

MF:BR:PW
F# 1998R01354

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

Cr. No. _____
(T. 18, U.S.C., §§ 371,
1951(a) and 3551 et seq.)

ARTHUR COFFEY,

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

THOMAS KRALL, JR., being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

In or about and between 1998 and the date of this Complaint, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ARTHUR COFFEY, together with others, knowingly and intentionally conspired to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendant and his coconspirators agreed to obtain property, to wit: International Longshoremen's Association ("ILA") labor union positions, and money, including wages and employee benefits, paid in regard to those labor union positions, which positions included, among others, the presidency of the

International of the ILA and Assistant General Organizer of the International of the ILA, from such union's members and officers, agents, delegates, employees and other representatives, with their consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Section 1951(a))

In or about and between 1998 and the date of the filing of this Complaint, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ARTHUR COFFEY, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud employee pension and welfare benefit plans providing benefits to members of the ILA, which funds included the Management-International Longshoremen's Association Managed Health Care Trust Fund and the International Longshoremen's Association-Local 1922 Health and Welfare Fund, and the participants and beneficiaries of the Plans, of the right to the honest service of such Plan's officers, agents, administrators and fiduciaries, and to obtain money and property from the Funds and their participants and beneficiaries by means of materially false and fraudulent pretenses, representations and promises.

For the purpose of executing and attempting to execute the scheme and artifice, the defendant ARTHUR COFFEY and others did knowingly and intentionally place, and cause to be placed, in

post offices and authorized depositories for mail matter, to be delivered by the United States Postal Service according to the directions thereon, mail matter, to wit: a letter dated approximately November 1999, from a coconspirator to an individual at the NYSA-ILA Medical Center in Brooklyn, New York, in violation of Title 18, United States Code, Sections 1341 and 13246.

(Title 18, United States Code, Section 371)

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been an FBI Special Agent for approximately 7 years. For approximately the same period of time, I have been assigned to a squad (the "Genovese squad") within the FBI whose primary investigatory focus is the Genovese Family of La Cosa Nostra (the "Genovese family"). As an FBI Special Agent assigned to the Genovese squad, I have participated in numerous investigations of members and associates of that family, conducted physical and electronic surveillances, executed search warrants, reviewed numerous recorded conversations and debriefed members and associates of the Genovese and other organized crime families. I have personally participated in the investigation of the offenses outlined below, and from my personal participation in the investigation and from reports made to me by other members of the FBI, as well as the other law enforcement agencies (who

have either direct or hearsay knowledge of the reported facts), I am familiar with the facts and circumstances of this investigation. Specifically, through my experience with the Genovese squad, I have become familiar with the structure and methods of operation of the Genovese family, as well as its historical influence within the ILA. Except as otherwise noted, I have not differentiated herein between facts of which I have personal knowledge and facts that were reported to me by fellow law enforcement officers. Since this complaint is being submitted for the limited purpose of lodging an initial charge against the defendant, I have not set forth each and every fact learned during the course of the investigation. In fact, this complaint contains only a small portion of the facts learned during the course of this investigation. Excerpts from recorded conversations set forth below are set forth in substance only.

THE ILA

2. The ILA is a labor union comprised primarily of workers on the piers of the east coast of the United States and south to Texas. The ILA is governed by an Executive Council, with a President, Secretary-Treasurer, Executive Vice-President, General Vice-President, General Organizer and Assistant General Organizer and approximately 26 additional Vice Presidents. The Locals in the ILA are divided into two geographic districts, the Atlantic Coast District and the South Atlantic & Gulf Coast

District. The jurisdiction of the ILA includes the Eastern District of New York, in which ILA Locals, including ILA Local 1814, function, and work is performed by ILA labor in the Eastern District of New York, including at piers in Brooklyn and in Staten Island. The jurisdiction of the International Executive Council includes the Eastern District of New York.

THE FUNDS

3. The Management-International Longshoremen's Association Managed Health Care Trust Fund (the "MILA Fund") and the International Longshoremen's Association-Local 1922 Health and Welfare Fund (the "Local 1922 Fund") (together, the "Funds") were employee benefit funds that provided, among other things, health benefits for certain ILA members. The Local 1922 Fund provided benefits to certain ILA members in the South Florida area, while the MILA Fund covered certain ILA workers throughout the East Coast and Southern portion of the United States.

