this fall."

347. USC mailed PALATELLA's son his formal acceptance letter on or about March 22, 2018. Six days later, CW-1 instructed a KWF employee to send PALATELLA an invoice in the amount of \$400,000. PALATELLA wired the money to KWF on or about April 1, 2018.

348. On or about October 24, 2018, CW-1 called PALATELLA from Boston at the direction of law enforcement agents, and told her that the IRS was conducting an audit of KWF. The following are two excerpts from the call, which was consensually recorded.

CW-1                      My foundation is being audited, which is typical, right? You know, we're all--

PALATELLA              Okay.

CW-1                      --businesspeople.

PALATELLA              Right.

CW-1                      So they're, they're looking at all my payments.

PALATELLA              Mm-mmm.

CW-1                      And they asked about your payment, which was for [CW-2] taking the test for [your son], which we know happened at [the West Hollywood Test Center], and that whole thing happened, and [CW-2] took it. And of course when I talk to the IRS, I'm definitely not saying anything about that. I'm just saying that your payment for-- that \$75,000 payment was essentially for helping-- going to our foundation to help underserved kids.

PALATELLA Oh, yeah, totally. Everything we've done is.

CW-1 Absolutely. And then the, the additional money, the 400K-plus, was-- that we get through Donna-- to help [your son] get into USC, through football. That's essentially [the] same thing I've told the IRS, just money's gone to our foundation, and is essentially to help underserved kids in the programs that we're doing. So essentially what I want to do is make sure that our stories are the same.

PALATELLA Well, here's-- I think they are, but I think there's even more to it. So hold on a second. Just one sec. Let me go into-- I'm in a big environment here. I think the other thing is that we don't come from this, and we are so grateful for the educational opportunities our own kids have gotten, and we feel like we want to give to something that can support these kids and give other kids the same chance that our son had.

CW-1 Absolutely. Absolutely.

PALATELLA Are you comfortable with that?

CW-1 Absolutely. Absolutely. So the other question I just want to ask is for the sale of-- are you or did you take a write-off-- because they've asked me that question, and I just want to make sure that I know the answer to the question.

PALATELLA Yes, because you're a nonprofit, correct?

CW-1 Right absolutely. Yeah, 501(3)(c) [sic].

PALATELLA Oh yeah. No, no. Yeah, no, no, no, we took the write-off, and we are-- but our-- yeah. I mean, I love the work you're doing, and love the fact that you help take care of these kids and inspire them and go out into the communities. It was a year we could afford to do it. That's-- which is not even true, but-- (laughs). We made sure it was.

....

PALATELLA What are they looking for?

CW-1 They're just looking for to figure out, this money-- because what's happened, Marci, is our foundation has grown significantly . . . . So what's happened now people are focused on, okay, where's all this money going? Who are you really helping? Is this money, you know, being used for the appropriate reason? So we-- my

books are solid. We've proven it. And I just want to make sure that if anybody comes to you, that your stories are the same, that essentially that first 75 [\$75,000], essentially, which we know is for [CW-2] taking the test for [your son], but--

PALATELLA No, no, no, it's-- no, that was also for the same thing.

CW-1 Absolutely.

PALATELLA I don't think, I don't think we have to involve [CW-2].

CW-1 Okay, got it. Got it. Okay.

PALATELLA I don't think-- I, I think eliminate [CW-2], that we, we did it. We were really happy with the work you were doing. We know people at Goldman Sachs who have, you know, recommended you highly, and we were looking for a place to-- we'd already donated to our schools, and we were, you know, looking for a place where we could really help kids, not just in our own neighborhood, but elsewhere, and we felt really good about everything you were doing. And you were involved in athletics, and my husband was a professional athlete, and-- you know.

CW-1 Terrific. Terrific. [Inaudible].

PALATELLA [inaudible].

CW-1 I just want to make sure that all the payments made-- we're on the same page, that's all. I just want to give you a heads-up--

PALATELLA I don't think you-- I don't even think you should go down the [CW-2] road. Or did, did you?

CW-1 No, we haven't-- no, not at all.

PALATELLA Don't even-- I just think that was our first one, and then we felt really good about you, and--

CW-1 They, they, they know nothing about [CW-2]. They know nothing about any of it. I have just said that all the money went to our foundation to help underserved kids. That's it.

349. On or about January 10, 2019, PALATELLA called CW-1 to tell him about a "disturbing call" that she had had with a neighbor whom she had told, in confidence, that she had



paid CW-1 \$200,000 to secure her son's admission to USC—although, in fact, she had paid CW-1 and Heinel two-and-a-half times that amount. According to PALATELLA, her neighbor had told PALATELLA's son that we “basically paid off to get in,” after promising that “she wouldn't say anything.” PALATELLA told CW-1 that she and her spouse “laugh every day” about how grateful they were for CW-1's services, telling him, “We're like, ‘it was worth every cent.’”

Q. ELISABETH KIMMEL

350. Defendant ELISABETH KIMMEL is a resident of Las Vegas, Nevada and La Jolla, California. KIMMEL is the owner and president of a media company.

351. As set forth below, KIMMEL participated in the college recruitment scheme by conspiring to use bribery to facilitate her daughter's admission to Georgetown as a purported tennis recruit, and her son's admission to USC as a purported track recruit.

352. KIMMEL's daughter's application to Georgetown stated that she played “Southern California Junior Tennis” throughout high school and was a “ranked player.” In fact, the United States Tennis Association, which operates the Southern California Junior Tennis program, has no record of KIMMEL's daughter's participation in that program.

353. On or about November 26, 2012, an admissions administrator at Georgetown e-mailed KIMMEL's daughter, copying Ernst, that “[i]n order to send you your likely letter, your application needs to be complete. Although Coach Ernst has shared with me your unofficial SAT score report, we have not received the scores officially from the College Board and this is a requirement for admission.” On or about December 12, 2012, KIMMEL's spouse responded to the e-mail on behalf of his daughter, copying KIMMEL, Ernst and CW-1, that he had ordered his daughter's official score report to be sent to Georgetown.

354. Eight days later, on or about December 20, 2012, the Georgetown admissions department sent KIMMEL's daughter a letter stating that the "Committee on Admissions has conducted an initial review of your application to the Class of 2017 at the request of Mr. Gordie Ernst, Tennis Coach. I am pleased to report that the Committee has rated your admission as 'likely.'"

355. KIMMEL's daughter matriculated at Georgetown in the fall of 2013 and graduated in or about May 2017. She was not a member of the tennis team during her four years at Georgetown.

356. On or about April 2, 2013, Masera e-mailed KIMMEL: "I understand you have received a [Georgetown University] acceptance letter. Would you like me to revise the Foundation letter to reflect the full \$200,000.00 payment?"

