

JG/JNM/USAO2005R01185

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X	:	Hon. Dennis M. Cavanaugh
	:	
UNITED STATES OF AMERICA	:	Criminal No. 09-369 (DMC)
	:	
v.	:	18 U.S.C. §§ 1962, 1959,
	:	1952, 1512, 371 & 2,
	:	21 U.S.C. §§ 841, 846,
	:	853 & 856,
PAUL BERGRIN	:	26 U.S.C. § 7206, and
	:	31 U.S.C. § 5324
	:	
-----X	:	

SECOND SUPERSEDING INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting in

Newark, charges:

COUNT ONE
(Racketeering)

The Enterprise

1. At various times relevant to this Second Superseding Indictment, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others were members and associates of a criminal organization, hereinafter referred to as “The Bergrin Law Enterprise,” that operated principally in Essex County, New Jersey.

2. The Bergrin Law Enterprise functioned primarily as a business that, in addition to providing legitimate attorney services, committed and conspired to commit acts of, among other things, murder, witness tampering, drug trafficking, traveling in aid of a racketeering enterprise, bribery, coercion, prostitution, money laundering, and other crimes for the benefit of members and associates of The Bergrin Law Enterprise.

3. The Bergrin Law Enterprise was comprised of both natural persons and corporations. Defendant PAUL BERGRIN, a lawyer, was the leader of The Bergrin Law Enterprise. Defendant PAUL BERGRIN and other natural person members and associates of The Bergrin Law Enterprise formed and used various corporations, including Law Office of Paul W. Bergrin, P.C. (“Law Office of Paul Bergrin”), P., Bergrin & V., P.A. (“P. Bergrin & V.”), Premium Realty Investment Corp., Inc. (“Premium Realty Investment”), and Isabella’s International Restaurant, Inc. (“Isabella’s Restaurant”) to conduct, conceal, and otherwise assist them in their criminal activities. As the leader of The Bergrin Law Enterprise, and through his ownership interest in those corporations, defendant PAUL BERGRIN exercised control over those corporations.

4. The Bergrin Law Enterprise, including its leadership, membership, and associates, constituted an “enterprise,” as defined by Title 18,

United States Code, Section 1961(4), that is, a group of individuals and legal entities associated in fact. The Bergrin Law Enterprise constituted an ongoing organization whose members functioned as a continuing unit for the common purpose of achieving the objectives of The Bergrin Law Enterprise. The Bergrin Law Enterprise was engaged in, and its activities affected, interstate and foreign commerce.

Purposes of The Bergrin Law Enterprise

5. The purposes of The Bergrin Law Enterprise included the following:
 - a. providing The Bergrin Law Enterprise and its leaders, members, and associates with an expanding base of clients for legal and illegal services;
 - b. generating, preserving and protecting The Bergrin Law Enterprise's profits and client base through acts of, among other things, murder, conspiracy to commit murder, solicitation to commit murder, witness tampering, drug trafficking, traveling in aid of a racketeering enterprise, bribery, coercion, prostitution, and money laundering;
 - c. protecting and preserving defendant PAUL BERGRIN's status as a licensed attorney;

- d. enhancing defendant PAUL BERGRIN's reputation as a criminal defense attorney;
- e. promoting and enhancing The Bergrin Law Enterprise and its leader's, members' and associates' activities;
- f. enriching the leader, members and associates of The Bergrin Law Enterprise; and
- g. concealing and otherwise protecting the criminal activities of The Bergrin Law Enterprise and its members and associates from detection and prosecution.

Methods and Means of the Enterprise

6. Among the methods and means by which the defendant and other members and associates of The Bergrin Law Enterprise conducted and participated in the conduct of the affairs of The Bergrin Law Enterprise were the following:

7. Defendant and other members and associates of The Bergrin Law Enterprise would provide legal and illegal services to various criminals, criminal organizations and members of criminal organizations ("Client Criminals") who hired or otherwise used the services of The Bergrin Law Enterprise.

8. As part of providing those legal and illegal services, defendant PAUL BERGRIN would operate an attorney services business through P. Bergrin & V. and Law Office of Paul Bergrin (collectively, “Paul Bergrin’s Attorney Services Business”). Paul Bergrin’s Attorney Services Business would be an integral part of The Bergrin Law Enterprise. The Bergrin Law Enterprise would use Paul Bergrin’s Attorney Services Business to provide attorney services to Client Criminals. The Bergrin Law Enterprise also would use Paul Bergrin’s Attorney Services Business to provide illegal services to and assist in providing illegal services to Client Criminals. By providing illegal services through Paul Bergrin’s Attorney Services Business, The Bergrin Law Enterprise would expand business for P. Bergrin & V. and Law Office of Paul Bergrin.

9. The Bergrin Law Enterprise, among other things, would: (a) use Paul Bergrin’s Attorney Services Business to employ Client Criminals; (b) use persons employed by or associated with Paul Bergrin’s Attorney Services Business to provide and assist in providing illegal services to Client Criminals; and (c) use the special privileges granted to the licensed attorneys who were employed by or associated with Paul Bergrin’s Attorney Services Business to engage in and assist Client Criminals to engage in criminal activities.

10. As part of conducting its affairs, The Bergrin Law Enterprise

sometimes would use Client Criminals to provide and assist in providing illegal services to other Client Criminals. Defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise would provide illegal services to Client Criminals as a means of inducing those Client Criminals to assist The Bergrin Law Enterprise in committing other criminal acts in furtherance of the affairs of The Bergrin Law Enterprise.

11. As part of providing illegal services, The Bergrin Law Enterprise would commit and assist Client Criminals in committing multiple acts involving, among other things, murder, conspiracy to commit murder, witness tampering, drug trafficking, traveling in aid of a racketeering enterprise, bribery, coercion, prostitution, and money laundering. Some examples of those illegal services are set forth below.

A. Tampering with a Witness in a Criminal Case
Against Client Criminal N.V.

12. Under the guise of providing legitimate attorney services through P. Bergrin & V., defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise, including a person whose initials are Y.J. (“Y.J.”), assisted a Client Criminal whose initials are N.V. (“N.V.”) in, among other things, bribing, threatening, coercing, and otherwise influencing a person to

testify falsely at trial in an attempted murder prosecution against N.V. pending in Superior Court in Essex County, New Jersey (“N.V.’s Essex County Case”).

Defendant PAUL BERGRIN was N.V.’s attorney on N.V.’s Essex County Case.

13. On or about November 19, 2001, N.V. was arrested and charged in N.V.’s Essex County Case after he stabbed his wife multiple times with a knife. Defendant PAUL BERGRIN, Y.J., N.V. and others devised a plan whereby they would bribe, threaten, coerce, and otherwise influence a person who was then a minor (“N.V.’s Witness”) to testify falsely at trial, in an effort to thwart the prosecution of N.V.’s Essex County Case. For several months thereafter, defendant PAUL BERGRIN, Y.J. and N.V. repeatedly bribed, threatened, coerced, and otherwise influenced N.V.’s Witness to testify falsely at trial in N.V.’s Essex County Case.

14. N.V. and defendant PAUL BERGRIN developed a false story that N.V.’s Witness was to tell on the witness stand at trial in N.V.’s Essex County Case. Defendant PAUL BERGRIN, Y.J. and N.V. repeatedly coached N.V.’s Witness to tell the false story on the witness stand. When N.V.’s Witness did not tell the false story, defendant PAUL BERGRIN, Y.J. and N.V. used various techniques, including bribery, threats of violence, and coercion, to influence N.V.’s Witness to testify falsely at trial in N.V.’s Essex County Case. At trial in

N.V.'s Essex County Case, defendant PAUL BERGRIN, among other things, knowingly put on the false testimony of N.V.'s Witness. N.V. subsequently was acquitted by the jury of the charges in N.V.'s Essex County Case.

15. While defendant PAUL BERGRIN, Y.J. and N.V. were tampering with N.V.'s Witness, N.V. also began working at P. Bergrin & V. and Isabella's Restaurant. N.V. was later enlisted to assist The Bergrin Law Enterprise's drug trafficking business. For example, N.V. assisted Alejandro Barraza-Castro in transporting approximately twenty kilograms of cocaine, and stored approximately \$490,000 in drug proceeds in his residence.

B. Operating A Drug Trafficking Business
(As Charged in Racketeering Acts One through Three)

16. Under the guise of conducting legitimate business through P. Bergrin & V., Law Office of Paul Bergrin, Premium Realty Investment, and Isabella's Restaurant, defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise engaged in and assisted Client Criminals who engaged in drug trafficking. In particular, defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise, including Y.J., operated and assisted in operating a drug trafficking business that distributed multi-kilogram quantities of cocaine ("The Bergrin Law Enterprise's Drug

Trafficking Business”). As part of The Bergrin Law Enterprise’s Drug Trafficking Business, defendant PAUL BERGRIN and others, including Y.J., supplied Client Criminals with kilogram quantities of cocaine and collected the proceeds of cocaine sales.

17. As part of The Bergrin Law Enterprise’s Drug Trafficking Business, defendant PAUL BERGRIN, among other things, solicited and obtained customers to purchase kilogram quantities of cocaine from The Bergrin Law Enterprise. Primarily, those customers were clients of, persons employed by, or persons otherwise associated with Paul Bergrin’s Attorney Services Business. The Bergrin Law Enterprise also used persons who were clients of, employed by, or otherwise associated with Paul Bergrin’s Attorney Services Business, including N.V. and persons whose initials are R.J. (“R.J.”) and A.W. (“A.W.”), to assist in distributing kilogram quantities of cocaine and to engage in other activities of The Bergrin Law Enterprise’s Drug Trafficking Business. At various times, N.V., R.J., and A.W. each worked for and were clients of Paul Bergrin’s Attorney Services Business.