4. At all relevant times, the Funds were subject to the provisions of Title I of the Employee Retirement Income Security Act of 1974 ("ERISA"). Between approximately 1997 and October 1999, the defendant ARTHUR COFFEY was a trustee of MILA, and at least between 1999 and 2000 COFFEY was a trustee of the Local 1922 Fund. As a trustee of ERISA funds, COFFEY was a fiduciary who owed a duty of loyalty to the Funds and its

beneficiaries to discharge his duties solely in the interest of the participants and beneficiaries.

GENOVESE SOLDIER DOUGLAS RAGO AND OTHERS CREATE LOCAL 1922

5. A cooperating witness ("CW-1"), whose information has proved reliable and led to the arrests and convictions of numerous members and associates of organized crime, provided the following information.¹ CW-1 was inducted as a soldier into the Genovese Family of La Cosa Nostra (the "Genovese family") in the mid-1970s. The Genovese family is one of the five traditional organized crime families, also known as the mafia, operating in the New York area and throughout the United States, including South Florida. At the time of his induction as a soldier in the Genovese family, and before that time as an associate of the family, CW-1 was a member of the Genovese family crew headed at that time of CW-1's induction by Antonio "Buckaloo" Ferro. This crew had been previously headed by Anthony "Fat Tony" Salerno, and after Ferro, was headed by, among others, Liborio Bellomo and Ernest Muscarella, the latter two of whom later rose to become acting bosses of the family. This crew's geographic center was Harlem and the Bronx (hereinafter the "Uptown crew"), although its associates and soldiers operated throughout the United States.

¹ CW-1 plead guilty to extortion pursuant to a cooperation agreement with the government, and is awaiting sentencing.

6. The central responsibility of CW-1 as a Genovese soldier was to oversee and coordinate the Genovese family's interests in the ILA and certain companies using ILA labor. Before his incarceration in 1983, CW-1 rose to executive board positions within the ILA International and the Atlantic Coast District of the ILA and to the presidency of Local 1922 in Florida, as further described below. Following his release from prison in 1990 and completion of his parole period in approximately 1993, CW-1 maintained the role of a central protector of the Genovese family's interest in the ILA, although CW-1 did not occupy a union position.

7. Douglas Rago was inducted into the Genovese family as part of the Uptown crew approximately one year before the induction of CW-1. Since that time, until CW-1's arrest in 2001,² Rago and CW-1 acted as partners in protecting the Genovese family's interests in the ILA and in certain companies utilizing ILA labor.³

8. During the 1960s, CW-1 and Rago, with others, consolidated the Genovese family's control of ILA locals and

² CW-1's role in the Genovese family was diminished between approximately 1983 and 1993, due to his incarceration and subsequent parole period. CW-1's role again increased beginning in approximately 1993.

³ According to CW-1, Rago became increasingly ill in the late 1990s and since that time his direct role in influencing the ILA on behalf of the Genovese family has significantly diminished.

companies using ILA labor in New Jersey. These companies were primarily involved in container and chassis repair, and repair of other equipment that had become a central part of the shipping industry, and the ILA's jurisdiction, with the advent of containerized shipping.

9. Also during the 1960s, CW-1, Rago and others endeavored to control the ILA in South Florida as well as in the greater New York area. Thus, in approximately the early 1970s, Rago, CW-1 and others obtained a charter from the ILA International to form Local 1922 to represent checkers of cargo in the Port of Miami, Florida. Without a contested election, CW-1 became President of Local 1922, and Rago became vice president. Local 1922's jurisdiction was shortly expanded to include maintenance workers and truckers operating at the South Florida piers, as well as cargo checkers.

THE DEFENDANT ARTHUR COFFEY

10. The defendant ARTHUR COFFEY is the nephew of Douglas Rago. CW-1 reported that COFFEY is an associate of the Genovese family, in the Uptown Crew, who answered to both Rago and, before CW-1's arrest in 2001, to CW-1.

11. In approximately the late 1970s, Rago arranged for COFFEY to move to Florida and become employed on the piers in Miami, Florida.