357. Upon receipt of Masera's e-mail, KIMMEL e-mailed CW-1: "Thank you, again, for making Georgetown possible for [my daughter]." She added: "Steve [Masera] sent me a letter to get the process going on our donation, but had \$200K as the amount. My memory was that the amount was \$275K over two payments. Do I have it right?" CW-1 replied, copying Masera: "Please make the payment as it works with your foundation calendar- I believe it was one amount now and one in June?"

358. On or about April 15, 2013, the Meyer Charitable Foundation, a family foundation on which KIMMEL and her spouse serve as officers, issued a check, payable to KWF, in the amount of \$100,000. The check was signed by KIMMEL. Masera thereafter sent a letter to the Meyer Charitable Foundation falsely confirming that "no goods or services were exchanged" for the purported donation. On or about June 27, 2013, the Meyer Charitable Foundation issued a second check to KWF in the amount of \$170,000 to KWF. On or about July

16, 2013, the Meyer Charitable Foundation issued a third check to KWF in the amount of \$5,000. The June and July checks were also signed by KIMMEL.

359. Between on or about September 5, 2012 and on or about September 6, 2013, CW-1 caused The Key, and later KWF, to pay Ernst, the Georgetown tennis coach, \$244,000, in monthly installments of between \$11,000 and \$24,000.

360. The Meyer Charitable Foundation filed a tax return on or about September 25, 2013, for the period June 1, 2012 to May 31, 2013, listing a purported charitable donation to KWF of \$100,000. The Meyer Charitable Foundation filed a tax return on or about September 18, 2014, for the period June 1, 2013 to May 31, 2014, listing a purported charitable donation of \$175,000 to KWF.

361. On or about August 10, 2017, CW-1 directed Janke to create an athletic profile for KIMMEL's son. Janke inquired, via e-mail, what sport the profile should be for and whether there are "pictures or do I need to find one." CW-1 responded: "pole vaulter" and asked her to find "pole vaulter pics."

362. Janke prepared an athletic profile falsely describing KIMMEL's son as an elite high school pole vaulter and including the following photograph purporting to be of KIMMEL's son, but which, in fact, depicts another individual.



363. The high school attended by KIMMEL's son has no record that he ever participated in pole vaulting or track and field.

364. On or about August 18, 2017, CW-1 forwarded the false profile to Heinel, writing in the subject line, "per our discussion today thanks."

365. In or about early October 2017, Heinel presented KIMMEL's son to the USC subcommittee for athletic admissions as a purported track and field recruit. On or about October 10, 2017, Heinel forwarded to CW-1 a conditional letter of admission, addressed to KIMMEL's son, stating that his admission to USC had been approved, and that his records indicated he had the "potential to make a significant contribution to the intercollegiate athletic program as well as to the academic life of the university." Among the conditions was the requirement that he register with the NCAA Eligibility Center.

366. CW-1 forwarded the letter to KIMMEL and her spouse. KIMMEL responded, "Thanks," and inquired: "[W]hat does it mean in point 3, where it says he must register with the NCAA Eligibility Center?" CW-1 responded: "I have to register him as an athlete in case he

wants to compete – no one sees the registration but me, you and USC – we did the same for [your daughter] too.”

367. On or about October 23, 2017, the Meyer Charitable Foundation made a \$50,000 payment to the USC’s Women’s Athletics Board. The check was signed by KIMMEL’s spouse.

368. On or about November 28, 2017, KIMMEL e-mailed CW-1 that she had received her son’s formal USC application from Mikaela Sanford, CW-1’s employee, to review prior to its submission. KIMMEL noted: “I wasn’t sure about telling her to submit because the application didn’t have the activity you were going to include.” CW-1 replied to KIMMEL, copying Sanford, directing Sanford to “please wait to submit [the application to] USC. I have one activity to add- track and field- pole vaulter.”

369. The application ultimately submitted to USC falsely described KIMMEL’s son as a “3 year Varsity Letterman” in track and field and “one of the top pole vaulters in the state of California.”

370. On or about February 23, 2018, the Meyer Charitable Foundation issued a check to KWF in the amount of \$200,000. The check was signed by KIMMEL.

371. USC formally admitted KIMMEL’s son on or about March 22, 2018.

372. On or about March 24, 2018, KIMMEL e-mailed CW-1 that one of the letters in her son’s acceptance packet indicated that he needed to register with the NCAA and asked whether “we need to do anything re the NCAA?” CW-1 responded that her son’s test scores and final transcript needed to be sent to the NCAA. KIMMEL replied that she did not recall “doing it for [her daughter].”

373. On or about May 26, 2018, KIMMEL e-mailed Sanford to ask if the transcript needed “to be submitted to the NCAA if [her son is] not going to participate in a college sport?”

Sanford replied the following day: "Even though he will not play a sport, he was admitted as an athlete so he has to abide by the NCAA regulations for entering into the university." KIMMEL responded by asking if the transcript needed to come from her son's school, or if she could send it to the NCAA herself because she was "concerned that asking [her son's] counselor to submit his transcript to NCAA will raise questions, particularly since [his counselor] knows him well and is familiar with all of his activities/extra-curriculars." Sanford provided KIMMEL with instructions on how to submit an official copy of the transcript to the NCAA herself without alerting her son's high school counselor.

374. In a call on or about July 26, 2018, KIMMEL and her spouse told CW-1 that their son's advisor at USC had inquired about his status as a track athlete, and noted that their son believed this to be a mistake because he was unaware that he had been admitted to USC as a recruited athlete. The following are two excerpts from the call, which was intercepted pursuant to a Court-authorized wiretap.

SPOUSE                    It's-- [spouse] and Elizabeth are here.

KIMMEL                    Hey [CW-1], how are you?

CW-1                        Okay. Hi there.

SPOUSE                    So I want to-- hold on just a second [CW-1].

CW-1                        Okay.

SPOUSE                    So [my son] and I just got back from [U]SC Orientation. It went great. The only kind of glitch was, and I-- he didn't-- [my son] didn't tell me this at the time-- but yesterday when he went to meet with his advisor, he stayed after a little bit, and the-- apparently the advisor said something to the effect of, "Oh, so you're a track athlete?" And [my son] said, "No." 'Cause, so [my son] has no idea, and that's what-- the way we want to keep it.

CW-1                        Right.

SPOUSE                    So he said, "No, I'm not." So she goes, "It has it down that you're a track athlete." And he said, "Well I'm not." She goes, "Oh, okay, well I have to look into that."

....

KIMMEL                    So why is he still, why was he flagged by this advisor as being a track athlete?

