

# INDICTMENT

## SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF QUEENS

THE PEOPLE OF THE STATE OF NEW YORK

- AGAINST -

X. ARNOLD FUCHS  
X. CONRAD PANZA  
X. DANIEL CLARIN  
X. DANIEL CORRAR  
X. DIGITAL SOLUTIONS, S.A.  
    dba D. S. NETWORKS, S. A., INC.  
X. DONALD CLARKE  
X. ELLEN ADELINE  
X. ERIC WEINER  
X. FRANK FALZARANO  
X. FRANK LAMONICA  
X. FRANK LOBASCIO  
X. GUY GEMORE  
X. JAMES GIORDANO  
X. JOHN DUCATO  
X. LAWRENCE SAMELE  
X. LOUIS ANDREW MOED  
X. MAURICE FREEDMAN  
X. MELISSA CLARIN  
X. MONTE WEINER  
X. NICOLA CAVACINI  
X. PETER MASTRANDREA  
X. PRIMARY DEVELOPMENT INC.  
X. PRISCILLA GIORDANO  
X. PROLEXIC TECHNOLOGIES, INC.  
X. RALPH PICCIRILLI  
X. ROBERT MCGRATH  
X. ROCCO RENELLE  
X. STEVEN TARANTINO  
X. STUART KEMPNER  
X. THOMAS GEHLHAUS

FILED:

INDICTMENT NO.  
2699/2006

(1) PL §460.20(1): Enterprise Corruption

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A. Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
John Ducato  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(2) PL §155.40(2)(a): Grand Larceny in the Second Degree

Daniel Clarin  
Frank Lobascio  
James Giordano  
Steven Tarantino

(3) PL §470.20(1)(b)(i)(A): Money Laundering in the First Degree

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar

Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
John Ducato  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(4) PL §225.20(1): Possession of Gambling Records in the First Degree

Occurrence Date: 6/15/2006

James Giordano  
Priscilla Giordano

(5) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/1/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin

Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(6) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/2/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(7) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/3/2006

Conrad Panza  
Daniel Clarin  
Daniel Corrar

Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(8) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/4/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.

Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(9) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/5/2006

Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(10) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/6/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio

Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(11) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/7/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(12) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/8/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(13) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/9/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Lawrence Samele



Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(14) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/10/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(15) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/11/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(16) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/12/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
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Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
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Frank Falzarano  
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Melissa Clarin  
Monte Weiner  
Peter Mastrandrea

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Priscilla Giordano  
Prolexic Technologies, Inc.  
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Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(17) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 8/13/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
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Priscilla Giordano  
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Rocco Renelle  
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Stuart Kempner  
Thomas Gehlhaus

(18) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/11/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar

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Thomas Gehlhaus

(19) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/12/2006

Arnold Fuchs  
Daniel Clarin  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
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Frank Falzarano  
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Primary Development Inc.

Priscilla Giordano  
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Ralph Piccirilli  
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Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(20) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/13/2006

Arnold Fuchs  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
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Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(21) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/14/2006

Arnold Fuchs  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline

Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
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John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
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Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(22) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/15/2006

Arnold Fuchs  
Daniel Clarin  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
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Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
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Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath

Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(23) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/16/2006

Arnold Fuchs  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
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Lawrence Samele  
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Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(24) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/17/2006

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano

Frank LaMonica  
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Maurice Freedman  
Melissa Clarin  
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Nicola Cavacini  
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Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(25) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/18/2006

Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(26) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/19/2006



Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(27) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/20/2006

Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(28) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/21/2006

Daniel Clarin

Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(29) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/22/2006

Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(30) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/23/2006

Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.

Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(31) PL §225.10(1): Promoting Gambling in the First Degree

Occurrence Date: 9/24/2006

Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Frank LaMonica  
Frank Lobascio  
James Giordano  
John Ducato  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Nicola Cavacini  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies, Inc.  
Ralph Piccirilli  
Robert McGrath  
Steven Tarantino  
Stuart Kempner

(32) PL §105.10(1): Conspiracy in the Fourth Degree

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
John Ducato  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

(33) PL §105.05(1): Conspiracy in the Fifth Degree

Arnold Fuchs  
Conrad Panza  
Daniel Clarin  
Daniel Corrar  
Digital Solutions, S.A. dba D. S. Networks, S. A., Inc.  
Donald Clarke  
Ellen Adeline  
Eric Weiner  
Frank Falzarano  
Frank LaMonica  
Frank Lobascio  
Guy Gemore  
James Giordano  
John Ducato  
Lawrence Samele  
Louis Andrew Moed  
Maurice Freedman  
Melissa Clarin  
Monte Weiner  
Nicola Cavacini  
Peter Mastrandrea  
Primary Development Inc.  
Priscilla Giordano  
Prolexic Technologies Inc.  
Ralph Piccirilli  
Robert McGrath  
Rocco Renelle  
Steven Tarantino  
Stuart Kempner  
Thomas Gehlhaus

A TRUE BILL

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FOREPERSON

DISTRICT ATTORNEY

## COUNT ONE

The Grand Jury of the County of Queens, by this indictment, accuses the defendants, Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **ENTERPRISE CORRUPTION**, in violation of Penal Law Section 460.20(1)(a), committed in the County of Queens and elsewhere, as follows:

The defendants, on or about and between July 14, 2004, and November 2, 2006, having knowledge of the existence of a criminal enterprise, to wit, the "Playwithal Gambling Organization", and the nature of its activities, and being employed by and associated with that criminal enterprise, intentionally conducted and participated in the affairs of the criminal enterprise by participating in a pattern of criminal activity, as follows:

### THE CRIMINAL ENTERPRISE

At all times relevant to Count One:

1. The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio,

Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, along with other persons known and unknown, were members of or were associated with an enterprise in which they shared a common purpose of engaging in criminal conduct and were associated in a structure both that was distinct from the pattern of criminal activity and that had a continuity of existence, structure and criminal purpose beyond the scope of individual criminal incidents.

2. The defendants were members of the Playwithal Gambling Organization that operated an unlawful gambling enterprise in Queens County and elsewhere. The Playwithal Gambling Organization constituted a “criminal enterprise” as that term is defined in Penal Section 460.10(3).

3. There were other members of the Playwithal Gambling Organization not named herein as defendants who were employed by or associated with said organization.

#### **PURPOSE AND STRUCTURE OF THE CRIMINAL ENTERPRISE**

4. The common purpose of the members and associates of the Playwithal Gambling Organization was to engage in criminal conduct and to acquire money illegally through the promotion of gambling activity, including the unlawful acceptance of bets from members of the public as a business, upon the outcomes of future contingent events.

5. The Criminal Enterprise consisted of a bookmaker, a controller, a clerk, a web designer, communications and Internet services providers, money collectors, distributors, agents/runners, financial officers, and an accountant, which conducted business as follows:

a. The bookmaker, James Giordano, controlled and oversaw the enterprise, constituting the final authority on decisions affecting the overall operation of the enterprise.

b. The controller, Daniel Clarin, managed the day-to-day affairs of the operation, handled bettor disputes and accounting discrepancies, dealt with issues regarding personnel and resources, and managed account information of the various runners and bettors.

c. The money collectors, Frank Lobascio, Frank LaMonica, Ralph Piccirilli, Monte Weiner, and Steven Tarantino, exchanged, distributed, delivered, and transferred gambling proceeds between members of the organization, including to and from agents/runners. Some money collectors and other individuals in the organization were also involved in the exchanging, distributing, delivering, and transferring of gambling proceeds through various financial institutions.

d. The clerk, Robert McGrath managed daily operations of the organization's Internet website, [www.playwithal.com](http://www.playwithal.com), which was a website accessible through the Internet where bettors could place bets on future contingent events, and members of the organization could access gambling, betting, and financial records of the organization. More specifically, the clerk



managed various functions on the website, including the regular updating and adjusting of different point spreads for future sporting events.