18. As part of the Bergrin Law Enterprise’s Drug Trafficking Business, members and associates of The Bergrin Law Enterprise used various corporations, including P. Bergrin & V., Law Office of Paul Bergrin, and

Isabella's Restaurant to conceal and otherwise assist with The Bergrin Law Enterprise's Drug Trafficking Business. As part of The Bergrin Law Enterprise's Drug Trafficking Business, members and associates of The Bergrin Law Enterprise used offices and other locations maintained by P. Bergrin & V., Law Office of Paul Bergrin and Isabella's Restaurant to meet customers, to negotiate drug transactions, to store and distribute kilogram quantities of cocaine, to collect and store the proceeds of drug sales, and to otherwise assist with The Bergrin Law Enterprise's Drug Trafficking Business.

19. As part of The Bergrin Law Enterprise's Drug Trafficking Business, defendant PAUL BERGRIN and co-conspirators provided attorney services through Paul Bergrin's Attorney Services Business to persons associated with The Bergrin Law Enterprise's Drug Trafficking Business, including persons who were charged with crimes while conducting drug trafficking connected with The Bergrin Law Enterprise's Drug Trafficking Business. As part of providing those attorney services, defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise tampered with witnesses, murdered and conspired to murder witnesses, bribed witnesses, and otherwise attempted to corruptly influence the outcome of criminal cases of persons associated with The Bergrin Law Enterprise's Drug Trafficking Business. For example:

a. As charged in Racketeering Act Four, in connection with providing attorney services on criminal charges then pending against a member of a drug trafficking organization that was a customer of The Bergrin Law Enterprise's Drug Trafficking Business – a Client Criminal whose initials are W.B. (“W.B.”) – The Bergrin Law Enterprise conspired to murder and assisted in murdering a witness against W.B.;

b. Further, as charged in Racketeering Act Six, in connection with providing attorney services on criminal charges then pending against A.W., The Bergrin Law Enterprise paid money to another person in exchange for that person falsely exculpating A.W. so that A.W. could get out of jail and continue assisting The Bergrin Law Enterprise's Drug Trafficking Business;

c. Further, as charged in Racketeering Act Seven, in connection with providing attorney services on criminal charges then pending against a Client Criminal whose initials are V.E. (“V.E.”), The Bergrin Law Enterprise conspired to murder witnesses in exchange for, among other things, a promise that V.E. would assist The Bergrin Law Enterprise's Drug Trafficking Business; and

d. Further, as set forth below in paragraphs twenty-one

through twenty-three, after soliciting a Client Criminal whose initials are R.P. (“R.P.”) to assist in The Bergrin Law Enterprise’s Drug Trafficking Business, The Bergrin Law Enterprise, in connection with providing attorney services on criminal charges against R.P., counseled R.P. to murder a witness against R.P.

20. The Bergrin Law Enterprise also provided other illegal services to Client Criminals who were involved in drug trafficking. For example, The Bergrin Law Enterprise laundered drug proceeds for a Client Criminal whose initials are R.K. (“R.K.”). As part of the scheme to launder money for R.K., defendant PAUL BERGRIN sold a property nominally owned by Premium Realty Investment to R.K. in exchange for a sum of cash that R.K. had earned from his drug trafficking business. Sometime thereafter R.K. became a customer of The Bergrin Law Enterprise’s Drug Trafficking Business. Similarly, as set forth below in paragraph twenty-two, defendant PAUL BERGRIN offered to launder drug proceeds for Client Criminal R.P. Moreover, defendant PAUL BERGRIN, who, among other things, offered to supply the person identified below in paragraph forty-seven as “the Hitman” with kilograms of cocaine, also solicited the Hitman to collect a drug trafficking debt owed to another Client Criminal.

C. Counseling Client Criminal R.P. to Kill a Witness in a Criminal Case and Other Activities Related to Client Criminal R.P.

21. Under the guise of providing legitimate attorney services through P. Bergrin & V., defendant PAUL BERGRIN, among other things, counseled Client Criminal R.P. to murder a person whose initials are P.R. (“P.R.”) because P.R. was a witness in a pending drug prosecution against R.P. in United States District Court in the Western District of Texas (“R.P.’s Federal Drug Case”).

22. Prior to his arrest on R.P.’s Federal Drug Case, R.P. operated a large scale drug trafficking business in New Jersey and Texas. In connection with operating that drug trafficking business, R.P. hired defendant PAUL BERGRIN to, among other things, represent an arrested underling in R.P.’s drug organization on drug trafficking charges then pending in Superior Court in Essex County, New Jersey (“R.P.’s Underling’s Case”). Separate from R.P.’s Underling’s Case, R.P. hired defendant PAUL BERGRIN to perform a number of other tasks, including using the corrupt law enforcement contacts defendant PAUL BERGRIN claimed to have in order to discover whether law enforcement was investigating R.P. or his drug trafficking business. Defendant PAUL BERGRIN also offered to provide other services to R.P., including assisting R.P. with laundering R.P.’s drug proceeds and obtaining false identification documents. Defendant PAUL BERGRIN also proposed to broker a deal wherein R.P. would supply kilograms of

cocaine to another Client Criminal.

23. After his arrest on R.P.'s Federal Case, R.P. hired defendant PAUL BERGRIN to represent him on R.P.'s Federal Drug Case. In connection with his representation on that case, defendant PAUL BERGRIN met with R.P. in a private attorney visit. During that private attorney visit, defendant PAUL BERGRIN told R.P. that a person whose initials are P.R. was a government informant, asked R.P. if R.P. knew where P.R. lived, and told R.P. that if R.P. murdered P.R., defendant PAUL BERGRIN would win R.P.'s Federal Drug Case.

D. The Murder of a Witness Against Client Criminal W.B.
(As Charged in Racketeering Act Four)

24. Under the guise of providing legitimate attorney services through P. Bergrin & V., defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise, among other things, assisted Client Criminal W.B. in murdering a person whose initials were K.D.M. ("K.D.M.") because K.D.M. was a witness in a drug prosecution pending against W.B. in United States District Court in New Jersey ("W.B.'s Federal Drug Case"). Defendant PAUL BERGRIN was W.B.'s attorney on W.B.'s Federal Drug Case.

25. W.B. was a drug trafficker associated with a drug trafficking organization headed by a Client Criminal whose initials are H.C. ("H.C."). H.C.

was a customer of The Bergrin Law Enterprise's Drug Trafficking Business. W.B. sold crack cocaine to K.D.M. Unbeknownst to W.B., K.D.M. was cooperating with law enforcement when he purchased crack cocaine from W.B.

26. After W.B.'s arrest on W.B.'s Federal Drug Case, a plan was developed to have K.D.M. murdered. During a private attorney visit, W.B. told defendant PAUL BERGRIN, among other things, that K.D.M. was the law enforcement confidential witness to whom W.B. had sold crack cocaine. Thereafter, defendant PAUL BERGRIN told other co-conspirators, including H.C., that the identity of the confidential witness on W.B.'s Federal Drug Case was K.D.M. Defendant PAUL BERGRIN then met with W.B.'s drug trafficking associates, including H.C., an associate whose initials are R.B. ("R.B."), and an associate whose initials are A.Y. ("A.Y."). During that meeting, defendant PAUL BERGRIN reiterated to W.B.'s drug trafficking associates that K.D.M. was the confidential witness against W.B. on W.B.'s Federal Drug Case, stressed to them that if they did not kill K.D.M., W.B. would spend the rest of his life in jail, and told them that if they did kill K.D.M., defendant PAUL BERGRIN would win W.B.'s Federal Drug Case and W.B. would go free.

27. Thereafter, W.B.'s drug trafficking associates began to search for K.D.M. After several months of searching, W.B.'s drug trafficking associates

located and murdered K.D.M.

E. Operating A Prostitution Business
(As Charged in Racketeering Act Five)

28. Under the guise of conducting legitimate business through P. Bergrin & V., Law Office of Paul Bergrin and Premium Realty Investment, defendant PAUL BERGRIN and other members and associates of The Bergrin Law Enterprise, including a Client Criminal whose initials are J.C. (“J.C.”), operated a prostitution business, and assisted a Client Criminal whose initials are J.I. (“J.I.”) in operating a prostitution business in New York.

29. For a period of time, J.I. was being supervised by the New Jersey State Parole Board (“J.I.’s New Jersey Parole”) while he operated the prostitution business in New York. J.I.’s New Jersey Parole restricted his ability to travel to New York and otherwise operate the prostitution business. Defendant PAUL BERGRIN provided attorney services to J.I. in connection with J.I.’s New Jersey Parole. In connection with providing attorney services, defendant PAUL BERGRIN, among other things, mailed letters to New Jersey State Parole Board officials falsely stating that J.I. was employed by defendant PAUL BERGRIN so that J.I. could evade J.I.’s New Jersey Parole restrictions and operate the prostitution business in New York. In addition, defendant PAUL BERGRIN,

among other things, provided J.I. with photocopies of checks purportedly drawn on a Premium Realty Investment bank account and made payable to J.I., to support their false claims to New Jersey State Parole Board officials that J.I. was legitimately employed by defendant PAUL BERGRIN.

30. In connection with providing services to J.I., defendant PAUL BERGRIN enlisted the assistance of J.C. J.C. is a Client Criminal whom defendant PAUL BERGRIN had previously represented in connection with J.C.'s arrest on drug trafficking charges. During the time J.C. assisted defendant PAUL BERGRIN and J.I. with the prostitution business, J.C. was employed by P. Bergrin & V. and Law Office of Paul Bergrin.