CW-1                      He was flagged as an athlete getting in.

KIMMEL                    So does that just follow him around? On all of his records?

CW-1                      I have no idea ELISABETH, but it doesn't matter because every other kid who's gone through the same process will be having the same thing and it doesn't matter 'cause he gets no priority over anybody. I'm sure on his application he's flagged as ev-- as all the kids as they got in-- like there's a water polo kid who's not gonna be a water polo kid, there's the baseball kid who's not gonna be a baseball kid and they just-- they're not being recruited. They're not on the [athlete] priority [registration list] to get any priority stuff, so I would just go about your business and let it be as it [is] and not even pay attention to it 'cause it's the first time as anybody's ever [said] anything.

KIMMEL                    I will-- so we have to hope this advisor doesn't start poking around?

CW-1                      Well if the advisor does, she's gonna call the person who's responsible for all of this, that's the person who got [your son] admitted, and she'll just say he decided not-- to not compete.

KIMMEL                    She won't call the track coach? Does he know about it?

CW-1                      Doesn't matter, she has to go [to] the senior women's administrator.

KIMMEL                    Okay.

CW-1                      It wouldn't make sense for an advisor to call anybody. So I'll [let] Donna know it-- that's the way it is.

375.    On or about August 2, 2018, KIMMEL forwarded CW-1 an e-mail from her son's advisor at USC about scheduling times for track practice. KIMMEL noted that her son "told me about this e-mail (see below), which he assumed was a mistake," adding: "[P]erhaps you already spoke to your contact about this, but has [my son] been taken off 'the list' so he doesn't continue

to receive notifications about practice times (or missed practices), athletics meetings, etc.” CW-1 forwarded the e-mail to Heinel who responded: “I will take care of tmw.”

376. In a call on or about October 26, 2018, CW-1, at the direction of law enforcement agents, told KIMMEL that KWF was being audited by the IRS. The following is an excerpt from the call, which was consensually recorded.

CW-1                      So they-- they’ve asked a couple questions about the-- you know, because essentially over \$450,000 has been donated by your guys’ family foundation.

KIMMEL                  Uh-huh.

CW-1                      So, of course, I’m not going to tell the IRS that-- I’m not going to say anything about the payments-- the first group of payments for [your daughter] going to Gordie Ernst at Georgetown, nor am I going to say anything about the-- 200,000-- well, 250 total going for [your son] to Donna Heinel at USC for his admission as a pole vaulter. So I just want to make sure that you and I are on the same page, so that nothing-- you know, I’m going to-- essentially what I’m going to tell the IRS is that your donations were made to my foundation to fund underserved kids, which is the mission of our foundation. So I just wanted to make sure that we were on the same page.

KIMMEL                  Oh, well, as far as I know, I don’t know what you’ve done with the money I gave your foundation. I mean, I-- you never really told me.

CW-1                      Okay, that’s-- that’s perfect.

377. In a call on or about January 3, 2019, CW-1, at the direction of law enforcement agents, told KIMMEL that the USC admissions department was asking questions about a number of students who had been recruited but did not show up for practice. The following is an excerpt from the call, which was consensually recorded.

CW-1                      Several of my families-- I was told through Donna, may get some phone calls because they went through the side door, through Donna, and they-- admissions is asking, “So how come these kids didn’t show up for practice?” And so she had to talk to admissions about why the kids haven’t shown up for practice.



KIMMEL Oh.

CW-1 So, so I-- I just wanted you to know in case you get a phone call from anybody, 'cause so far all this stuff-- [your son] was taken off the list--

KIMMEL Uh-huh.

CW-1 -- so I don't think it'll ever happen.

KIMMEL Were the other kids not taken off the list?

CW-1 They didn't have any issue with advising, so we did not take them off any list, 'cause we've--

KIMMEL Oh.

CW-1 --never had to.

KIMMEL Huh. And they didn't have issues with the coaches saying, "Why aren't you at practice?" (Laughs)

CW-1 No, not at all, because their boss, who's Donna Heinel, essentially put 'em on the recruited walk-on list, which happens all the time, and they just don't show up for practice, and that's fine. Coaches are okay with that because, essentially, donations are going to help their programs, and they know that.

KIMMEL Hmm. Okay.

CW-1 So what I wanted you to know is that you may get a phone call from admissions, just asking why [your son] didn't show up for practice, which I don't believe will happen, because he's not on anybody's list--

KIMMEL Mm-hmm.

CW-1 --but I wanted you to be aware.

KIMMEL So what do you recommend I say?

CW-1 I would say that if they do ask you, which I doubt they will, that [your son] had an injury over the summer, to his shoulder, and so he stopped vaulting.

KIMMEL Mmm. Okay.

378. Shortly after that call ended, KIMMEL called CW-1 back to confirm that no one would be contacting her son about the issue because he was unaware of the circumstances surrounding his admission to USC. The following is an excerpt from the call.

CW-1 Elisabeth.

KIMMEL Hey [CW-1]. I just had a follow-up question regarding our earlier conversation.

CW-1 Okay.

KIMMEL Are the kids getting called, also?

CW-1 No, no and no. And nobody has even called anybody at this point, but we're just getting [a] heads up, and the-- what Donna said to me is if anybody were to-- it would be-- they would call the family, the parent. They wouldn't talk to the kids.

KIMMEL Oh. So-- but they've called her.

CW-1 [inaudible] And so she's helped a bunch of kids get into the [inaudible] them why they didn't come for practice. And so she's-- in each case, she's told them a reason why they haven't come. And it's predominantly all injury, which is the typical thing for most kids.

KIMMEL Okay. So admissions is not in on what she's been doing.

CW-1 That is correct. Admissions is in on that she brings athletes, or potential athletes, or VIPs, to admissions, and then admissions does admission based on if athletics wants 'em, just like if Jim Ellis from the Business School has a VIP list, and he puts kids on the VIP list, and says to admissions, "I want these families to get in," and then those families are making donations to the Business School.

KIMMEL Oh, okay.

....

KIMMEL Why didn't [the other students] get e-mails about, "Why aren't you at practice?" and a practice schedule, like [my son] got?

CW-1 I have no idea.

KIMMEL 'Cause that was the first thing that happened to him is he got an e-mail, "Here's your practice," and I guess track had fall practices.

CW-1                      Yeah, I have no idea at all, but I know that she-- you know, you told me, and I got Donna to squash the whole thing.

KIMMEL                      Why, why didn't she squash everyone else? Just 'cause it would look too weird?

CW-1                      Just w-w-- and-- yeah, nobody said anything, so-- and she did-- and we've been doing this for years.

KIMMEL                      Oh.