12. Following a criminal conviction and a sentence of incarceration, CW-1 was scheduled to enter prison in April 1983. Shortly before he was to enter jail, Rago asked CW-1 if CW-1 would agree to COFFEY becoming president of ILA Local 1922 following CW-1's incarceration. CW-1 agreed. Following CW-1's incarceration, COFFEY became president of Local 1922, which was subsequently split into three Locals: 1922, which represented cargo checkers, Local 1922-1, which represented maintenance workers, and Local 2062, which represented truckers (together, the "Florida Locals"). COFFEY remains president of these locals to this day.

13. CW-1 reported that, through the influence of CW-1 and Rago as soldiers in the Genovese family responsible for protecting the family's interests, COFFEY was appointed to Executive Council positions with the International of the ILA as well as with the South Atlantic and Gulf Coast Region of the ILA, while remaining president of the Florida Locals.

14. COFFEY earns separate salaries for each of his union positions. For example, in 2002/2003, COFFEY earned approximately the following yearly salaries: Local 1922 president, \$127,658; Local 1922-1 president, \$80,620; Local 2062 president, \$30,200; International vice president, \$124,680; and Southeast and Gulf Coast Region executive board member, \$13,200. Thus, COFFEY's earnings during 2003 for positions he obtained

through the influence of the Genovese family was approximately \$376,358.

15. CW-1 stated the COFFEY's role as an associate of the Genovese family was to further the family's interest through his various positions within the ILA. Thus, he was required to supply jobs to persons as instructed by the family. For example, in approximately 1995, the then acting-boss of the Genovese family, Liborio Bellomo, instructed CW-1 to have COFFEY give Bellomo's girlfriend's relative a lucrative position with a company on the Miami pier. COFFEY did so. COFFEY also assisted the family in a number of other ways, as set forth below, such as by: arranging a meeting between the Genovese family and the president of the ILA; arranging meetings between Genovese family members to discuss ILA business; voting for Genovese associates as union officers; and becoming a trustee of pension and benefit funds, through which he could assist other Genovese associates and organized crime members and associates in earning money from the funds. Examples of these activities by COFFEY are set forth below.

EXTORTION OF THE PRESIDENT OF THE ILA

16. In approximately Spring 1999, CW-1 reported, Genovese soldier Pasquale "Patty" Falcetti, a fellow member of the Uptown crew, and Ernest Muscarella, the captain of the crew,

traveled to Florida to meet CW-1.⁴ CW-1 reported that at the meeting, Muscarella and Falcetti told CW-1 that they had been informed that John Bowers, the president of the International of the ILA, was going to support a certain ILA official from Texas to be the next president of the International. Muscarella and Falcetti explained that because the Texas ILA official was not a Genovese family associate, they were instructing CW-1 to contact John Bowers and tell him that the Genovese family did not want the Texas official to become president. CW-1 agreed to do so.

17. CW-1 reported that he then met with Genovese family associate Andrew Gigante, who is the son of Genovese family boss Vincent "Chin" Gigante. Andrew Gigante and CW-1 discussed CW-1's instructions from Muscarella and Falcetti, that CW-1 had been instructed go to ILA president John Bowers and instruct him not to support the Texas official for president of the International. CW-1 and Gigante also discussed that Harold Daggett, an ILA official from New Jersey, who was a Genovese associate, would be an appropriate choice as president. CW-1

⁴ Travel records indicate that Muscarella traveled from LaGuardia Airport to Fort Lauderdale on March 23, 1999, and returned by the same route on March 26, 1999. Travel records also indicate that Falcetti traveled from LaGuardia Airport to Ft. Lauderdale on March 20, 1999, and returned from Fort Lauderdale to JFK Airport in New York like Muscarella, on March 26, 1999. Consequently, Muscarella and Falcetti both were in South Florida between March 23 and 26, 1999.

agreed to instruct ILA president John Bowers to support Daggett for president when Bowers retired.