e. The agents/runners, John Ducato, Arnold Fuchs, and Conrad Panza, were responsible for soliciting new bettors to the organization, maintaining existing bettor relationships, and meeting with their bettors to collect gambling losses and payout winnings resulting from bets placed by the bettors with the organization.

f. Distributors, including Donald Clarke, Frank Falzarano, Eric Weiner, Stuart Kempner, Ellen Adeline, Rocco Renelle, Daniel Corrar, Lawrence Samele, Nicola Cavacini, Guy Gemore, Peter Mastrandrea, and Thomas Gehlhaus, were in effect “super-agents/super-runners” as each distributor had several subordinate agents/runners reporting directly to the distributor, and each of these subordinate agents/runners had several bettors with whom they dealt directly.

g. The web designer, Maurice Freedman and Primary Development Inc., were responsible for designing, building, and implementing the playwithal website, including enhancements and improvements to website to improve its functionality.

h. The communications and Internet services providers, Prolexic Technologies, Inc. and Digital Solutions, S.A. dba D. S. Networks, S. A., Inc., supplied the organization with telecommunications services so that bettors and members of the organization based in Queens County and elsewhere in the United States could both contact other members of the organization through toll-

free numbers and could access the playwithal website through the Internet from computers located in Queens County and elsewhere.

i. The accountant, Louis Andrew Moed, provided assistance and counseling to the organization with respect to the transfer of monetary instruments representing gambling proceeds.

j. The financial officers, Melissa Clarin and Priscilla Giordano, facilitated the transfer of monetary instruments representing gambling proceeds through accounts under their control in financial institutions located overseas and elsewhere, and assisted in the transfer of other monetary instruments representing gambling proceeds for the organization.

6. The Playwithal Gambling Organization conducted this gambling business in the form of a gambling operation as follows:

a. Bets on future contingent events, including various sporting events, such as upcoming professional baseball and football games, were accepted by this gambling operation primarily through a toll-free telephone number, accessible from telephones located in Queens County and elsewhere, and through an Internet website, [www.playwithal.com](http://www.playwithal.com), which was designed and built by the web designer, owned by the organization, and was accessible from computers connected to the Internet in Queens County and elsewhere. This Internet website and the toll-free telephone numbers were managed by the controller and the clerk, under the overall supervision of the bookmaker. The communications and Internet services providers supplied the organization with

communications related services and connectivity to bettors and members of the organization located in Queens County and elsewhere.

b. After a bettor placed bets through one of these media, the bettor typically met with an agent/runner, or, exchanged with an agent/runner through interstate commerce any winnings or losses incurred by bettor.

c. The agent/runner typically met with money collectors to give the money collectors any gambling debts the agent/runner collected from his bettors and to receive any money from the money collector that the bettors of the agent/runner won.

d. Money collectors met with distributors to give them the gambling proceeds the collectors obtained from their subordinates; money collectors also met with distributors to collect any winnings which the collector would then pass on to the agent with the winning bettor. Money collectors also met with each other and other members of the organization to exchange, transfer, deliver, or distribute gambling proceeds.

e. The bookmaker, financial officers, accountant, and other members of the organization then conducted various financial transactions, including transactions occurring through interstate commerce, with the gambling proceeds to promote the carrying on of this operation.

f. The bookmaker constituted the ultimate decision-making authority in the organization.

## **PATTERN OF CRIMINAL ACTIVITY**

During the period of these offenses, as indicated below, each of the defendants, with intent to participate in and advance the affairs of the criminal enterprise, engaged in conduct constituting, or was criminally liable for, three or more of the following criminal acts included within an established pattern of criminal activity:

### **PATTERN ACT ONE**

The defendants Daniel Clarin, Frank Lobascio, James Giordano, and Steven Tarantino committed the crime of **GRAND LARCENY IN THE SECOND DEGREE** by extortion in violation of Penal Law Section 155.40(2)(a) in that on or about and between July 14, 2004, and October 30, 2004, in the County of Queens and elsewhere, they stole property and the property, regardless of its nature and value, was obtained by extortion committed by instilling in the victim a fear that the actor or another person will cause physical injury to some person in the future.