CW-1                      So--

KIMMEL                      So why poke the bear?

CW-1                      Yes.

KIMMEL                      Okay. All right. Then I won't say anything to [my son], 'cause he's (laughs)--

CW-1                      No, don't say anything.

KIMMEL                      -- still in the dark.

R. MICHELLE JANA VS

379. Defendant MICHELLE JANA VS is a resident of Newport Coast, California. JANA VS is a former executive at a large food manufacturer formerly owned by members of her family.

380. As set forth below, JANA VS participated in both the college entrance exam scheme and the athletic recruitment scheme, including by conspiring to use bribery to facilitate her daughter's admission to USC as a purported beach volleyball recruit.

381. On or about August 11, 2017, JANA VS forwarded CW-1 correspondence from ACT, Inc. indicating that her daughter had been approved for extended time on the ACT. CW-1 replied: "Awesome news. It works."

382. On or about August 31, 2017, JANA VS received an e-mail from ACT, Inc. with instructions on how to register her daughter to take the ACT, with extended time, at her high school. JANA VS forwarded the e-mail to CW-1 and asked, “Do I sent this info/form requested to [my daughter’s high school] or directly to you?” CW-1 responded: “Normally your school then we request the test to move.”

383. On or about October 27, 2017, CW-2 flew from Tampa to Los Angeles. On or about October 28, 2017, JANA VS’ daughter took the ACT at the West Hollywood Test Center, with CW-2 serving as the purported proctor. CW-2 returned to Tampa the following day. JANA VS’ daughter received a score of 32 out of a possible 36 on the exam.

384. On or about October 29, 2017, the day after the test, CW-1 directed a KWF employee to send an invoice to JANA VS in the amount of \$50,000. CW-1 also caused KWF to pay \$18,000 to CW-2 and \$13,000 to Dvorskiy for helping JANA VS’ daughter and another student cheat on the ACT.

385. On or about November 30, 2017, JANA VS sent a check for \$50,000 from her foundation to KWF.

386. In or about the fall of 2018, the falsified ACT scores were included as part of JANA VS’ daughter’s application for admission to USC, and JANA VS provided information to CW-1 for use in facilitating her daughter’s admission to the university as a purported beach volleyball recruit. In fact, while JANA VS’ daughter played volleyball in high school, she did not play competitive beach volleyball.

387. For example, on or about August 24, 2018, CW-1 e-mailed JANA VS to request that she send him “an action volleyball indoor and beach photo of [your daughter] as soon as

possible.” Two days later, JANA VS e-mailed CW-1 photos of her daughter playing beach and indoor volleyball.

388. On or about September 4, 2018, CW-1 e-mailed Heinel an athletic profile of JANA VS’ daughter that included two of the photos and falsely described her as the winner of multiple beach volleyball tournaments in California.

389. In a call on or about October 1, 2018, CW-1 told JANA VS that Heinel planned to present her daughter to the USC admissions committee as a beach volleyball player, and explained where to send the bribe payments. The following is an excerpt from the call, which was consensually recorded.

CW-1            So she’s gonna go through on Thursday, so I just want to confirm the process, the next pro-- part of the process, which would be soon thereafter I will get a letter from USC stating-- like a likely letter-- that she has been in-- admitted under these conditions, which is doing an NCAA clearinghouse, finishing her semester, blah, blah, blah, and at that point you guys would send a \$50,000 check to USC Athletics, in care of Women’s Athletics--

JANA VS        Okay.

CW-1            --at that point. Are you okay with that?

JANA VS        Yes.

CW-1            Okay, and--

JANA VS        [inaudible] that’s fine.

CW-1            Okay, and then when she gets her final, final letter, which will happen around March 25th, then you would send the rest of the money. So, I just--

JANA VS        To USC or to you?

CW-1            To our foundation.

JANA VS        Yeah, so the first \$50,000 goes to USC?

CW-1 Right, correct.

JANAVS Okay.

390. Heinel presented JANAVS' daughter to the USC subcommittee for athletic admissions as a purported beach volleyball recruit on or about October 3, 2018.

391. On or about October 17, 2018, at the direction of law enforcement agents, CW-1 forwarded to JANAVS a letter noting that her daughter had been conditionally admitted to USC. The letter stated: "Your records indicate that you have the potential to make a significant contribution to the intercollegiate athletic program as well as to the academic life of the university." JANAVS replied, "Thank you. Let me know about next steps."

392. On or about October 26, 2018, CW-1, at the direction of law enforcement, e-mailed JANAVS instructing her to mail a \$50,000 check to Heinel payable to the USC Women's Athletics Fund. JANAVS advised CW-1 that she mailed the check to Heinel later that same day.

393. One month later, on or about November 26, 2018, JANAVS called CW-1 to discuss plans to engage in the college entrance exam scheme for her younger daughter. The following is an excerpt from the call, which was consensually recorded.

JANAVS [CW-1], I had a question for you. So I was able to get [my younger daughter] the multiday ACT.

CW-1 Okay, you got her extended time multiple days, got it.

JANAVS Yes, so I got that, the only thing is h-- [my younger daughter] is not like [my older daughter]. I'm not [inaudible] works. She's not stupid. So if I said to her, "Oh, well, we're going to take it up at [CW-1]'s," she's going to wonder why. How do you do this without telling the kids what you're doing?

CW-1 Oh, in most cases, Michelle, none of the kids know.

JANAVS No, I know that.

CW-1 Essentially what happens is they take the test with a proctor like they normally do and w--, and then so they take the test, they leave, and then the

proctor looks at what she's already done and then whatever number that we're trying to get, that's what he works to get. So she doesn't even know.

- JANAVS Right, but how-- no, I understand, she won't even know. But how do you explain [it] to her? Because I got the letter from the school and they said, "You know, you need to take it at the school." Because remember last time they gave [inaudible] little bit of a hard time? How do you-- how do they work around that?
- CW-1 So one of the ways you could do it is to say, "Listen, we're going to take it on the weekend. And we don't want you to miss any school." Because it's difficult when [inaudible] much class time. And we need to take this over a Saturday-Sunday. So we're going to do [it] up there because they'll administer the test over multiple days. But the school-- but-- but-- hold-- let's go back. It doesn't matter about the school at all. The issue is [your daughter]. The school-- school wants to be able to give it, but they don't have to give it. So you don't really have to say anything. For the school you could say that weekend you guys are going to be up in L.A. and [inaudible].
- JANAVS That's what we did last time. Yeah, so when-- well, [my daughter] is the issue. There's two issues. Yeah. One is, you know-- I mean [my daughter] is more the issue because she's going to say to me, "You know, well, why am I taking it up there?"
- CW-1 And you're just going to say, "We don't want you to miss any school so we're going to do this on a weekend up here because we g-- [inaudible] because it's really easy, it's convenient, and we can get it done over the weekend, you won't miss any school."
- JANAVS So do you-- so I would actually have her go Saturday and Sunday to pretend like she's taking it over multiple days.
- CW-1 Well, if you want to do that, because she's--
- JANAVS She's smart, she's going to figure this out. Yeah, she's going to say to me-- she already thinks I'm up to, like, no good.
- CW-1 I got it. So let's, yeah, so that's what we would have to do is over multiple days.
- JANAVS Okay. So then the other question is, if I want to sign her up-- or I've already signed her up for February. Or can I sign her up in December and not have it go through [her high school] at all?
- CW-1 Well, no matter what it goes through. Because it's her home school [inaudible] what we have to do is redirect the test to be-- to be given at