18. CW-1 reported that a few weeks after the meeting with Falcetti and Muscarella, a meeting regarding ILA business was held, CW-1 believes, at the Fountainbleau Hotel in Miami, Florida, at which Bowers was to be present.⁵ CW-1 stated that he instructed ARTHUR COFFEY to contact John Bowers and tell him that CW-1 needed to meet with Bowers. CW-1 reported that he told COFFEY, a fellow member of the Uptown Crew of the Genovese family, that CW-1 needed to meet with Bowers to tell him not to support the official from Texas for presidency of the ILA. CW-1 told COFFEY to bring Bowers to the Smith and Wollensky restaurant in Miami Beach, Florida, on a certain date during the conference. COFFEY agreed to do so.

19. CW-1 reported that COFFEY brought Bowers to meet CW-1 at the Smith and Wollensky restaurant as COFFEY was instructed.⁶ CW-1 reported that he, COFFEY and Bowers sat together at a table, at which, among other things, CW-1 stated that he had heard that Bowers was supporting a certain Texas ILA

⁵ MILA records indicate that on June 7 and 8, 1999, a few weeks after Falcetti and Muscarella traveled to South Florida, a MILA meeting was held at the Fountainbleau Hotel in Miami, Florida. These records indicate that both Bowers and COFFEY were at the meeting.

⁶ Set forth below is the substance of a portion of the meeting between COFFEY, Bowers and CW-1 at the Smith and Wollensky restaurant.

official to be the next ILA President. Bowers told CW-1 that this was correct. CW-1 then asked Bowers what his father, whom according to CW-1 was a Genovese associate, would think of Bowers' support for the official from Texas. By this, CW reported, CW-1 conveyed to Bowers the Genovese family's disapproval of any support for a non-Genovese associate as President of the ILA. CW-1 then told Bowers in substance that the Genovese family did not want the Texas official as the President, but instead wanted Harold Daggett to the next President. Bowers responded that the Texas official was more competent than Genovese associate Harold Daggett. Bowers, however, agreed to support Daggett, but asked for a commitment from CW-1 that CW-1 would be personally responsible for Daggett, and that Bowers' son would be taken care of. CW-1 agreed. CW-1 reported that the next day COFFEY came to see CW-1, and told CW-1 that he had handled the meeting with Bowers well.

20. Bowers testified before the New York/New Jersey Waterfront Commission on October 14, 2003. During that testimony, Bowers stated that a few years earlier he and COFFEY were at a meeting, that COFFEY invited him to lunch and that he agreed. COFFEY then brought Bowers to the Smith and Wollensky restaurant in Miami. Bowers and COFFEY walked into the restaurant and saw CW-1. Bowers sat down with CW-1, who told him the following:

And he said to me, [CW-1] said - why he said what he said, I have no idea why he said it, but, "I am now in charge." Or, "I am the boss." What he meant by that, I have no idea. And he said, "You're doing a wonderful job." And, he said, "We hope you stay forever." We - I don't know, "We hope you stay forever. But if you ever leave, I would like to see Harold Daggett become president."

When asked whether he asked CW-1 for any explanation, Bowers stated:

I am alone, one on one. I know of his [CW-1] reputation, I am not going to ask a lot of questions. I am figuring now how the hell to get out of the place.⁷

Bowers stated that his response to CW-1, in regard to Daggett, was "I like him to," although Bowers stated that he also told CW-1 that other top officials of the ILA also wanted to succeed Bowers.

⁷ Bowers also claimed he did not know that CW-1 was a member of the Genovese family. Bowers and CW-1, however, were named as defendants together in a well-know civil racketeering case commenced against the ILA in 1990 in the Southern District of New York. United States v. Local 1804-1 of the International Longshoremens' Association, AFL-CIO, et al., 90 Civ. 0963 (SDNY) (Amended Complaint). In that complaint, CW-1, as well as Douglas Rago, were named as a Genovese family soldiers. Moreover, Bowers entered into a settlement with the government in that case pursuant to which he was permanently enjoined from associating with members or associates of organized crime for purposes outside of the legitimate business of the ILA. In his deposition before the Waterfront Commission, Bowers also claimed, among other things, that COFFEY did not tell Bowers that Bowers was being brought to a meeting with CW-1, that COFFEY did not participate in Bowers conversation with CW-1, and that after the meeting COFFEY denied knowing that CW-1 was going to be at that restaurant.