### **PATTERN ACT TWO**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven

Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **MONEY LAUNDERING IN THE FIRST DEGREE** in violation of Penal Law Section 470.20(1)(b)(i)(A) in that on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, they, knowing that the property involved in one or more financial transactions represents the proceeds of a class A, B, or C felony, or of a crime in any other jurisdiction that is or would be a class A, B, or C felony under the laws of this state, conducted one or more such financial transactions which in fact involve the proceeds of any such felony with intent to promote the carrying on of specified criminal conduct and the total value of the property involved in such financial transaction or transactions exceeds one million dollars.

### **PATTERN ACT THREE**

The defendants James Giordano and Priscilla Giordano committed the crime of **POSSESSION OF GAMBLING RECORDS IN THE FIRST DEGREE** in violation of Penal Law Section 225.20(1) in that on or about June 15, 2006, in the County of Queens and elsewhere, with knowledge of the contents thereof, they possessed any writing, paper, instrument, or article of a kind commonly used in the operation or promotion of a bookmaking scheme or enterprise, and constituting, reflecting or representing more than five bets totaling more than five thousand dollars.

### **PATTERN ACT FOUR**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke,

Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 1, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT FIVE**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, and Thomas Gehlhaus committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 2, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent

that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT SIX**

The defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 3, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT SEVEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert

McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 4, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT EIGHT**

The defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 5, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT NINE**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke,



Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 6, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT TEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 7, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or

accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT ELEVEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 8, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWELVE**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli,

Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 9, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT THIRTEEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 10, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT FOURTEEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 11, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT FIFTEEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal

Law Section 225.10(1) in that on or about August 12, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT SIXTEEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about August 13, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT SEVENTEEN**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio,

Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 11, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT EIGHTEEN**

The defendants Arnold Fuchs, Daniel Clarin, Donald Clarke, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 12, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in

bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT NINETEEN**

The defendants Arnold Fuchs, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 13, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY**

The defendants Arnold Fuchs, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath,

Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 14, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY-ONE**

The defendants Arnold Fuchs, Daniel Clarin, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 15, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.



### **PATTERN ACT TWENTY-TWO**

The defendants Arnold Fuchs, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 16, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY-THREE**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of

**PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 17, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**PATTERN ACT TWENTY-FOUR**

The defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 18, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**PATTERN ACT TWENTY-FIVE**

The defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew

Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 19, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **PATTERN ACT TWENTY-SIX**

The defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 20, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY-SEVEN**

The defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 21, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY-EIGHT**

The defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 22, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in

bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT TWENTY-NINE**

The defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 23, 2006, in the County of Queens and elsewhere, they knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **PATTERN ACT THIRTY**

The defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, committed the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) in that on or about September 24, 2006, in the County of Queens and elsewhere, they

knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**PATTERN ACT THIRTY-ONE**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **CONSPIRACY IN THE FOURTH DEGREE** in violation of Penal Law §105.10(1), in that on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, with intent that conduct constituting a class B or C felony , to wit: Money Laundering in the First Degree be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

It was a purpose of this conspiracy to acquire money through the operation of an unlawful gambling enterprise involving the use of an Internet website, [www.playwithal.com](http://www.playwithal.com), where bets on future contingent events could be placed and the organization's gambling records could be accessed. At all times relevant to this indictment, defendant James Giordano controlled both the

playwithal website and the entire gambling enterprise, which accepted bets, solicited new bettors, and conducted financial transactions in many locations including Queens County, New York, and elsewhere.