[inaudible] site. So [inaudible] so stick with where you are. We'll just redirect. She's already signed up. We just have to redirect the materials to be sent like we did for [your older daughter].

JANAVS Okay. Okay. Right, I see. Okay. Okay. Okay. Yeah, they're not stupid either, but whatever, I don't care. They can't say anything to me. I mean they're going to be suspicious that every kid I have does so well somewhere else, but that's okay. So we'll, I just didn't-- I just didn't want to have this conversation with [my younger daughter].

CW-1 No, no, totally get it, yeah. No, I totally get it.

JANAVS She's totally different than [my older daughter]. Like she needs to really think she d-- [my older daughter] is like, "This test is such bullshit. I don't really care. I don't ever want to take it." But [my younger daughter] is like actually studying to try and get a 34.

CW-1 Got it. Got it.

JANAVS So it would-- it would actually be a great boost to her. And [my older daughter] came to me and she says, "You're not going to tell [my sister], are you?" I was like, "No." Weird-- weird family dynamics, but every kid is different.

CW-1 Cool.

JANAVS Okay. Okay, so we'll just stick with February and now I know we're just trying to get it done on the weekend. You'll just go up too. And she doesn't see you at all.

CW-1 No.

JANAVS So we'll just say there's a proctor. I don't even have to say anything about you.

CW-1 Yeah. No, not at all.

394. In a call on or about January 3, 2019, JANAVS discussed the cost of the exam bribery scheme with CW-1. The following is an excerpt from the call, which was consensually recorded.

JANAVS Yeah, so it helped that you mentioned it to [my daughter]. You could tell, she was like, "Well I should just do it at school." I'm like, "Oh my god, no." Yeah, let's just go ahead and I'll just come up with something for her. Let's



take it over there. But the thing [is], I need her to do the full thing and take it over two days-- like as if she is really doing it. She's not stupid.

CW-1 No, I got you. She's, she's, you know, she's taking the test anyways on her own [inaudible] as if she is really doing it. We'll just split it in half. And then [CW 2] will clean it up so we can get the score we need to get, afterwards. So I'll just tell him he has to do it for two days. And we'll do half a day, half of that time on Saturday and half the time on Sunday.

JANAVS Yeah, how much is that still?

CW-1 I think it's like \$50,000.

JANAVS Yeah, that's what we did last time. Okay.

395. During the same call, CW-1 told JANAVS that Heinel had been questioned about why JANAVS' older daughter was on the volleyball recruit list at USC. The following is an excerpt from the call.

CW-1 I got a call from Donna Heinel, at USC.

JANAVS Uh-huh.

CW-1 And so the sa-- 'cause we went through sand volleyball, which we know she's really not a-- you know, I -- I couldn't put her through as a 6-person volleyball, indoor volleyball--

JANAVS Ri—

CW-1 --because they're-- they're so awesome. So the sand volleyball coach was asking Donna-- 'cause she saw her list of student athletes that they recruited. So she asked about [your daughter]. And so I doubt it but you may get a call from the staff, at USC sand volleyball.

JANAVS Okay.

CW-1 And if you do, you're ju-- they may just ask you, "Is [your daughter] preparing for the fall?" And, of course, you will say--

JANAVS Yes.

CW-1 "Yes. And we live in Newport. And w-- she'll play tournaments over the summer." And then, if they do call you, let me know. And then I will call Donna, to squash this thing.

JANAVS Okay.

396. On or about January 14, 2019, JANAVS sent CW-1 the following text message:

"Spoke with [my younger daughter]. We are set to take up in LA." Later that same day, JANAVS spoke with CW-1 about the exam scheme by telephone. The following are two excerpts from the call, which was consensually recorded.

JANAVS So I have a question for you. I'm trying to figure out how best to deal with [my younger daughter] on this. So [my daughter] has said to me, "I'm gonna get a 34 on this ACT," or "I'm gonna keep taking it till I get a 34." And I'm like, "[Daughter], what if you got like a 32 or a 33?" She's like, "W-- no. I would take it till I get a 34." I don't know if that's true, but she's fucking driving me nuts. But what I don't want to happen is us to say-- she gets a 33 and her go, "I'm gonna take it again."

CW-1 I gotcha. Oh, I totally get that.

JANAVS I'm like-- you know, I just want this one done. And I don't know if she's serious. Because she's not scoring that well on these.

CW-1 Right.

JANAVS So I don't know if she's serious that she would take it again. I mean, I think a 34 might be a little high. But at the same time, maybe it's like, screw it, just give her the damn 40-- 34, so that we don't have to worry about her saying, "I'm taking it again."

CW-1 Totally agree.

....

CW-1 She may end up with a 35, just because there could be a question here or a question there that sh-- I mean, 'cause it's like missing hardly any questions at all. So it depends on the curve of the day. So, you know. And it may end up-- again, it could be a 35, it could be a 34, it could be a 33. It could be within one question. You don't know, for that day.

JANAVS I see. Okay. So do you--

CW-1            Because she's sco-- she's scored against everybody else in the country that's takin' the test.

JANAVS        Right. Right, right. So it's not like a guarantee. But it'll be a guarantee between a 33 and a 35.

CW-1            Correct.

JANAVS        Okay. And if she gets a 33 and tells me she's gotta take it again, then you deal with her.

CW-1            I know.

JANAVS        Then she's your problem.

CW-1            I totally gotcha. So here's one thing. I'm waiting for [CW-2], who's our proctor/test-taker. He just had a baby, so I'm waiting to confirm that he can do it on that weekend. So once I get that back, I'll let you know. But we're ready to do all the paperwork and all that stuff, but as soon as I know. I'm hoping he'll tell me in the next couple days.

JANAVS        Okay.