31. As a result of operating the prostitution business, J.I. was subsequently charged in New York Supreme Court with violations of New York State law ("J.I.'s New York Case"). Defendant PAUL BERGRIN was J.I.'s attorney on J.I.'s New York Case. Since J.I. was detained in jail on J.I.'s New York Case, J.I. was hampered further in operating the prostitution business. Defendant PAUL BERGRIN, among other things, managed the prostitution business while J.I. was detained in jail. Others, including J.C., assisted defendant PAUL BERGRIN in operating the prostitution business.

32. As a result of operating the prostitution business, defendant

PAUL BERGRIN, J.C. and others were subsequently charged in New York State Supreme Court with violations of New York State criminal law (“Paul Bergrin’s New York Case”). J.C. became a witness against defendant PAUL BERGRIN in Paul Bergrin’s New York Case.

F. Acts Involving the Bribery of a Witness In a Criminal Case Against Client Criminal A.W. (As Charged in Racketeering Act Six)

33. Under the guise of providing legitimate attorney services through Law Office of Paul Bergrin, defendant PAUL BERGRIN, among other things, assisted Client Criminal A.W. in thwarting the prosecution of criminal charges pending against A.W. On or about June 8, 2007, A.W. was arrested for possessing a .22 caliber revolver (the “.22 Revolver”) and subsequently charged in Superior Court in Essex County, New Jersey with possession of a firearm by a convicted felon (“A.W.’s Essex County Case”). A.W. was being supervised by the New Jersey State Parole Board at the time he was charged on A.W.’s Essex County Case. As a result of A.W.’s Essex County Case, the New Jersey State Parole Board charged A.W. with violating the conditions of his parole (“A.W.’s Parole Violation Charges”). Defendant PAUL BERGRIN was A.W.’s attorney on A.W.’s Essex County Case and A.W.’s Parole Violation Charges.

34. Prior to being charged in A.W.’s Essex County Case and

A.W.'s Parole Violation Charges, A.W. was employed by Law Office of Paul Bergrin. A.W. also was assisting defendant PAUL BERGRIN and other members associates of The Bergrin Law Enterprise, including Y.J., in distributing kilogram quantities of cocaine for The Bergrin Law Enterprise's Drug Trafficking Business. As a result of A.W.'s Parole Violation Charges, A.W. was detained in the Essex County Correctional Facility and thus unable to assist defendant PAUL BERGRIN and others in distributing kilogram quantities of cocaine for The Bergrin Law Enterprise's Drug Trafficking Business.

35. After A.W.'s arrest on or about June 8, 2007, defendant PAUL BERGRIN, A.W. and others devised and executed a plan to thwart the prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges by, among things, paying money to an associate of A.W. whose initials are J.M. ("J.M.") in exchange for J.M. falsely confessing to Newark police officers and to an investigator hired by Law Office of Paul Bergrin ("Paul Bergrin's Investigator") that he, not A.W., possessed the .22 Revolver on June 8, 2007. Pursuant to that plan, J.M. gave a false written statement to Paul Bergrin's Investigator stating that he, not A.W., possessed the .22 Revolver on June 8, 2007 ("J.M.'s False Confession to Paul Bergrin"). Soon thereafter, J.M. also falsely confessed to Newark police officers that he, not A.W., possessed the .22 Revolver on June 8,

2007. As a result, Newark police officers generated a report of J.M.'s false confession ("J.M.'s False Confession to Police") and arrested J.M. for possessing the .22 Revolver on June 8, 2007. J.M. received payment in exchange for falsely confessing that he, not A.W., possessed the .22 Revolver on June 8, 2007.

36. Defendant PAUL BERGRIN sent a letter to the New Jersey State Parole to which he attached, among other things, a copy of J.M.'s False Confession to Paul Bergrin and argued that A.W. was innocent of A.W.'s Parole Violation Charges. Thereafter, in connection with his representation of A.W. at a hearing before the New Jersey State Parole Board, defendant PAUL BERGRIN knowingly presented J.M.'s False Confession to Paul Bergrin and J.M.'s False Confession to Police to the New Jersey State Parole Board Hearing Officer who was deciding the disposition of A.W.'s Parole Violation Charges. The New Jersey State Parole Board Hearing Officer subsequently found A.W. not guilty of A.W.'s Parole Violation Charges.

37. After the New Jersey State Parole Board Hearing Officer acquitted A.W. of A.W.'s Parole Violation Charges, A.W. was released from the Essex County Correctional Facility. Sometime after his release, A.W. returned to his role assisting defendant PAUL BERGRIN and others, including Y.J., in distributing kilogram quantities of cocaine for The Bergrin Law Enterprise's Drug

Trafficking Business.

G. Acts Involving the Bribery of a Witness in a Criminal Case Against Client Criminal E.P.

38. Under the guise of providing legitimate attorney services through Law Office of Paul Bergrin, defendant PAUL BERGRIN, among other things, assisted a Client Criminal whose initials are E.P. (“E.P.”) to thwart the prosecution of murder charges pending against E.P. in Superior Court in Essex County, New Jersey (“E.P.’s Essex County Case”).

39. On or about January 1, 2006, E.P. was arrested on E.P.’s Essex County Case. After E.P.’s arrest, E.P. and defendant PAUL BERGRIN devised a plan to thwart prosecution of E.P.’s Essex County Case by, among other things, bribing a person (“E.P.’s Witness”) to testify at trial and falsely exculpate E.P. of the murder for which E.P. was charged in E.P.’s Essex County Case. In exchange for providing false testimony, E.P. promised to provide E.P.’s Witness with bail money. E.P. detailed a false story that he wanted E.P.’s Witness to recount at trial on E.P.’s Essex County Case. E.P. told E.P.’s Witness that E.P.’s lawyer, defendant PAUL BERGRIN, was going to meet with E.P.’s Witness at a future date.

40. Defendant PAUL BERGRIN later met with E.P.’s Witness and

discussed E.P.'s Witness's expected false testimony at the trial of E.P.'s Essex County Case. At that meeting, defendant PAUL BERGRIN told E.P.'s Witness that E.P. was going to give E.P.'s Witness a written account of the false story, and that E.P.'s Witness was to memorize the false story and testify to the false story at trial in E.P.'s Essex County Case. Defendant PAUL BERGRIN promised to provide free legal representation to E.P.'s Witness if E.P.'s Witness testified falsely at trial and defendant PAUL BERGRIN won E.P.'s Essex County Case. E.P. later gave E.P.'s Witness documents containing details of the false story to which E.P.'s Witness was to testify at trial in E.P.'s Essex County Case.

H. The Conspiracy to Murder Witnesses Against Client Criminal V.E. (As Charged in Racketeering Acts Seven and Eight)

41. Under the guise of providing legitimate attorney services through Law Office of Paul Bergrin, defendant PAUL BERGRIN and other associates of The Bergrin Law Enterprise, including Y.J. and a person whose initials are T.M. ("T.M."), assisted Client Criminal V.E. in, among other things, plotting to murder witnesses in a drug prosecution then pending against V.E. in Superior Court in Monmouth County, New Jersey ("V.E.'s Monmouth County Case").

42. Prior to V.E.'s arrest on V.E.'s Monmouth County Case, V.E.

operated a large scale drug trafficking business based in New Jersey. Since V.E. was detained in jail pending trial on V.E.'s Monmouth County Case, he was hampered in operating his drug trafficking business. V.E. wanted to secure his release from jail and resume his drug trafficking business. V.E. hired defendant PAUL BERGRIN to be his attorney on V.E.'s Monmouth County Case.

43. Defendant PAUL BERGRIN thereafter enlisted the services of T.M. to assist him with V.E.'s Monmouth County Case. T.M. was a lawyer who, in essence, worked for defendant PAUL BERGRIN at Law Office of Paul Bergrin. T.M., among other things: (a) received payment from defendant PAUL BERGRIN in connection with T.M. providing attorney services for clients of Law Office of Paul Bergrin; (b) received client referrals from defendant PAUL BERGRIN; (c) occupied an office near defendant PAUL BERGRIN in an office suite leased by Law Office of Paul Bergrin; and (d) used support staff employed by defendant PAUL BERGRIN at Law Office of Paul Bergrin in connection with providing attorney services.

44. After V.E.'s arrest, defendant PAUL BERGRIN and V.E. developed a plan to thwart the prosecution of V.E.'s Monmouth County Case so that V.E. could secure his release from jail and resume his drug trafficking business. As part of the plan to thwart prosecution of V.E.'s Monmouth County

Case, V.E., upon his release from jail, would assist defendant PAUL BERGRIN and his associates in trafficking cocaine by, among other things, providing wholesale cocaine suppliers and additional high volume cocaine customers to defendant PAUL BERGRIN and his associates. As part of that plan, defendant PAUL BERGRIN and V.E. solicited the person identified below in paragraph forty-seven as the Hitman to, among other things, assist with smuggling shipments of cocaine into the United States.

45. As part of the plan to thwart the prosecution of V.E.'s Monmouth County Case, defendant PAUL BERGRIN, V.E. and others would: (a) arrange to have certain witnesses (the "Targeted Monmouth County Witnesses") killed to prevent them from testifying against V.E. in V.E.'s Monmouth County Case (the "Plot to Kill the Targeted Monmouth County Witnesses"); and (b) threaten, intimidate, and otherwise influence certain other witnesses not to implicate V.E. in V.E.'s Monmouth County Case.

46. In connection with the Plot to Kill the Targeted Monmouth County Witnesses, defendant PAUL BERGRIN and V.E. enlisted a person (the "Hitman") to locate and kill the Targeted Monmouth County Witnesses. From in or about July 2008 through in or about December 2008, defendant PAUL BERGRIN and T.M. had face-to-face meetings with the Hitman during which they

discussed details of the Plot to Kill the Targeted Monmouth County Witnesses. Those meetings often took place in the office maintained by Law Office of Paul Bergrin. The Hitman traveled between Illinois and New Jersey to attend those meetings. On one occasion, defendant PAUL BERGRIN traveled from New Jersey to Illinois to attend one of those meetings with the Hitman. Defendant PAUL BERGRIN and V.E. also engaged in telephone conversations with the Hitman regarding the Plot to Kill the Targeted Monmouth County Witnesses.