As part of this conspiracy, and at various times relevant to this indictment, web designer Primary Development Inc., and its CEO, Maurice Freedman, designed and re-built the playwithal website and were in the process of adding supplemental gambling and wagering modules to the playwithal website, which maintained records of wagers placed and total gambling debts incurred by bettors and subordinates. Prolexic Technologies, Inc., and Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., both provided communications services, Internet connectivity, and security services, to the playwithal website so that bettors, agents, and other members of the organization could access the playwithal website from the Internet.

As part of this conspiracy, and at various times relevant to this indictment, this organization collected, distributed, and transferred these illegal gambling proceeds via its runners, distributors, money collectors, and financial officers: Arnold Fuchs, Conrad Panza, Daniel Corrar, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank Lobascio, Frank LaMonica, Guy Gemore, John Ducato, Lawrence Samele, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Priscilla Giordano, Ralph Piccirilli, Rocco Renelle, Stuart Kempner, Thomas Gehlhaus, and Steven Tarantino, and with the assistance of an accountant, Louis Andrew Moed.

As part of this conspiracy, a clerk, Robert McGrath, working for the enterprise, would monitor and manage daily gambling operations on the organization's playwithal website, such as by adjusting the point spreads on various sports games.

As part of this conspiracy, the controller, Daniel Clarin, handled disputes that arose between bettors and runners, as well as accounting discrepancies between runners and clerks. The controllers also managed bettor limits and the resources of the operation.

#### OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about June 15, 2006, in the County of Queens, defendants James Giordano and Priscilla Giordano possessed records of a kind commonly used in the operation or promotion of a booking making scheme reflecting more than five bets totaling more than five thousand dollars and also reflecting certain financial information including gambling winnings and debts incurred by subordinates in the organization.

2. On or about June 9, 2006, defendants Eric Weiner and Monte Weiner received through interstate commerce via Federal Express monetary instruments representing gambling proceeds that were subsequently exchanged at and/or deposited into an account at a financial institution.



3. On or about June 1, 2006, defendant Ralph Piccirilli engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

4. On or about April 5, 2006, defendants Ralph Piccirilli and Frank Lobascio engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

5. On or about February 2, 2006, defendant Frank Falzarano engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

6. On or about October 17, 2005, defendant Thomas Gehlhaus engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

7. On or about October 7, 2005, defendant Thomas Gehlhaus engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

### **PATTERN ACT THIRTY-TWO**

The defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven

Tarantino, Stuart Kempner, Thomas Gehlhaus, committed the crime of **CONSPIRACY IN THE FIFTH DEGREE** in violation of Penal Law §105.05(1), in that on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, with intent that conduct constituting a felony, to wit: Promoting Gambling in the First Degree be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

It was a purpose of this conspiracy to acquire money through the operation of an unlawful gambling enterprise involving the use of an Internet website, [www.playwithal.com](http://www.playwithal.com), where bets on future contingent events could be placed and the organization's gambling records could be accessed. At all times relevant to this indictment, defendant James Giordano controlled both the playwithal website and the entire gambling enterprise, which accepted bets, solicited new bettors, and conducted financial transactions in many locations including Queens County, New York, and elsewhere.

As part of this conspiracy, and at various times relevant to this indictment, web designer Primary Development Inc., and its CEO, Maurice Freedman, designed and re-built the playwithal website and were in the process of adding supplemental gambling and wagering modules to the playwithal website, which maintained records of wagers placed and total gambling debts incurred by bettors and subordinates. Prolexic Technologies, Inc., and Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., both provided communications services, Internet connectivity, and security services, to the playwithal website so that bettors,

agents, and other members of the organization could access the playwithal website from the Internet.

As part of this conspiracy, and at various times relevant to this indictment, this organization collected, distributed, and transferred these illegal gambling proceeds via its runners, distributors, money collectors, and financial officers: Arnold Fuchs, Conrad Panza, Daniel Corrar, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank Lobascio, Frank LaMonica, Guy Gemore, John Ducato, Lawrence Samele, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Priscilla Giordano, Ralph Piccirilli, Rocco Renelle, Stuart Kempner, Thomas Gehlhaus, and Steven Tarantino, and with the assistance of an accountant, Louis Andrew Moed.