397.    On or about February 5, 2019, JANAVS mailed KWF a check in the amount of \$25,000.

398.    On or about February 9, 2019, JANAVS' younger daughter took the ACT at the West Hollywood Test Center. Law enforcement agents conducting surveillance observed Dvorskiy, the test center administrator, arrive at the school at approximately 7:10 a.m. CW-2 arrived two minutes later. At approximately 7:49 a.m., JANAVS and her daughter met Dvorskiy in the front of the building, and then went inside together. JANAVS left the building approximately three minutes later. Agents observed JANAVS return to the test center at approximately 12:41 p.m. JANAVS' daughter left the building approximately fifteen minutes later and drove away with her mother. CW-2 left the test center approximately two hours later.

399. JANA VS wired \$25,000 to a Boston, Massachusetts account in the name of KWF on or about February 12, 2019. JANA VS was unaware that the account had been opened by CW-1 at the direction of federal agents.

S. DOUGLAS HODGE

400. Defendant DOUGLAS HODGE is a resident of Laguna Beach, California. HODGE is the former CEO of a large investment management company based in Newport Beach, California.

401. As set forth below, HODGE agreed to use bribery to facilitate the admission of two of his children to USC as purported athletic recruits, and sought to enlist CW-1 to secure the admission of a third child to college through bribery as well.

402. In an e-mail to HODGE and his spouse on or about February 4, 2008, CW-1 wrote: "I spoke to my connection at Georgetown and he will work with us. He helped me get two girls in last week." HODGE responded that his eldest daughter "had a great experience at Georgetown. So, who knows? This may prove the defining piece in the college puzzle." CW-1 replied, in substance, that HODGE's daughter had only a 50 percent chance "at best" of getting into Georgetown based on her academic record, but that "there may be an Olympic Sports angle we can use."

403. HODGE's daughter's application to Georgetown, submitted on or about November 4, 2008, indicated, among other things, that she won multiple United States Tennis Association tournaments. In fact, USTA records indicate that HODGE's daughter never played in a USTA match.

404. On or about December 23, 2008, Georgetown mailed HODGE's daughter a conditional acceptance letter noting that "[t]he Committee on Admissions has conducted an

initial review of your application to the Class of 2013 at the request of Mr. Gordie Ernst, Tennis Coach. I am pleased to report that the Committee has rated your admission as 'likely.'"

405. HODGE's eldest daughter did not play tennis at Georgetown.

406. On or about September 28, 2012, HODGE e-mailed his younger daughter's high school transcripts and class schedule to CW-1 and wrote: "I think this is what you were looking for. Sorry for the delay."

407. On or about October 15, 2012, CW-1 directed a payment of \$50,000 from CW-1's for-profit business account to a bank account in the name of a private soccer club controlled by Khosroshahin, then the head coach of women's soccer at USC, and Janke, then an assistant coach of women's soccer at USC.

408. HODGE's daughter's application to USC, submitted on or about December 16, 2012, stated that she was a co-captain of a Japanese national soccer team, and an "All American" midfielder on a prestigious club soccer team in the United States.

409. On or about February 12, 2013, CW-1 directed another \$50,000 payment from his for-profit business to the private soccer club controlled by Janke and Khosroshahin.

410. On or about February 13, 2013, Khosroshahin e-mailed Heinel an athletic profile falsely describing HODGE's daughter as, among other things, a "TOP DRAWER ESTIMATED # 3 RECRUITING CLASS IN NATION," "All Ex Patriot Japan National Select Team Player," and a member of the "All National Championship Tournament Team."

411. Heinel presented HODGE's daughter to the USC subcommittee for athletic admissions as a purported soccer recruit on or about February 14, 2013. On or about March 26, 2013, USC mailed HODGE's daughter a formal acceptance letter.

412. Less than two weeks later, on or about April 3, 2013, CW-1 e-mailed HODGE that he “wanted to follow up on next steps for [your daughter] and USC. At your convenience please give me a call?”

413. On or about April 5, 2013, CW-1 e-mailed HODGE instructions to direct a \$150,000 payment to The Key, CW-1’s for-profit entity, and a \$50,000 payment to KWF as a purported contribution. HODGE wired the money as directed four days later. The following day, Masera sent HODGE a letter falsely indicating that “no goods or services were exchanged” for the \$50,000 payment to KWF.

414. On or about May 10, 2013, CW-1 registered HODGE’s daughter for the NCAA Eligibility Center. CW-1 sent an e-mail to HODGE the following day requesting that her official high school transcript be mailed “either to my office” or to the NCAA directly. On or about May 12, 2013, in an e-mail titled “transcript,” HODGE asked CW-1: “What’s the question here? I do not want to raise any suspicion at [my daughter’s high school].”

415. On or about May 15, 2013, CW-1 directed another \$50,000 payment from KWF to the private soccer club controlled by Janke and Khosroshahin.

416. HODGE’s daughter matriculated at USC in or about the fall of 2013. She did not join the USC soccer team.

417. On or about July 28, 2013, HODGE e-mailed CW-1, “Need to start discussion about the next one. [My son] is at [high school] in New Hampshire and entering his junior year.”

418. In an e-mail to CW-1 on or about December 20, 2014, HODGE inquired whether his son was “really qualified” for USC, noting, “He would go there in a heartbeat!!” CW-1 responded: “No but I can try to work a deal. . . . maybe Basketball or Football will give me a

spot since their kids are not that strong.” HODGE responded: “Understood. I will talk with [my son] tomorrow.”

419. On or about January 28, 2015, HODGE’s spouse e-mailed CW-1, with a copy to HODGE, noting that she had not been able to find photos of the son who was applying to USC playing football, but had found photos of his brother playing football. CW-1 forwarded the e-mail to Janke and wrote: “See below—I am sure there is a tennis one too. The boys look alike so I thought a football one would help too?”

420. On or about January 30, 2015, HODGE e-mailed Heinel: “Thanks so much for your time yesterday. We are preparing [my son’s] ‘sports resume’ as you requested and should be ready to send it on to you early next week.” Heinel responded: “Great, looking forward to it...you should concentrate on his primary sport with accolades and achievement, then” add his secondary sport. HODGE forwarded the e-mail chain to CW-1.