CW-1 reported that the conspiracy to extort the President of the ILA and others to place a Genovese associate as the next president of the ILA continued until CW-1's arrest in April 2001. The salary of the president of the International of the ILA, for the years 1999 through 2001, was over \$300,000. The jurisdiction of the President of the ILA includes the Eastern District of New York.

PLACEMENT OF HAROLD DAGGETT ON THE EXECUTIVE COUNCIL OF THE ILA

21. CW-1 reported also reported that between approximately Fall 1999 and Spring 2000, an internal dispute within the Genovese family, largely between CW-1 and Andrew Gigante, led to a diminished role for CW-1 in influencing the ILA on behalf of the Genovese family.⁸ CW-1 stated that Bowers

⁸ This dispute was recounted in detail in a recorded conversation on March 30, 2001 between Pasquale Falcetti (who, with Muscarella, had given the order to CW-1 to meet John Bowers), and a second cooperating witness ("CW-2"), who recorded the meeting. During the conversation, Falcetti recalled how CW-1 had "bumped" Vincent Gigante's son's, and that the son had "put in a beef," which resulted in the temporary removal of CW-1 from his role as the Genovese soldier responsible for protecting the families influence with the ILA. Falcetti recounted how he was at the meeting in which CW-1 was told to step down, and that CW-1 would have been killed on the spot if he had disagreed. Falcetti also stated that CW-1, because of his dispute with Gigante, was specifically told that he was no longer to communicate with the President of the ILA (John Bowers), on behalf of the Genovese family, and that CW-1 was told not to communicate with "a couple of the big delegates" on the International that CW-1 and the Genovese family had "put there." Also during the March 30, 2001 conversation, Falcetti stated that the Genovese family had people in the Florida local, including "Artie Coffey," who Falcetti also referred to as "Dougie's [Rago] nephew."

temporarily withdrew support for Harold Daggett for the ILA presidency, because Bowers believed that his support for Daggett was dependant upon CW-1's continued role as protecting the Genovese family's interest in the ILA. However, during late Spring 2000, the Genovese family decided to reinstate CW-1 in his role in influencing the ILA in order to, among other things, have CW-1 further assist in placing Harold Daggett in positions leading to the Presidency of the ILA.

22. Specifically, CW-1 reported that a shortly before an ILA convention during the third week of July 2000, Falcetti contacted COFFEY and requested that COFFEY arrange a meeting between CW-1 and COFFEY. During a time period including July 2000, a pen register was operating on a cellular telephone used by Falcetti. This pen register revealed a call to ARTHUR

In a separate conversation, on December 18, 2000, during the time of CW-1's dispute with Andrew Gigante, Falcetti and Genovese associate Thomas Cafaro were recorded during a conversation in which CW-2 was present. During the meeting, Falcetti and Cafaro discussed control of the South Florida ILA in the event that CW-1 was permanently removed as the Genovese soldier responsible for protecting the Genovese family's interests on the piers in South Florida. Falcetti informed Cafaro that if CW-1 were permanently removed, "[w]ell, Artie is going to be there, Artie is going to stay there. Artie, they're [the Genovese family] leaving Artie there, you know." In the opinion of your deponent, based upon the context of the conversation and other information in this investigation, in this portion of the conversation Falcetti told Cafaro that in the event that CW-1 was permanently removed as the Genovese soldier in charge of the South Florida piers, the family had decided to keep COFFEY in place in his union positions on behalf of the family.

COFFEY's home from Falcetti's cellular telephone on July 10, 2000, at approximately at 6:11 p.m. CW-1 reported that after COFFEY set up the meeting, Falcetti came to Florida to see CW-1,⁹ and asked CW-1 to assist the Genovese family in placing Harold Daggett on the Executive Council of the International of the ILA. CW-1 stated that he did so, and that, as part of his effort, he instructed COFFEY to vote for Daggett as Assistant General Organizer of the International of the ILA. CW-1 also stated that he instructed another Genovese associate who also was a member of the Uptown Crew, and who was attending the convention (hereinafter "GA-1"), to pass the message to the ILA leadership that CW-1 wanted Daggett to receive the Assistant General Organizer position. Records of the ILA International Convention on July 18, 2000 indicate that Daggett was elected to the position of Assistant General Organizer, that COFFEY was present, and that the vote was unanimous in that Daggett ran unopposed.