As part of this conspiracy, a clerk, Robert McGrath, working for the enterprise, would monitor and manage daily gambling operations on the organization's playwithal website, such as by adjusting the point spreads on various sports games.

As part of this conspiracy, the controller, Daniel Clarin, handled the disputes that arose between bettors and runners, as well as accounting discrepancies between runners and clerks. The controllers also managed bettor's limits and the resources of the operation.

#### OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about June 15, 2006, in the County of Queens, defendants James Giordano and Priscilla Giordano possessed records of a kind commonly used in the operation or promotion of a booking making scheme reflecting more than five bets totaling more than five thousand dollars.

2. On or about June 1, 2006, defendant Ralph Piccirilli exchanged gambling proceeds for the organization with another person in the County of Queens.

3. On or about April 5, 2006, defendants Ralph Piccirilli and Frank Lobascio exchanged gambling proceeds for the organization with each other in the County of Queens.

4. On or about February 2, 2006, defendant Frank Falzarano exchanged gambling proceeds for the organization with another person in the County of Queens.

5. On or about October 17, 2005, defendant Thomas Gehlhaus exchanged gambling proceeds for the organization with another person in the County of Queens.

6. On or about October 7, 2005, defendant Thomas Gehlhaus exchanged gambling proceeds for the organization with another person in the County of Queens.

## **COUNT TWO**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Frank Lobascio, James Giordano, and Steven Tarantino committed the crime of **GRAND LARCENY IN THE SECOND**

**DEGREE** by extortion in violation of Penal Law Section 155.40(2)(a) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about and between July 14, 2004, and October 30, 2004, in the County of Queens and elsewhere, stole property and the property, regardless of its nature and value, was obtained by extortion committed by instilling in the victim a fear that the actor or another person will cause physical injury to some person in the future.

### **COUNT THREE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **MONEY LAUNDERING IN THE FIRST DEGREE** in violation of Penal Law Section 470.20(1)(b)(i)(A) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, knowing that the property involved in one or

more financial transactions represents the proceeds of a class A, B, or C felony, or of a crime in any other jurisdiction that is or would be a class A, B, or C felony under the laws of this state, conducted one or more such financial transactions which in fact involve the proceeds of any such felony with intent to promote the carrying on of specified criminal conduct and the total value of the property involved in such financial transaction or transactions exceeds one million dollars.

#### **COUNT FOUR**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants James Giordano and Priscilla Giordano of the crime of **POSSESSION OF GAMBLING RECORDS IN THE FIRST DEGREE** in violation of Penal Law Section 225.20(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about June 15, 2006, in the County of Queens and elsewhere, with knowledge of the contents thereof, possessed any writing, paper, instrument, or article of a kind commonly used in the operation or promotion of a bookmaking scheme or enterprise, and constituting, reflecting or representing more than five bets totaling more than five thousand dollars.

#### **COUNT FIVE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte

Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 1, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT SIX**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, and Thomas Gehlhaus of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 2, 2006, in the County of Queens and elsewhere,

knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT SEVEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Conrad Panza, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Daniel Clarin, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 3, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT EIGHT**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric



Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 4, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT NINE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 5, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 6, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT ELEVEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 7, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWELVE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco

Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 8, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT THIRTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 9, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in

bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT FOURTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 10, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT FIFTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital

Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 11, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT SIXTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of

**PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 12, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**COUNT SEVENTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about August 13, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT EIGHTEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 11, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT NINETEEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Daniel Clarin, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc.,



Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 12, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT TWENTY**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Daniel Clarin, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 13, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by

engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWENTY-ONE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 14, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWENTY-TWO**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Daniel Clarin, Digital Solutions, S.A. dba D. S.

Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 15, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWENTY-THREE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas

Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 16, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

#### **COUNT TWENTY-FOUR**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 17, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWENTY-FIVE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 18, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT TWENTY-SIX**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE**

**FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 19, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**COUNT TWENTY-SEVEN**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 20, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**COUNT TWENTY-EIGHT**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 21, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

**COUNT TWENTY-NINE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE**

**FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 22, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT THIRTY**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 23, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT THIRTY-ONE**



The Grand Jury of the County of Queens, by this indictment, accuses the defendants Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Frank LaMonica, Frank Lobascio, James Giordano, John Ducato, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Nicola Cavacini, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Steven Tarantino, Stuart Kempner, of the crime of **PROMOTING GAMBLING IN THE FIRST DEGREE** in violation of Penal Law Section 225.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about September 24, 2006, in the County of Queens and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

### **COUNT THIRTY-TWO**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner,

Thomas Gehlhaus, of the crime of **CONSPIRACY IN THE FOURTH DEGREE** in violation of Penal Law Section 105.10(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, with intent that conduct constituting a class B or C felony , to wit: Money Laundering in the First Degree be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

It was a purpose of this conspiracy to acquire money through the operation of an unlawful gambling enterprise involving the use of an Internet website, [www.playwithal.com](http://www.playwithal.com), where bets on future contingent events could be placed and the organization's gambling records could be accessed. At all times relevant to this indictment, defendant James Giordano controlled both the playwithal website and the entire gambling enterprise, which accepted bets, solicited new bettors, and conducted financial transactions in many locations including Queens County, New York, and elsewhere.

As part of this conspiracy, and at various times relevant to this indictment, web designer Primary Development Inc., and its CEO, Maurice Freedman, designed and re-built the playwithal website and were in the process of adding supplemental gambling and wagering modules to the playwithal website, which maintained records of wagers placed and total gambling debts incurred by bettors and subordinates. Prolexic Technologies, Inc., and Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., both provided communications services, Internet

connectivity, and security services, to the playwithal website so that bettors, agents, and other members of the organization could access the playwithal website from the Internet.

As part of this conspiracy, and at various times relevant to this indictment, this organization collected, distributed, and transferred these illegal gambling proceeds via its runners, distributors, money collectors, and financial officers: Arnold Fuchs, Conrad Panza, Daniel Corrar, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank Lobascio, Frank LaMonica, Guy Gemore, John Ducato, Lawrence Samele, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Priscilla Giordano, Ralph Piccirilli, Rocco Renelle, Stuart Kempner, Thomas Gehlhaus, and Steven Tarantino, and with the assistance of an accountant, Louis Andrew Moed.

As part of this conspiracy, a clerk, Robert McGrath, working for the enterprise, would monitor and manage daily gambling operations on the organization's playwithal website, such as by adjusting the point spreads on various sports games.

As part of this conspiracy, the controller, Daniel Clarin, handled the disputes that arose between bettors and runners, as well as accounting discrepancies between runners and clerks. The controllers also managed bettor's limits and the resources of the operation.

## OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about June 15, 2006, in the County of Queens, defendants James Giordano and Priscilla Giordano possessed records of a kind commonly used in the operation or promotion of a booking making scheme reflecting more than five bets totaling more than five thousand dollars and also reflecting certain financial information including gambling winnings and debts incurred by subordinates in the organization.

2. On or about June 9, 2006, defendants Eric Weiner and Monte Weiner received through interstate commerce via Federal Express monetary instruments representing gambling proceeds that were subsequently exchanged at and/or deposited into an account at a financial institution.

3. On or about June 1, 2006, defendant Ralph Piccirilli engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

4. On or about April 5, 2006, defendants Ralph Piccirilli and Frank Lobascio engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

5. On or about February 2, 2006, defendant Frank Falzarano engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

6. On or about October 17, 2005, defendant Thomas Gehlhaus engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

7. On or about October 7, 2005, defendant Thomas Gehlhaus engaged in the transfer of monetary instruments representing gambling proceeds for the organization in the County of Queens.