421. Later that same day, Janke e-mailed two falsified athletic profiles of HODGE’s son—one relating to football, the other relating to tennis—to CW-1. The football profile included various fabricated football achievements, including “Varsity Football Sophomore – Senior Year,” “Team Captain – Senior Year,” and “NH Independent Schools All-American Selection 2013, 2014.” In fact, records from the HODGE’s son’s school indicate that he did not play football in high school other than during his freshman year. The tennis profile included fabricated or exaggerated tennis achievements, including that, while in high school, HODGE’s son was a member of the First Team Lakes Region League. In fact, while HODGE’s son did play tennis on his high school’s team, the school has no record of his involvement on the First Team Lakes Region League. CW-1 forwarded the profiles to HODGE and wrote:

Doug I have provided t[w]o profiles from Laura. Please download and send to Donna [Heinel] and ask her to use whichever one she likes. Obviously we have

stretched the truth but this is what is done for all kids. Admissions just needs something to work with to show he is an athlete. They do not follow up after Donna presents. Please confirm receipt and when you send to Donna.

422. On or about February 2, 2015, Janke e-mailed Heinel that HODGE “is on his way to Japan for work so he asked me to send these over to you as he did not have your email on him but wanted to get these to you ASAP.” Attached to the e-mail were the two falsified athletic profiles. Heinel replied with the athletic profile of a different student with a note that said “an example of football.” In a separate e-mail, bearing the subject line “Suggestions,” Heinel provided handwritten edits to the football profile and indicated that the photograph included on the profile should be exchanged for a “better picture” that was “more athletic.”

423. Heinel presented HODGE’s son to the USC subcommittee for athletic admissions as a purported football recruit on or about February 12, 2015.

424. On or about March 17, 2015, Janke e-mailed CW-1 the following:

I just got this message from Donna [Heinel]: [HODGE’s son]’s admission packet will be mailed on March 24th. After the the [sic] packet is received please let the father know to send the check directly to me at USC, make out to what we had discussed before. Thank you!

425. CW-1 forwarded the message to HODGE and wrote:

Doug one of the folks helping us at USC sent the message below that [your son’s] Admit Packet will be sent on March 24. I will need to take care of the different parties separately, which I will accomplish to finalize all the dealings. Once you receive the Acceptance please let me know so we can move forward financially.

HODGE replied, “Fanstatic!! Will do.”

426. USC mailed HODGE’s son a formal acceptance letter on or about March 24, 2015. Exactly one week later, HODGE mailed Heinel a \$75,000 check payable to the USC “Womens Athletic Board.” On or about April 1, 2015, HODGE wired \$125,000 to The Key, and \$125,000 to KWF. CW-1, in turn, directed a payment of \$50,000 from KWF to a bank account controlled, in part, by Janke in the name of “SC Futbol Academy,” a private soccer team.



427. On or about April 10, 2015, KWF issued a letter to HODGE falsely representing that “no goods or services were exchanged” for his purported contribution of \$125,000.

428. HODGE’s son deferred his admission to USC, ultimately matriculating there in 2017. He did not join the football team.

429. On or about August 10, 2018, HODGE called CW-1 to discuss the possibility of pursuing the college recruitment scheme to facilitate his youngest son’s admission to Loyola Marymount University (“LMU”). The following is an excerpt from the call, which was intercepted pursuant to a Court-authorized wiretap.

HODGE                      So LMU, when we went down this past the last time-- and this is where, you know, this is the [CW-1] magic at work. You sa-- I remember you saying well, listen, if you want LMU, and you want to commit to LMU, let me know because, you know, this is one of the schools where you have developed relationships.

CW-1:                      And we can get it done.

HODGE                      And--

CW-1:                      Done.

HODGE                      Yeah, so-- and I know how this works. I you know we, we, we don’t have to talk in code. We know how this works.

CW-1:                      Right.

HODGE                      So if, if, if LMU, I mean, this requires him to commit, like LMU is my first choice. Because once, once you go to bat for him it’s, that’s pretty much a done deal right?

CW-1:                      Correct, yeah.

430. In a call on or about November 30, 2018, CW-1, at the direction of law enforcement agents, told HODGE that the IRS was conducting an audit of KWF. The following is an excerpt from the call, which was consensually recorded.

CW-1                    We had the discussion about us being audited.

HODGE                   Yes.

CW-1                    Now they've decided that they are going to make phone calls to all the USC kids' donations.

HODGE                   Okay.

CW-1                    So there's-- there's 25, 30, 35 kids total. I don't know who they're going to call and who they're not but I-- you know, what I've told them is, you know, there was \$200,000 for [your daughter], 250[,000] for [your son], that they both got in, and that we both know they both got in through athletics. [Your daughter] got in even though she wasn't a-- a legit soccer player and [your son] not a legit-- I think we did football for [him].

HODGE                   Right.

CW-1                    But we didn't go in there. We didn't even discuss that. What I said to them is that your monies essentially went to our foundation to help fund underserved kids and that's how we left it. But I think that they're going to call some of the USC families that we've gone [inaudible] the years. So I just wanted you to have a heads-up.

HODGE                   So with [my daughter]-- [my son] I'm fine. I'm complete-- and I'm first of all, I will-- I-- what you just described is exactly-- would be my words, okay. So you don't have to worry. I'm not going to-- I'm not-- I'm not going off script here. One thing to remember is, I had a conversation. You set me up with this woman, who I think was like the-- not-- she wasn't the soccer coach but she was in the athletics department.

CW-1                    So it might have been with Donna Heinel that you guys--

HODGE                   Yeah.

CW-1                    Okay.

HODGE                   But we talked on the phone and she said, you know, "Thank you very much," and I said, "Well, we want to support USC athletics and looking forward to [my daughter]," and, you know, all this-- all that stuff. So that conversation sort of pierces that story of, I made a donation into the foundation, because she was like basically, "Well, thank you, Mr. HODGE, for your-- I'll call it

support.” We didn’t talk about money. There was no conversation about-- there was not dollars discussed on that phone call. But, you know, we’re kind of talking in code here.

CW-1 Right.

HODGE So that’s out there.

CW-1 Yeah.

HODGE I don’t know if they talked to her, what she might say, but I-- I know what I did, which is I donated to your foundation. That foundation has-- its stated mission is to help underserved kids basically get into-- you know, through-- get through college. And that’s all I’m going to say.

T. TODD BLAKE and DIANE BLAKE

431. Defendants TODD BLAKE and DIANE BLAKE, a married couple (together, “the BLAKES”), are residents of Ross, California. TODD BLAKE is an entrepreneur and investor. DIANE BLAKE is an executive at a retail merchandising firm.

432. As set forth below, the BLAKES agreed to bribe Heinel to facilitate their daughter’s admission to USC as a purported volleyball recruit.

433. On or about January 29, 2017, DIANE BLAKE e-mailed CW-1, copying TODD BLAKE, noting that their daughter was interested in attending USC but that DIANE BLAKE assumed the school was “in the reach stretch category.” CW-1 responded: “There is a way to garner a guarantee at USC if that is first choice but best to discuss without [your daughter] being present.” DIANE BLAKE replied, copying TODD BLAKE: “Look forward to discussing.”