47. During one meeting between the Hitman and T.M., the Hitman informed T.M. that the Hitman had located one of the Targeted Monmouth County Witnesses. In response, T.M. offered to assist the Hitman in obtaining a gun so that the Hitman could kill that witness.

48. At another meeting later that same day, defendant PAUL BERGRIN told the Hitman to make the murder of that witness appear as if it were part of a home invasion robbery, rather than the murder of a witness.

49. In connection with the plan to thwart the prosecution of V.E.'s Monmouth County Case, V.E. transferred title to real estate properties V.E. owned ("V.E.'s Properties") to defendant PAUL BERGRIN. V.E. transferred V.E.'s Properties to defendant PAUL BERGRIN to, among other things, make payment to The Bergrin Law Enterprise for the services it was providing to V.E. in

connection with V.E.'s Monmouth County Case. T.M. assisted in transferring title to V.E.'s Properties to defendant PAUL BERGRIN. In addition, the Hitman delivered \$20,000 in cash to defendant PAUL BERGRIN as payment for the services that The Bergrin Law Enterprise was providing to V.E. in connection with V.E.'s Monmouth County Case. Defendant PAUL BERGRIN failed to report his receipt of the \$20,000 in cash as required by Internal Revenue Service regulations.

**Roles of Defendants and Other
Members and Associates of The Bergrin Law Enterprise**

50. The members and associates of The Bergrin Law Enterprise included both natural persons and corporations. Under the direction of defendant PAUL BERGRIN, The Bergrin Law Enterprise members and associates, including co-conspirator Barraza-Castro, co-conspirator Y.J., co-conspirator T.M., co-conspirator R.J., co-conspirator J.C., co-conspirator A.W., co-conspirator N.V., Law Office of Paul Bergrin, P. Bergrin & V., Premium Realty Investment, and Isabella's Restaurant, participated in unlawful and other activities in furtherance of the conduct of The Bergrin Law Enterprise's affairs, as further described below:

a. Defendant PAUL BERGRIN was the leader of The Bergrin Law Enterprise. Among other activities, he directed other members and associates of The Bergrin Law Enterprise in carrying out unlawful and other

activities in furtherance of the conduct of The Bergrin Law Enterprise's affairs.

b. Co-Conspirator Barraza-Castro conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in drug trafficking.

c. Co-conspirator Y.J. conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in drug trafficking, witness tampering, bribery, and coercion.

d. Co-conspirator T.M. conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in witness tampering, conspiracy to commit murder, and traveling in aid of a racketeering enterprise.

e. Co-conspirator R.J. conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in drug trafficking.

f. Co-conspirator J.C. conducted the affairs of The Bergrin Law Enterprise by, among other things, running a prostitution business and traveling in aid of a racketeering enterprise.

g. Co-conspirator A.W. conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in drug trafficking, witness tampering, traveling in aid of a racketeering enterprise, and bribery.

h. Co-conspirator N.V. conducted the affairs of The Bergrin Law Enterprise by, among other things, engaging in drug trafficking,

witness tampering, bribery, and coercion.

i. P. Bergrin & V. was a corporation that engaged in the business of providing attorney services. Defendant PAUL BERGRIN was a fifty percent (50%) owner of P. Bergrin & V. P. Bergrin & V. was the corporation through which defendant PAUL BERGRIN operated his law practice until P. Bergrin & V.'s dissolution in or about the end of 2004. Members and associates of The Bergrin Law Enterprise used P. Bergrin & V. to assist The Bergrin Law Enterprise in, among other things, drug trafficking, witness tampering, murder, conspiracy to commit murder, bribery, coercion, prostitution, and money laundering.

j. Law Office of Paul Bergrin was a corporation wholly owned by defendant PAUL BERGRIN that engaged in the business of providing attorney services. Law Office of Paul Bergrin was the corporation through which defendant PAUL BERGRIN operated his law practice after the dissolution of P. Bergrin & V. Members and associates of The Bergrin Law Enterprise used Law Office of Paul Bergrin to assist The Bergrin Law Enterprise in, among other things, drug trafficking, witness tampering, conspiracy to commit murder, traveling in aid of a racketeering enterprise, bribery, and prostitution.

k. Premium Realty Investment was a corporation owned by

defendant PAUL BERGRIN and Y.J. that purported to engage in the real estate investment business. Members and associates of The Bergrin Law Enterprise used Premium Realty Investment to assist The Bergrin Law Enterprise in, among other things, money laundering and prostitution.

1. Isabella's Restaurant was a corporation owned by defendant PAUL BERGRIN and Y.J. that engaged in the restaurant business. Members and associates of The Bergrin Law Enterprise used Isabella's Restaurant to assist The Bergrin Law Enterprise in, among other things, drug trafficking.

The Racketeering Violation

51. From at least as early as November 2001 through on or about May 21, 2009, in the counties of Essex, Hudson, Mercer, Monmouth, and Passaic, in the District of New Jersey and elsewhere, defendant

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together with others, being persons employed by and associated with The Bergrin Law Enterprise described above, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of The Bergrin Law Enterprise through a pattern of racketeering activity, that is, through the commission of the following acts: Racketeering Acts One through

Eight, as set forth below.

The Pattern of Racketeering Activity

52. The pattern of racketeering activity as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

53. Racketeering Act One:
Acts Involving the Trafficking and Storage of Cocaine

Defendant PAUL BERGRIN committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

a. Conspiracy to Distribute
5 Kilograms or More of Cocaine

From at least in or about January 2003 through on or about May 21, 2009, in the counties of Essex, Hudson, Monmouth, and Passaic, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to distribute and to possess with intent to distribute 5 kilograms or more of a mixture and substance which contained cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A). In violation of Title 21, United States Code, Section 846.

b. Maintaining Drug-Involved Premises
(710 Summer Avenue)

From at least in or about October 2004 through on or about May 21, 2009, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did manage and control a place, that is, a building located at 710 Summer Avenue, Newark, New Jersey, as an owner and occupant, and did knowingly and intentionally rent, profit from, and make available for use such place for the purpose of unlawfully storing and distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance. In violation of Title 21, United States Code, Section 856(a)(2), and Title 18, United States Code, Section 2.

c. Maintaining Drug-Involved Premises
(572 Market Street)

From at least in or about September 2004 through October 2005, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly open, lease, rent, use, and maintain a place, that is, a building located at 572 Market Street, Newark, New Jersey, for the purpose of distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance. In violation of Title 21, United States Code, Section 856(a)(1), and Title 18, United States Code, Section 2.

d. Maintaining Drug-Involved Premises
(50 Park Place)

From at least in or about 2008 through on or about May 20, 2009, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly open, lease, rent, use, and maintain a place, that is, a premises located at 50 Park Place, Tenth Floor, Newark, New Jersey, for the purpose of distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance. In violation of Title 21, United States Code, Section 856(a)(1), and Title 18, United States Code, Section 2.

- 54. Racketeering Act Two:
[OMITTED BY AGREEMENT]
- 55. Racketeering Act Three:
[OMITTED BY AGREEMENT]
- 56. Racketeering Act Four:
Murder of a Witness in a
Criminal Case Against Client Criminal W.B.

Defendant PAUL BERGRIN committed the following acts, any one of which alone constitutes the commission of Racketeering Act Four:

- a. Conspiracy to Murder
a Witness in a Criminal Case
Against Client Criminal W.B.

From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in that in furtherance of the conspiracy a co-conspirator did unlawfully kill K.D.M. willfully, deliberately, maliciously, and with premeditation, contrary to Title 18, United States Code, Sections 1512(a)(1)(A) and 1512(a)(3)(A). In violation of Title 18, United States Code, Section 1512(k).

b. Murder of a Witness in a Criminal Case Against Client Criminal W.B.

From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally aid, abet, counsel, and induce others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a

murder as defined in Title 18, United States Code, Section 1111(a), in that such killing was done unlawfully, willfully, deliberately, maliciously, and with premeditation. In violation of Title 18, United States Code, Sections 1512(a)(1)(A) and 1512(a)(3)(A) and Section 2.

c. Conspiracy to Murder K.D.M.

From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to cause the death and serious bodily injury resulting in death of another person, namely, K.D.M., contrary to N.J.S.A. Sections 2C:11-3 (1) & (2), in violation of N.J.S.A. Section 2C:5-2.

d. Murder of K.D.M.

From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, K.D.M., in violation of N.J.S.A. Sections 2C:11-3 (1) & (2) and 2C:2-6.

57. Racketeering Act Five:
Interstate Travel and Transportation
in Aid of a Prostitution Business

Defendant PAUL BERGRIN committed the following acts, either one of which alone constitutes the commission of Racketeering Act Five:

a. The December 10, 2004 Letter

On or about December 10, 2004, in the counties of Essex, Hudson, and Mercer, in the District of New Jersey, and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, prostitution offenses, contrary to New York State Penal Law Sections 230.25(1), 105.05 and 20.00, and thereafter, did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

b. The January 12, 2005 Travel
Between New Jersey and New York

On or about January 12, 2005, in the District of New Jersey, and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, prostitution offenses, contrary to New York State Penal Law Sections 230.25(1), 105.05 and 20.00, and thereafter, did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

58. Racketeering Act Six:
Acts Involving Bribery of a Witness in a
Criminal Case Against Client Criminal A.W.

Defendant PAUL BERGRIN committed the following acts, any one of which alone constitutes the commission of Racketeering Act Six:

a. Aiding a Witness to Accept a Bribe in a
Criminal Case Against Client Criminal A.W.