### **COUNT THIRTY-THREE**

The Grand Jury of the County of Queens, by this indictment, accuses the defendants Arnold Fuchs, Conrad Panza, Daniel Clarin, Daniel Corrar, Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank LaMonica, Frank Lobascio, Guy Gemore, James Giordano, John Ducato, Lawrence Samele, Louis Andrew Moed, Maurice Freedman, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Primary Development Inc., Priscilla Giordano, Prolexic Technologies, Inc., Ralph Piccirilli, Robert McGrath, Rocco Renelle, Steven Tarantino, Stuart Kempner, Thomas Gehlhaus, of the crime of **CONSPIRACY IN THE FIFTH DEGREE** in violation of Penal Law Section 105.05(1) committed as follows:

Defendants, each aiding the others and acting in concert with other persons, on or about and between July 14, 2004, and November 2, 2006, in the County of Queens and elsewhere, with intent that conduct constituting a felony,

to wit: Promoting Gambling in the First Degree be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

It was a purpose of this conspiracy to acquire money through the operation of an unlawful gambling enterprise involving the use of an Internet website, [www.playwithal.com](http://www.playwithal.com), where bets on future contingent events could be placed and the organization's gambling records could be accessed. At all times relevant to this indictment, defendant James Giordano controlled both the playwithal website and the entire gambling enterprise, which accepted bets, solicited new bettors, and conducted financial transactions in many locations including Queens County, New York, and elsewhere.

As part of this conspiracy, and at various times relevant to this indictment, web designer Primary Development Inc., and its CEO, Maurice Freedman, designed and re-built the playwithal website and were in the process of adding supplemental gambling and wagering modules to the playwithal website, which maintained records of wagers placed and total gambling debts incurred by bettors and subordinates. Prolexic Technologies, Inc., and Digital Solutions, S.A. dba D. S. Networks, S.A., Inc., both provided communications services, Internet connectivity, and security services, to the playwithal website so that bettors, agents, and other members of the organization could access the playwithal website from the Internet.

As part of this conspiracy, and at various times relevant to this indictment, this organization collected, distributed, and transferred these illegal gambling proceeds via its runners, distributors, money collectors, and financial officers:

Arnold Fuchs, Conrad Panza, Daniel Corrar, Donald Clarke, Ellen Adeline, Eric Weiner, Frank Falzarano, Frank Lobascio, Frank LaMonica, Guy Gemore, John Ducato, Lawrence Samele, Melissa Clarin, Monte Weiner, Nicola Cavacini, Peter Mastrandrea, Priscilla Giordano, Ralph Piccirilli, Rocco Renelle, Stuart Kempner, Thomas Gehlhaus, and Steven Tarantino, and with the assistance of an accountant, Louis Andrew Moed.

As part of this conspiracy, a clerk, Robert McGrath, working for the enterprise, would monitor and manage daily gambling operations on the organization's playwithal website, such as by adjusting the point spreads on various sports games.

As part of this conspiracy, the controller, Daniel Clarin, handled the disputes that arose between bettors and runners, as well as accounting discrepancies between runners and clerks. The controllers also managed bettor's limits and the resources of the operation.

#### OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about June 15, 2006, in the County of Queens, defendants James Giordano and Priscilla Giordano possessed records of a kind commonly used in the operation or promotion of a booking making scheme reflecting more than five bets totaling more than five thousand dollars.

2. On or about June 1, 2006, defendant Ralph Piccirilli exchanged gambling proceeds for the organization with another person in the County of Queens.

3. On or about April 5, 2006, defendants Ralph Piccirilli and Frank Lobascio exchanged gambling proceeds for the organization with each other in the County of Queens.

4. On or about February 2, 2006, defendant Frank Falzarano exchanged gambling proceeds for the organization with another person in the County of Queens.

5. On or about October 17, 2005, defendant Thomas Gehlhaus exchanged gambling proceeds for the organization with another person in the County of Queens.

6. On or about October 7, 2005, defendant Thomas Gehlhaus exchanged gambling proceeds for the organization with another person in the County of Queens.

DISTRICT ATTORNEY