434. On or about February 1, 2017, DIANE BLAKE e-mailed CW-1, copying TODD BLAKE, noting that only she and TODD BLAKE would be on a call they had planned for that evening.

435. On or about June 28, 2017, DIANE BLAKE e-mailed CW-1, copying TODD BLAKE: "We are fully committed to the USC plan. Is there anything else you need from us at this point?" CW-1 responded: "I am meeting with USC July 10th. If I can have an unofficial transcript and a PDF of best test scores- each set that would be the first step." The next day, DIANE BLAKE e-mailed CW-1, copying TODD BLAKE, "the info for USC," including their daughter's high school transcript.

436. On or about August 7, 2017, Janke e-mailed CW-1 a volleyball profile for the BLAKES' daughter. Approximately one week later, CW-1 forwarded the profile to Heinel, writing, "[BLAKES's daughter] - Volleyball and Lacrosse . . . I provided info in the past." The profile sent to Heinel contained falsified information regarding the BLAKES' daughter's volleyball experience, including that she had received a number of honors and played on two club volleyball teams, one of which qualified for the junior nationals three years in a row.

437. On or about August 26, 2017, DIANE BLAKE e-mailed CW-1, copying TODD BLAKE: "We wanted to double check that you have everything you need, and reconnect on next steps regarding the USC plan and the overall application process. We love the USC plan and hope it will work out!" CW-1 responded that USC had everything they needed but he did not yet know when the BLAKES' daughter would be presented to the admissions committee.

438. Heinel presented the BLAKES' daughter to the USC subcommittee for athletic admissions as a purported volleyball recruit on or about September 7, 2017. Approximately one week later, on or about September 14, 2017, Heinel e-mailed CW-1 a letter, addressed to the BLAKES' daughter, notifying her of her conditional admission to USC as a student athlete. The letter stated: "Your records indicate that you have the potential to make a significant contribution to the intercollegiate athletic program as well as to the academic life of the university." CW-1

forwarded the letter to to TODD BLAKE and DIANE BLAKE that same day. TODD BLAKE responded by thanking CW-1 and stating that he would register his daughter with the NCAA Eligibility Center as instructed in the letter.

439. Two days later, CW-1 e-mailed TODD BLAKE: "I will send you the person and address to send the first 50k check to today." Later that day, CW-1 instructed TODD BLAKE to send the check to "USC Women's Athletics c/o Senior Women's Administrator Donna Heinel." TODD BLAKE responded by asking CW-1 to "provide [him] with the exact wording for the check's 'Payable To' line." CW-1 replied that the check should be made payable to "USC Women's Athletics." That same day, TODD BLAKE mailed a \$50,000 check to USC Women's Athletics.

440. On or about October 7, 2017, a KWF employee e-mailed CW-1 regarding the BLAKES' daughter's college applications. The employee wrote: "Met with [the BLAKES' daughter] and DIANE BLAKE and they asked me to run schools and EA plan by you. Her list is below[.]" The list, which included several colleges, noted, "USC-First choice (Side door)." CW-1 responded: "Why are we mak[ing] such a huge effort? [The daughter] does not know this but parents do that she has been admitted to USC already." The KWF employee replied, in part, "Ok, so just go through the motions . . . ?"

441. Later that same day, the KWF employee e-mailed DIANE BLAKE: "Do you have a moment for a quick chat sometime today . . . This is regarding Side door, so no need to involve [your daughter]." DIANE BLAKE responded: "Yes! I just saw your email. I can talk now if you are still available."

442. On or about January 26, 2018, CW-1 instructed a KWF employee to send the BLAKES an invoice in the amount of \$200,000. On or about February 5, 2018, TODD BLAKE wired \$200,000 to one of the KWF charitable accounts.

443. On or about March 19, 2018, TODD BLAKE e-mailed CW-1, copying DIANE BLAKE, to ask whether their daughter would "receive a [formal admission] letter from USC when letters are mailed on Friday." TODD BLAKE also noted that "we will want to engage with you to get our son [ ] started on the college process."

444. The BLAKES' daughter was formally admitted to USC on or about March 22, 2018. Although currently enrolled at the university, she is not listed on the roster for the women's volleyball team.

445. On or about October 25, 2018, CW-1 called TODD BLAKE at the direction of law enforcement agents and told him that KWF was being audited by the IRS. The following is an excerpt from the call, which was consensually recorded.

CW-1                      And so they-- they look into all our payments and they s-- saw your guys' 250 payment--

T. BLAKE                Okay.

CW-1                      --of many. And they asked me --

T. BLAKE                Okay.

CW-1                      --so, you know, "What's that all about." And so of course I'm not going to tell the IRS that essentially we got [your daughter] in--

T. BLAKE                Right.

CW-1                      --through Donna Heinel with women's volleyball.

T. BLAKE                Right.

CW-1                      So I'm not going to do that but I'll tell you [inaudible]

T. BLAKE                   It was-- it was basketball, wasn't it?

CW-1                       No, it wasn't basketball [inaudible]. It was volleyball.

T. BLAKE                   Oh. So USC applied my payment to women's basketball.

CW-1                       Oh, y-- the reason why is because Donna is the senior women's administrator.

T. BLAKE                   Okay.

CW-1                       So sh-- the money went towards her and she gets to decide where it goes within the department.

T. BLAKE                   I see. Okay, great.

CW-1                       So that's probably why you got credit from women's basketball.

446.     During the call, TODD BLAKE told CW-1 that USC had approached him in the wake of his payment to USC Women's Athletics, and asked him to donate additional money to women's basketball. TODD BLAKE explained that he misled USC about his reasons for giving the money. The following is an excerpt from the conversation.

T. BLAKE                   And, to let you know, USC has approached me because they see the dollar amount and they've approached me from a fundraising perspective twice already, one from the Annenberg School of Communications which is [my daughter's] school, and then another from the athletics fund.

CW-1                       Okay.

T. BLAKE                   And what I've told them essentially is I've been-- I've been very, like, evasive, haven't told them anything. I said that basically in-- in the first situation I said that, you know, I felt for equity reasons it was-- it would be great to give money to a nonrevenue sport, that football, basketball, on the men's side get a-- they get a ton of money. And it'd be nice to donate money to a program that was, you know, not as-- funded as strongly. And then when the athletics department guy, guy named Brent, really nice guy, followed up by e-mail, he basically, you know, said, "You know, I've noticed you give money to women's basketball, we'd love to get you down for a game, and so forth." And I said, "Well, it's probably just going to be a one-time donation. If I donate it'll be probably to Annenberg resident athletics fund."