From on or about June 8, 2007 through in or about August

2007, in the county of Essex, in the District of New Jersey and elsewhere, believing that an official proceeding and investigation was pending and about to be instituted against Client Criminal A.W., and with the purpose of promoting and facilitating the commission of the offense, defendant PAUL BERGRIN and others, aided, agreed to aid, and attempted to aid another, namely, J.M., to accept and agree to accept any benefit in consideration of J.M. testifying and informing falsely. In violation of N.J.S.A. Sections 2C:28-5(c) and 2C:2-6.

b. Interstate Travel and Transportation
in Aid of Bribery and Drug Trafficking Business
(The June 21, 2007 Telephone Call)

On or about June 21, 2007, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, (a) bribery, contrary to N.J.S.A. Sections 2C:28-5 and 2C:2-6, and (b) the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to promote, manage, establish, carry on, and

facilitate the promotion, management, establishment, and carrying on of such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

c. Interstate Travel and Transportation
in Aid of Bribery and Drug Trafficking Business
(The July 1, 2007 Telephone Call)

On or about July 1, 2007, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, (a) bribery, contrary to N.J.S.A. Sections 2C:28-5 and 2C:2-6, and (b) the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

59. Racketeering Act Seven:
The Plot to Murder Witnesses
in a Criminal Case Against Client Criminal V.E.

Defendant PAUL BERGRIN committed the following acts, any one of which alone constitutes the commission of Racketeering Act Seven:

a. Conspiracy to Murder Witnesses
Against Client Criminal V.E.

From in or about June 2008 through in or about April 2009, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to cause the death and serious bodily injury resulting in death of another person, namely, D.C. and C.N., contrary to N.J.S.A. Sections 2C:11-3 (1) and (2), in violation of N.J.S.A. Section 2C:5-2.

b. Interstate Travel and Transportation in Aid
of Drug Trafficking Business (The July 7,
2008 Travel From Illinois to New Jersey)

On or about July 7, 2008, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce, and cause the travel in and the use of the mail and facilities in interstate commerce with the intent to commit a crime of violence to further an

unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

c. Interstate Travel and Transportation in Aid of Drug Trafficking Business (The August 5, 2008 Travel From New Jersey to Illinois)

On or about August 5, 2008, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly travel in and use the mail and facilities in interstate commerce, and cause the travel in and the use of the mail and facilities in interstate commerce with the intent to commit a crime of violence to further an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

d. Interstate Travel and Transportation
in Aid of Drug Trafficking Business
(The August 21, 2008 Telephone Call)

On or about August 21, 2008, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce with the intent to commit a crime of violence to further an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

e. Interstate Travel and Transportation
in Aid of Drug Trafficking Business
(The September 5, 2008 Telephone Call)

On or about September 5, 2008, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce with the intent to commit a crime of violence to further an

unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

f. Interstate Travel and Transportation in Aid
of Drug Trafficking Business (The December 8,
2008 Travel From Illinois to New Jersey)

On or about December 8, 2008, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others did knowingly travel in and use the mail and facilities in interstate commerce, and cause the travel in and the use of the mail and facilities in interstate commerce, with the intent to commit a crime of violence to further an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity. In violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

60. Racketeering Act Eight:
Evading Currency Transaction Reporting Requirements

On or about September 4, 2008, in the county of Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and for the purposes of evading the reporting requirements of Title 31, United States Code, Section 5331, and the regulations issued thereunder, cause a nonfinancial trade and business, namely Law Office of Paul Bergrin, to fail to file a report required under Title 31, United States Code, Section 5331, in connection with the receipt by Law Office of Paul Bergrin of United States currency in amounts over \$10,000. In violation of Title 31, United States Code, Section 5324(b), and Title 18, United States Code, Section 2.

All in violation of Title 18, United States Code, Section 1962(c).

COUNT TWO
(Racketeering Conspiracy)

1. Paragraphs one through fifty-two of Count One of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. From at least as early as November 2001 through on or about May 21, 2009, in the counties of Essex, Hudson, Mercer, Monmouth, and Passaic, in the District of New Jersey and elsewhere, defendant

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together with other persons, being persons employed by and associated with The Bergrin Law Enterprise described above, an enterprise, which engaged in, and the activities of which affected, interstate commerce, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of The Bergrin Law Enterprise through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

a. multiple acts indictable under Title 18, United States Code, Section 1512 (witness tampering, conspiracy to commit witness tampering,

murder, and conspiracy to commit murder), Title 18, United States Code, Section 1952 (traveling in aid of a racketeering enterprise), Title 18, United States Code, Section 1956 (money laundering), and Title 31, United States Code, Section 5324 (evading currency transaction reporting requirements); and

b. multiple acts involving murder in violation of N.J.S.A. 2C:11-3, 2C:5-2 and 2C:2-6, bribery in violation of N.J.S.A. 2C:28-5 and 2C:2-6, drug distribution and conspiracy to commit drug distribution in violation of Title 21, United States Code, Sections 841 and 846, and maintaining a drug-involved premises in violation of Title 21, United States Code, Section 856.

3. It was a part of the conspiracy that the defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of The Bergrin Law Enterprise.

Overt Acts

4. In furtherance of the conspiracy and to achieve the objectives thereof, at least one of the conspirators performed and caused to be performed at least one of the overt acts set forth below in paragraphs five through 118, among others, in the District of New Jersey, and elsewhere.

5. After on or about November 19, 2001, defendant PAUL BERGRIN provided attorney services to N.V. in connection with N.V.'s Essex

County Case.

6. After on or about November 19, 2001, defendant PAUL BERGRIN, N.V., Y.J. and others devised a plan whereby they would bribe, threaten, coerce, and otherwise influence a person to testify falsely at trial, in order to thwart the prosecution of N.V.'s Essex County Case.

7. On multiple occasions from after on or about November 19, 2001 through in or about July 2003, defendant PAUL BERGRIN, Y.J., and N.V. bribed, threatened, intimidated, coerced, and otherwise influenced a person to testify falsely at trial in N.V.'s Essex County Case.

8. From after on or about November 19, 2001 through in or about July 2003, N.V. intermittently worked for P. Bergrin & V.

9. On or about November 22, 2002, defendant PAUL BERGRIN caused a person to sign a false statement relating to N.V.'s Essex County Case.

10. In or about July 2003, defendant PAUL BERGRIN knowingly introduced false testimony at the trial of N.V.'s Essex County Case.

11. In or about August 2003, defendant PAUL BERGRIN agreed to represent an underling in R.P.'s drug organization in connection with R.P.'s Underling's Case.

12. After August 2003, defendant PAUL BERGRIN received sums

of cash in excess of \$10,000 from R.P. that were the proceeds of drug sales as payment for defendant PAUL BERGRIN's services in R.P.'s Underling's Case.

13. Between in or about August 2003 through in or about February 2004, defendant PAUL BERGRIN offered to assist R.P. with laundering proceeds of R.P.'s drug trafficking business and with obtaining fraudulent identification documents.

14. Between in or about August 2003 through in or about February 2004, defendant PAUL BERGRIN proposed brokering a deal whereby R.P. would supply kilogram quantities of cocaine to another of defendant PAUL BERGRIN's Client Criminals.

15. After February 13, 2004, defendant PAUL BERGRIN provided attorney services to R.P. in connection with R.P.'s Federal Drug Case.

16. After February 13, 2004, defendant PAUL BERGRIN told R.P. that P.R. was cooperating with the Government, asked R.P. if he knew where P.R. lived, and told R.P. that "if we can get to him [P.R.] and take him out [murder P.R.]," R.P.'s Federal Drug Case would "go away."

17. In or about January 2003, defendant PAUL BERGRIN hired R.J. to work for P. Bergrin & V.

18. In or about 2003, defendant PAUL BERGRIN and R.J.

arranged for a person associated with Barraza-Castro to supply kilograms of cocaine to H.C.

19. On or about November 25, 2003, defendant PAUL BERGRIN agreed to represent W.B., who was a drug trafficking associate of H.C., in connection with W.B.'s Federal Drug Case.

20. On or about November 25, 2003, after determining the identity of a "confidential witness," against him, W.B. informed defendant PAUL BERGRIN that the identity of the "confidential witness" on W.B.'s Federal Drug Case was K.D.M.

21. On or about November 25, 2003, defendant PAUL BERGRIN told other co-conspirators, including H.C., that the identity of the "confidential witness" on W.B.'s Federal Drug Case was K.D.M.

22. Shortly after November 25, 2003, defendant PAUL BERGRIN met with other co-conspirators, including H.C., R.B., and A.Y., reiterated to them that the identity of the "confidential witness" on W.B.'s Federal Drug Case was K.D.M., stressed to the co-conspirators that if they did not kill K.D.M., W.B. would spend the rest of his life in jail, and told the co-conspirators that if they did kill K.D.M. defendant PAUL BERGRIN would win W.B.'s Federal Drug Case and W.B. would go free.

23. On or about March 2, 2004, A.Y. shot K.D.M. and caused the death of K.D.M.

24. On or about July 9, 2003, defendant PAUL BERGRIN purchased a property located at 81 South 12th Street, Newark, New Jersey ("81 South 12th Street") in the name of Premium Realty Investment.

25. On or about July 24, 2003, defendant PAUL BERGRIN, sold 81 South 12th Street to R.K. in exchange for a sum of cash that was the proceeds of drug trafficking.

26. In or about September 2004, defendant PAUL BERGRIN met with R.K. at 572 Market Street, Newark, New Jersey and offered to distribute kilogram quantities of cocaine to R.K.