FRAUD ON BENEFIT FUNDS - GIVING CONTRACTS TO ADMINISTER MENTAL HEALTH TREATMENT TO ORGANIZED CRIME MEMBERS AND ASSOCIATES

A. COMPSYCH

23. CW-1 reported that GA-1 answered to CW-1 before CW-1's arrest. In approximately 1999, according to CW-1, GA-1

⁹ In a conversation on March 30, 2001, between an additional cooperating witness and Pasquale Falcetti, recorded with the consent of the cooperating witness, Falcetti stated that he had been to see CW-1 "last July," which was July 2000, as reported by CW-1.

came to CW-1 and stated that GA-1 wanted to get business from the ILA for a company that was paying GA-1, which supplied mental health and drug treatment services.

24. CW-1 reported that, among other things, he then met with COFFEY and GA-1 together, and at that meeting instructed COFFEY, who was a Trustee of a number of ILA benefit funds, to give business to the company paying GA-1. Implicit in the success of the scheme was that neither GA-1 nor COFFEY could reveal to their fellow trustees or the beneficiaries of the funds that COFFEY and GA-1 were Genovese family associates, and that COFFEY would seek to have the funds for which he was a trustee enter into contracts with Compsych as part of his duties for the Genovese family.

25. Records of Compsych Corporation indicate that it began paying GA-1 approximately \$5,000 per month in January 1999. At that time, COFFEY was a trustee of the MILA Fund and the Local 1922 Fund.

26. The central representative from Compsych in charge of the contracts with the Local 1922 Fund (the "Compsych Representative") reported that he was introduced to ARTHUR COFFEY by GA-1, and, from the Compsych Representative's meetings and discussions with COFFEY and GA-1, the Compsych Representative believed that it was COFFEY who was primarily responsible for obtaining the contract for Compsych with the Local 1922 Fund. In

fact, records of Compsych also revealed that MILA and the Local 1922 Fund awarded contracts to Compsych during 1999.

Specifically, Compsych entered into contracts, respectively, with MILA on October 31, 1999 and with Local 1922 on October 13, 1999.

27. The records of Compsych also revealed that following the entry into contracts with the Funds, Compsych received tens of thousands of dollars from MILA and the 1922 Fund. Compsych records disclosed that during this time period Compsych paid GA-1 at a rate of approximately \$60,000 per year.

28. The Compsych Representative has reviewed a letter which purports to be from GA-1 to an individual at the "NYSA-ILA Medical Center of Bklyn, Inc., 340 Court Street, Brooklyn, NY 11231." The Compsych Representative stated that this letter was sent to the addressee in or about November 1999, from Compsych in Chicago, using a signature stamp for GA-1's signature. The letter, among other things, is an announcement that GA-1 is the addressee's "National Account Manager for Compsych Corporation," and announcing that Compsych will be managing certain benefits for MILA.

29. A portion of longshoremen working in Brooklyn and Staten Island received benefits through MILA.

B. GPP/VIP

30. CW-1 reported that in approximately 1998 members of the Genovese family instructed CW-1 to arrange for a company

associated with organized crime that supplied prescription drugs to get the contract with MILA for this service. CW-1 was informed by Genovese family members that the company to get the contract was associated with a Genovese associate ("GA-2"), and that a certain ILA Executive Counsel member and MILA Trustee, who was a Genovese associate ("GA-3") was going to advocate for GPP/VIP with the MILA Trustees.

31. Subsequently, CW-1 instructed COFFEY to vote in favor of whatever company GA-3 pushed to supply prescription drugs as part of the MILA trust fund. The minutes of the MILA Trustee meetings disclose that GA-3 advocated for GPP/VIP to supply the prescription drugs for MILA, and that without an objection by COFFEY GPP/VIP was awarded the contract.

WHEREFORE, your deponent respectfully requests that the defendant be dealt with according to law.

THOMAS KRALL, JR.
Special Agent
Federal Bureau of
Investigation

Sworn to before me this
__th day of June, 2004

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK