

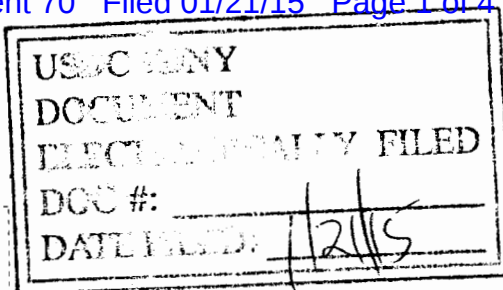
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ROBERT FAIELLA,

Defendant.



CONSENT PRELIMINARY ORDER OF
FORFEITURE/MONEY JUDGMENT

14 Cr. 243 (JSR)

WHEREAS, on or about April 10, 2014, ROBERT FAIELLA (the "defendant"), was charged in an Indictment, 14 Cr. 243 (JSR) (the "Indictment"), with, *inter alia*, one count of operating an unlicensed money transmitting business, in violation of Title 18, United States Code, Section 1960 ("Count One");

WHEREAS, the Indictment included forfeiture allegations as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of all property, real and personal, involved in the offense and all property traceable to such property;

WHEREAS, on or about September 4, 2014, the defendant pled guilty to Count One of the Indictment pursuant to a plea agreement with the Government, wherein the defendant agreed to forfeit a sum of money equal to \$950,000 in United States currency, representing all property, real and personal, involved in the offense and all property traceable to such property; and

WHEREAS, the defendant consents to a money judgment in the amount of \$950,000 in United States currency;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Alexander Wilson, of counsel, and the defendant, and his counsel, Timothy J. Treanor, Esq. that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$950,000 in United States currency shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture shall be final as to the defendant, ROBERT FAIELLA, upon entry of this order, and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the U.S. Treasury and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

6. The Clerk of the Court shall forward three certified copies of this Consent Order of Forfeiture to Assistant United States Attorney Sharon Cohen Levin, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

7. The signature pages of this order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 

ALEXANDER WILSON
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2453

1/20/15
DATE

DEFENDANT

By: 

ROBERT FAIELLA


1/20/2015
DATE

By: 

TIMOTHY J. TREANOR, ESQ.
Attorney for Defendant

1/20/2015
DATE

SO ORDERED:


HONORABLE JED S. RAKOFF
UNITED STATES DISTRICT JUDGE

1/20/15
DATE