27. On multiple occasions from in or about September 2004 through in or about October 2004, defendant PAUL BERGRIN, R.J., and others supplied kilogram quantities of cocaine to R.K. in exchange for money.

28. In or about October 2004, defendant PAUL BERGRIN directed R.K. to meet with Barraza-Castro and Y.J. so that Barraza-Castro and Y.J. could deliver kilogram quantities of cocaine to R.K.

29. On multiple occasions from in or about October 2004 through on or about February 2, 2005, defendant PAUL BERGRIN, Barraza-Castro, and

Y.J. supplied kilogram quantities of cocaine to R.K. in exchange for money.

30. Prior to August 20, 2004, defendant PAUL BERGRIN provided attorney services to J.I. in connection with a violation of parole proceeding then pending in the State of New Jersey.

31. On or about August 26, 2004, defendant PAUL BERGRIN, in a letter, falsely represented to the New Jersey Parole Board that the reason J.I. violated his parole supervision curfew was because he had been performing legitimate work for defendant PAUL BERGRIN.

32. On or about September 15, 2004, defendant PAUL BERGRIN caused a letter to be sent to the New Jersey Parole Board falsely stating that J.I. was to be employed as a paralegal at defendant PAUL BERGRIN's law firm, and that J.I.'s hours of employment were from 5:00 p.m. until 1:00 a.m.

33. On or about December 10, 2004, defendant PAUL BERGRIN caused a letter to be sent to the New Jersey Parole Board falsely stating that J.I. would be working for defendant PAUL BERGRIN at an office located in New York.

34. On or about December 21, 2004, defendant PAUL BERGRIN made a telephone call to the New Jersey Parole Board and requested that J.I. be allowed to work for defendant PAUL BERGRIN until 3:00 a.m.

35. On or about December 31, 2004, J.I. caused a check to be drafted in the amount of \$1500 drawn on a bank account of Tribeca Models LLC, and made payable to defendant PAUL BERGRIN.

36. On or about January 12, 2005, defendant PAUL BERGRIN traveled from New Jersey to New York, met with other persons, including J.C., and discussed plans to operate the prostitution business in J.I.'s absence.

37. On or about January 25, 2005, defendant PAUL BERGRIN caused to be filed articles of incorporation for a business entity known as "NY Confidential Escorts, Inc." with the New York State Department of State.

38. On or about February 2, 2005, Barraza-Castro and N.V. transported approximately twenty (20) kilograms of cocaine in the trunk of N.V.'s car.

39. On or about February 2, 2005, Barraza-Castro and N.V. stored approximately \$490,000 of United States currency at N.V.'s residence.

40. After on or about February 2, 2005, defendant PAUL BERGRIN provided attorney services to Barraza-Castro and N.V. in connection with charges pending in Superior Court in Passaic County, New Jersey related to the drug trafficking activity described above in paragraphs forty-one and forty-two ("Castro's and N.V.'s Passaic County Case").

41. Sometime between in or about June 2005 through in or about August 2005, defendant PAUL BERGRIN introduced A.W. to R.J. so that R.J. could supply A.W. with cocaine.

42. Sometime between in or about June 2005 through in or about November 2005, R.J. supplied A.W. with a kilogram of cocaine in exchange for money.

43. Sometime between in or about June 2005 through in or about November 2005, R.J. supplied A.W. with an additional quantity of cocaine in exchange for money.

44. Sometime in or about 2005, defendant PAUL BERGRIN introduced a Client Criminal to R.J. so that R.J. could supply that Client Criminal with cocaine.

45. Sometime in or about 2005, R.J. supplied that Client Criminal with a kilogram of cocaine in exchange for money.

46. Sometime in or about 2005, R.J. supplied that Client Criminal with two kilograms of cocaine.

47. On multiple occasions from in or about February 2005 through in or about January 2006, defendant PAUL BERGRIN, Y.J. and associates of Barraza-Castro supplied kilogram quantities of cocaine to R.K. in exchange for

money.

48. On or about December 1, 2005, Y.J. engaged in telephone conversations with R.K. in which Y.J. agreed to sell kilograms of cocaine to R.K.

49. On or about December 12, 2005, Y.J. engaged in a telephone conversation with N.V. in which N.V. told Y.J., among other things, that defendant PAUL BERGRIN had informed N.V. that “three guys snitched” in Castro’s and N.V.’s Passaic County Case and had advised N.V. to plead guilty so “Alejandro will be set free.”

50. On or about December 13, 2005, defendant PAUL BERGRIN engaged in a telephone conversation with Y.J. in which defendant PAUL BERGRIN told Y.J., among other things, that he had received discovery from the prosecutor in Castro’s and N.V.’s Passaic County Case, that he knew “all of the informants in Alejandro’s case,” that he “got the name of everybody,” that he knew “how they got stopped,” and that he knew the number of the telephone law enforcement was wiretapping.

51. On or about December 31, 2005, defendant PAUL BERGRIN and Y.J. met with associates of Barraza-Castro at a location in Belleville, New Jersey.

52. On or about December 31, 2005, defendant PAUL BERGRIN

had a telephone conversation with R.K., in which he told R.K. among other things, that he did not tell associates of Barraza-Castro that he did not trust R.K.

53. On or about January 9, 2006, defendant PAUL BERGRIN had a series of telephone conversations with Y.J. in which they discussed, among other things, that defendant PAUL BERGRIN was going to finalize a plea bargained deal for Barraza-Castro on Castro's and N.V.'s Passaic County Case.

54. On or about January 10, 2006, defendant PAUL BERGRIN had a telephone conversation with Y.J. in which he stated, among other things, that he was making sure Castro's and N.V.'s Passaic County case was being taken care of out of his loyalty to Barraza-Castro.

55. On multiple occasions from after in or about January 2006 through in or about March 2007, defendant PAUL BERGRIN, Barraza-Castro, and Y.J. supplied kilogram quantities of cocaine to R.K. in exchange for money.

56. On or about May 10, 2006, a person whose initials are S.L. ("S.L.") told defendant PAUL BERGRIN he needed a "connect [drug supplier]," and defendant PAUL BERGRIN offered to introduce S.L. to A.W. as soon as A.W. got out of jail.

57. On or about June 26, 2006, S.L. told defendant PAUL BERGRIN that S.L. was getting the rest of S.L.'s money together and defendant

PAUL BERGRIN told S.L., among other things, that he expected A.W. to “be out next week” and that he trusted A.W. “one billion percent.”

58. On or about July 26, 2006, defendant PAUL BERGRIN gave S.L. a cellphone number for A.W. and told S.L. he had already spoken with A.W. about S.L.

59. On or about July 31, 2006, S.L. had a conversation with A.W. in which he told A.W. that defendant PAUL BERGRIN had referred him to A.W. and that he was looking for a source of supply for cocaine, and A.W. responded that A.W. was still in the halfway house, but to make sure S.L. told defendant PAUL BERGRIN that S.L. had met with A.W.

60. In or about September 2006, defendant PAUL BERGRIN hired A.W. to work for Law Office of Paul Bergrin.

61. In or about October 2006, defendant PAUL BERGRIN enlisted A.W. to assist him, Barraza-Castro, and Y.J. in distributing kilogram quantities of cocaine.

62. On multiple occasions from in or about October 2006 through in or about June 2007, A.W. delivered kilograms of cocaine to other persons on behalf of defendant PAUL BERGRIN, Barraza-Castro, and Y.J.

63. Sometime between in or about November 2006 through in or

about December 2006, defendant PAUL BERGRIN agreed to supply kilograms of cocaine to A.W. for A.W. to sell to A.W.'s drug customers.

64. On multiple occasions from after in or about November 2006 through in or about June 2007, defendant PAUL BERGRIN, Barraza-Castro, and Y.J. supplied kilograms of cocaine to A.W.

65. After on or about June 8, 2007, defendant PAUL BERGRIN provided attorney services to A.W. in connection with A.W.'s Essex County Case and A.W.'s Parole Violation Charges arising out of A.W.'s possession of the .22 Revolver on June 8, 2007.

66. After June 8, 2007, defendant PAUL BERGRIN and A.W. met and discussed, among other things, that A.W. had, in fact, possessed the .22 Revolver on June 8, 2007.

67. After June 8, 2007, A.W., defendant PAUL BERGRIN, and others devised a plan to thwart the prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges by, among other things, paying money to an associate of A.W., whose initials are J.M., in exchange for J.M. falsely confessing that he, not A.W., possessed the .22 Revolver on June 8, 2007.

68. On or about June 21, 2007, A.W. and J.M. had a telephone conversation in which they rehearsed the details of J.M.'s false confession to

possessing the .22 Revolver on June 8, 2007.

69. On or about June 21, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which they discussed that J.M. was willing to confess to possessing the .22 Revolver and defendant PAUL BERGRIN told A.W., among other things, that he wanted to meet with J.M. to see “how stand up this guy [J.M.] is.”

70. On or about June 21, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which A.W. agreed to pay the fee for defendant PAUL BERGRIN to hire an investigator and defendant PAUL BERGRIN stated he would “get the investigator on board to take a statement” from J.M. “right away.”

71. On or about June 27, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which defendant PAUL BERGRIN told A.W. that the investigator was going to take statements from A.W.’s “people” that night and that defendant PAUL BERGRIN intended to “go into the prosecutor’s office tomorrow” with the statements.

72. On or about June 27, 2007, A.W. caused J.M. to go to defendant PAUL BERGRIN’s office at 50 Park Place, Newark, New Jersey, and give a written statement to an investigator working for defendant PAUL

BERGRIN in which J.M. falsely stated, in substance and in part, that he possessed the .22 Revolver on June 8, 2007 (“J.M.’s False Confession to Paul Bergrin”).

73. On or about June 29, 2007, defendant PAUL BERGRIN sent a letter to the New Jersey State Parole to which he attached, among other things, a copy of J.M.’s False Confession to Paul Bergrin.

74. On or about July 1, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which defendant PAUL BERGRIN told A.W. among other things, that he sent the letter described above in paragraph seventy-seven to New Jersey State Parole and that he was going to provide J.M.’s False Confession to Paul Bergrin to the Essex County Prosecutor’s Office.

75. On or about July 5, 2007, A.W. caused J.M. to falsely claim to Newark police officers, in substance and in part, that he, not A.W., possessed the .22 Revolver on June 8, 2007, after which the Newark police officers generated a written report of J.M.’s false statement (“J.M.’s False Confession to Police”) and arrested J.M. for possession of the .22 Revolver.

76. On or about July 9, 2007, A.W. and J.M. had a telephone conversation in which they made arrangements to pay \$1500 to J.M. in exchange for J.M.’s having made the false confessions.

77. On or about July 18, 2007, defendant PAUL BERGRIN caused

a facsimile to be sent to a representative of New Jersey State Parole that contained a copy of J.M.'s False Confession to Police and other police reports detailing J.M.'s subsequent arrest for possessing the .22 Revolver on June 8, 2007.

78. On or about August, 3, 2007, in connection with his representation of A.W. at a hearing before the New Jersey State Parole Board, defendant PAUL BERGRIN knowingly presented J.M.'s False Confession to Paul Bergrin and J.M.'s False Confession to Police to the New Jersey State Parole Board Hearing Officer who was deciding the disposition of A.W.'s Parole Violation Charges.

79. On multiple occasions from sometime after in or about September 2007 through in or about May 2009, A.W. delivered kilograms of cocaine to other persons on behalf of defendant PAUL BERGRIN, Barraza-Castro, and Y.J.

80. On multiple occasions from sometime after in or about September 2007 through in or about May 2009, defendant PAUL BERGRIN, Barraza-Castro, and Y.J. supplied kilograms of cocaine to A.W.

81. After January 1, 2006, defendant PAUL BERGRIN provided attorney services to E.P. in connection with E.P.'s Essex County Case.

82. After September 19, 2007, defendant PAUL BERGRIN told

another person (“E.P.’s Witness”) that he would provide free attorney services for E.P.’s Witness if E.P.’s Witness testified falsely at trial and defendant PAUL BERGRIN won E.P.’s Essex County Case.

83. In or about June 2008, defendant PAUL BERGRIN provided attorney services to V.E. in connection with V.E.’s Monmouth County Case.

84. On or about June 12, 2008, V.E. caused a letter to be mailed to the Hitman, in which V.E. informed the Hitman that the person who is referred to in Count One as D.C. was “a lying c--- sucker” and that none of V.E.’s co-defendants in V.E.’s Monmouth County Case was cooperating with law enforcement.

85. On or about July 10, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that V.E. wanted the Hitman to make sure that the Monmouth County Witnesses did not cooperate with law enforcement and did not testify against V.E.

86. On or about July 17, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that V.E. wanted the Hitman to assist V.E. in trafficking drugs.

87. On or about July 31, 2008, defendant PAUL BERGRIN met with the Hitman and discussed, among other things, traveling to Panama to locate

a witness in V.E.'s Monmouth County Case known as "Junior" (who is also referred to in Count One as D.C.).

88. On or about August 5, 2008, defendant PAUL BERGRIN traveled by air flight from New Jersey to Illinois to meet with the Hitman.

89. On or about August 5, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman, among other things, that an individual known as "Junior the Panamanian," (who is also referred to in Count One as D.C.) was the "f--king rat," that is, a potential witness against V.E., and that defendant PAUL BERGRIN would provide instructions designed to assist the Hitman in locating Junior the Panamanian.

90. On or about August 19, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that he would provide both the Hitman and V.E. with cellphones that were to be used exclusively for the Hitman to speak with V.E. regarding the Plot to Kill the Targeted Monmouth County Witnesses.

91. On or about August 21, 2008, T.M. met with the Hitman, gave the Hitman a cellphone, and told the Hitman he also was going to give V.E. a cellphone so that the Hitman and V.E. could have a telephone conversation later that day regarding the Plot to Kill the Targeted Monmouth County Witnesses.

92. On or about August 21, 2008, V.E. engaged in a telephone

conversation with the Hitman in which V.E. confirmed that he wanted the Hitman to kill Junior the Panamanian and two other persons who V.E. believed were witnesses against him in V.E.'s Monmouth County Case. During that telephone conversation, V.E. also said he would involve the Hitman in drug trafficking in exchange for the Hitman's killing the witnesses against him in V.E.'s Monmouth County Case.

93. On or about September 4, 2008, defendant PAUL BERGRIN met with the Hitman, told the Hitman that Junior the Panamanian had been seen in New Jersey, and agreed to set up a meeting between the Hitman and another person, with the initials M.L. ("M.L."), who defendant PAUL BERGRIN said could provide the Hitman with more details regarding the location of Junior the Panamanian.

94. On or about September 4, 2008, defendant PAUL BERGRIN received approximately \$20,000 in United States currency from the Hitman.

95. On or about September 5, 2008, defendant PAUL BERGRIN placed a telephone call to the Hitman and discussed with the Hitman that the Hitman had met with M.L., but that M.L. had not provided the Hitman with information regarding the current location of Junior the Panamanian.

96. On or about September 11, 2008, V.E. transferred title to a

property located at Block 1001, Lot 38.01, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

97. On or about September 11, 2008, V.E. transferred title to a property located at Block 1001, Lot 38.03, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

98. On or about September 11, 2008, V.E. transferred title to a property located at Block 1001, Lot 38.04, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

99. On or about October 6, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that he would introduce the Hitman to a second person who would help the Hitman locate Junior the Panamanian so that the Hitman could kill Junior the Panamanian.

100. On or about November 17, 2008, defendant PAUL BERGRIN and T.M. met with the Hitman and provided the Hitman with a document identifying other persons whom defendant PAUL BERGRIN and V.E. wanted killed in order to prevent their testimony against V.E. in V.E.'s Monmouth County

Case.

101. On or about December 8, 2008, T.M. offered to assist the Hitman in obtaining a gun so that the Hitman could kill Junior the Panamanian.

102. On or about December 8, 2008, T.M. placed a telephone call to another individual in order to obtain a gun for the Hitman.

103. On or about December 8, 2008, subsequent to the telephone call described above in paragraph 107, T.M. drove the Hitman to a meeting with defendant PAUL BERGRIN.

104. On or about December 8, 2008, defendant PAUL BERGRIN met with the Hitman and instructed the Hitman to make the murder of Junior the Panamanian appear as if it were part of a home invasion robbery, rather than the murder of a witness.

105. On or about August 19, 2008, defendant PAUL BERGRIN solicited the Hitman to collect a debt owed to another Client Criminal.

106. On or about December 9, 2008, defendant PAUL BERGRIN offered to supply the Hitman with kilogram quantities of cocaine.

107. In or about 2008, defendant PAUL BERGRIN and Barraza-Castro met with a Client Criminal and discussed supplying that Client Criminal with kilograms of cocaine.

108. On multiple occasions from in or about 2008 through on or about May 20, 2009, defendant PAUL BERGRIN supplied kilograms of cocaine to that Client Criminal in exchange for money.

109. On or about May 21, 2009, a co-conspirator whose initials are A.C. ("A.C.") sold a kilogram of cocaine to another person.

110. On or about May 21, 2009, Barraza-Castro, A.C., and others stored approximately 54 kilograms of cocaine inside 710 Summer Avenue, Newark, New Jersey.

All in violation of Title 18, United States Code, Section 1962(d).

Notice of Enhanced Sentencing Concerning Count Two

111. From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Hudson and Essex, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in that in furtherance of the conspiracy a co-conspirator did unlawfully kill K.D.M. willfully, deliberately, maliciously, and with premeditation, contrary to Title 18, United States Code,

Sections 1512(a)(1)(A) and 1512(a)(3)(A). In violation of Title 18, United States Code, Section 1512(k).

112. From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally aid, abet, counsel, and induce others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in that such killing was done unlawfully, willfully, deliberately, maliciously, and with premeditation. In violation of Title 18, United States Code, Sections 1512(a)(1)(A) and 1512(a)(3)(A) and Section 2.

113. From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, K.D.M., in violation of N.J.S.A. Sections 2C:11-3 (1) & (2) and 2C:2-6.

114. From at least in or about January 2003 through on or about May 21, 2009, in the counties of Essex, Hudson, Monmouth and Passaic, in the

District of New Jersey and elsewhere, defendant PAUL BERGRIN did knowingly and intentionally conspire and agree with others to distribute and to possess with intent to distribute 5 kilograms or more of a mixture and substance which contained cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A). In violation of Title 21, United States Code, Section 846.

COUNT THREE

(Violent Crime In Aid of Racketeering – Murder of K.D.M.)

1. The allegations contained in paragraphs one through fifty-two of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though fully set forth herein.

2. At all times relevant to Count Three of this Second Superseding Indictment, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others were members and associates of The Bergrin Law Enterprise, as more fully described in paragraphs one through fifty-two of Count One of this Second Superseding Indictment. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

3. At all times relevant to Count Three of this Second Superseding Indictment, The Bergrin Law Enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is:

a. acts involving murder and bribery under the laws of the State of New Jersey;

- b. murder and conspiracy to commit murder, in violation of Title 18, United States Code, Section 1512;
- c. traveling in aid of a racketeering enterprise, in violation of Title 18, United States Code, Section 1952;
- d. drug distribution and conspiracy to commit drug distribution, in violation of Title 21, United States Code, Sections 841 and 846;
- e. maintaining a drug-involved premises, in violation of Title 21, United States Code, Section 856;
- f. money laundering, in violation of Title 18, United States Code, Section 1956; and
- g. evading currency transaction reporting requirements, in violation of Title 31, United States Code, Section 5324.

4. From in or about November 2003 through in or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

as consideration for the receipt of and as consideration for a promise and agreement to pay anything of pecuniary value from The Bergrin Law Enterprise and for the purpose of gaining entrance to, and maintaining and increasing

position in The Bergrin Law Enterprise, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder another person, contrary to N.J.S.A. Sections 2C:11-3 (1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT FOUR

(Violent Crime In Aid of Racketeering – Monmouth County Witnesses)

1. The allegations contained in paragraphs one through fifty-two of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though fully set forth herein.

2. At all times relevant to Count Four of this Second Superseding Indictment, in the District of New Jersey and elsewhere, defendant PAUL BERGRIN and others were members and associates of The Bergrin Law Enterprise, as more fully described in paragraphs one through fifty-two of Count One of this Second Superseding Indictment. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

3. At all times relevant to Count Four of this Second Superseding Indictment, The Bergrin Law Enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is:

a. acts involving murder and bribery under the laws of the State of New Jersey;

b. murder and conspiracy to commit murder, in violation of Title 18, United States Code, Section 1512;

c. traveling in aid of a racketeering enterprise, in violation of Title 18, United States Code, Section 1952;

d. drug distribution and conspiracy to commit drug distribution, in violation of Title 21, United States Code, Sections 841 and 846;

e. maintaining a drug-involved premises, in violation of Title 21, United States Code, Section 856;

f. money laundering, in violation of Title 18, United States Code, Section 1956; and

g. evading currency transaction reporting requirements, in violation of Title 31, United States Code, Section 5324.

4. From in or about June 2008 through in or about April 2009, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

as consideration for the receipt of and as consideration for a promise and agreement to pay anything of pecuniary value from The Bergrin Law Enterprise and for the purpose of gaining entrance to, and maintaining and increasing

position in The Bergrin Law Enterprise, which enterprise was engaged in racketeering activity, did knowingly and intentionally conspire and agree with others to murder another person, contrary to N.J.S.A. Sections 2C:5-2 and 2C:11-3 (1) & (2).

In violation of Title 18, United States Code, Section 1959(a)(5).

COUNT FIVE

(Conspiracy to Distribute Cocaine)

1. The allegations contained in: paragraphs sixteen through twenty of Count One; paragraphs fourteen through thirty, forty-one through eighty-four, eighty-seven through 109, and 113 through 118 of Count Two; paragraphs two through ten and thirteen through sixteen of Count Twelve; paragraphs two and five through eleven of Count Seventeen; and paragraphs two and five through thirteen of Count Twenty of this Second Superseding Indictment are hereby realleged and incorporated by reference as though fully set forth herein.

2. From in or about January 2003 through on or about May 21, 2009, in the counties of Essex, Hudson, Monmouth, and Passaic, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN,

did knowingly and intentionally conspire and agree with others known and unknown to distribute and to possess with intent to distribute five kilograms or more of a mixture and substance which contained cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

MANNER AND MEANS

3. It was part of the conspiracy that members of the conspiracy, including defendant PAUL BERGRIN and others would operate the drug trafficking business as referred to in Count One of this Second Superseding Indictment as The Bergrin Law Enterprise's Drug Trafficking Business.

4. It was part of the conspiracy that, in connection with The Bergrin Law Enterprise's Drug Trafficking Business, members of the conspiracy, including defendant PAUL BERGRIN and others obtained kilogram quantities of cocaine.

5. It was further a part of the conspiracy that, in connection with The Bergrin Law Enterprise's Drug Trafficking Business, members of the conspiracy, including defendant PAUL BERGRIN, Barraza-Castro, and the person referred to in Count One of this Second Superseding Indictment as "Y.J." distributed cocaine at various locations, including locations in Essex and Passaic Counties in New Jersey.

6. It was further a part of the conspiracy that defendant PAUL BERGRIN obtained customers to purchase kilogram quantities of cocaine from The Bergrin Law Enterprise's Drug Trafficking Business. Primarily, those customers were clients of, persons employed by, or persons otherwise associated

with defendant PAUL BERGRIN's attorney services business at P. Bergrin & V. and Law Office of Paul Bergrin (previously and hereinafter referred to collectively as "Paul Bergrin's Attorney Services Business").

7. It was further a part of the conspiracy that defendant PAUL BERGRIN solicited clients of Paul Bergrin's Attorney Services Business to be suppliers of kilogram quantities of cocaine for The Bergrin Law Enterprise's Drug Trafficking Business.

8. It was further a part of the conspiracy that defendant PAUL BERGRIN and other members of the conspiracy used persons who were clients of, employed by, or otherwise associated with Paul Bergrin's Attorney Services Business, including persons who are referred to in Count One of this Second Superseding Indictment as "N.V.," "R.J.," and "A.W.," to assist in The Bergrin Law Enterprise's Drug Trafficking Business by, among other things, distributing kilogram quantities of cocaine, and collecting and remitting drug proceeds.

9. It was further a part of the conspiracy that members of the conspiracy used various corporations, including P. Bergrin & V., Law Office of Paul Bergrin, Premium Realty Investment Corp., and Isabella's Restaurant to conceal and otherwise assist with The Bergrin Law Enterprise's Drug Trafficking Business.

10. It was further a part of the conspiracy that members of the conspiracy used 710 Summer Avenue, Newark, New Jersey to meet customers, to negotiate drug transactions, to store and distribute kilogram quantities of cocaine, to collect and store the proceeds of drug sales, and to otherwise assist with The Bergrin Law Enterprise's Drug Trafficking Business.

11. It was further a part of the conspiracy that members of the conspiracy used offices maintained by P. Bergrin & V. and Law Office of Paul Bergrin to meet customers, to negotiate drug transactions, to store and distribute kilogram quantities of cocaine, to collect and store the proceeds of drug trafficking, and to otherwise assist The Bergrin Law Enterprise's Drug Trafficking Business.

12. It was further a part of the conspiracy that defendant PAUL BERGRIN and others rendered attorney services to persons involved in or otherwise associated with The Bergrin Law Enterprise's Drug Trafficking Business, including cocaine customers, cocaine suppliers, and their criminal associates. In connection with rendering those attorney services, defendant PAUL BERGRIN and other co-conspirators, committed and assisted in committing acts of, among other things, murder, conspiracy to commit murder, witness tampering, travel in aid of a racketeering enterprise, bribery, and coercion. For example:

a. As set forth in Counts Twelve, and Thirteen of this Second Superseding Indictment, in connection with providing attorney services on criminal charges then pending against a member of a drug trafficking organization that was a customer of The Bergrin Law Enterprise's Drug Trafficking Business – who is referred to in Count One of this Second Superseding Indictment as “W.B.” – defendant PAUL BERGRIN and others involved in The Bergrin Law Enterprise's Drug Trafficking Business conspired to murder and assisted in murdering a witness against W.B.

b. Further, as set forth in Counts Seventeen through Nineteen of this Second Superseding Indictment, in connection with providing attorney services on criminal charges then pending against A.W., defendant PAUL BERGRIN and A.W. paid money to another person in exchange for that person falsely exculpating A.W. so that A.W. could get out of jail and continue assisting The Bergrin Law Enterprise's Drug Trafficking Business.

c. Further, as set forth in Counts Twenty through Twenty-Five of this Second Superseding Indictment, in connection with providing attorney services on criminal charges against a large scale drug trafficker – who is referred to in Count One of this Second Superseding Indictment as “V.E.” – defendant PAUL BERGRIN and others involved in The Bergrin Law Enterprise's Drug

Trafficking Business conspired to murder witnesses in exchange for, among other things, a promise that V.E. would assist defendant PAUL BERGRIN and others with The Bergrin Law Enterprise's Drug Trafficking Business.

d. Further, while defendant PAUL BERGRIN was providing, among other things, attorney services to another large scale drug trafficker – who is referred to in Count One of this Second Superseding Indictment as “R.P.” – defendant PAUL BERGRIN proposed to broker a deal wherein R.P. would supply kilograms of cocaine to a customer of The Bergrin Law Enterprise's Drug Trafficking Business. When R.P. was later arrested on drug trafficking charges in United States District Court for the Western District of Texas (previously and hereinafter referred to as “R.P.'s Federal Case”), R.P. hired defendant PAUL BERGRIN to represent him in that case. In connection with representing R.P. on R.P.'s Federal Drug Case, defendant PAUL BERGRIN met with R.P. in a private attorney visit. During that private attorney visit, defendant PAUL BERGRIN told R.P. that the person who is referred to in Count One of this Second Superseding Indictment as “P.R.,” was a government informant, asked R.P. if R.P. knew where P.R. lived and told R.P. that if R.P. murdered P.R. defendant PAUL BERGRIN and R.P. would win R.P.'s Federal Drug Case.

13. It was further a part of the conspiracy that members of the

conspiracy communicated using telephones and conducted meetings in person to discuss drug sales, the collection of drug proceeds, and other matters related to The Bergrin Law Enterprise's Drug Trafficking Business.

In violation of Title 21, United States Code, Section 846.

COUNT SIX

[OMITTED BY AGREEMENT]

COUNT SEVEN

[OMITTED BY AGREEMENT]

COUNT EIGHT
(Maintaining Drug-Involved Premises)

From at least as early as in or about January 2003 through on or about May 21, 2009, in the county of Essex, in the District of New Jersey and elsewhere,

defendant

PAUL BERGRIN

did manage and control a place, that is, a building located at 710 Summer Avenue, Newark, New Jersey, as an owner and occupant, and did knowingly and intentionally rent, profit from, and make available for use such place for the purpose of unlawfully storing and distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 856(a)(2), and Title 18, United States Code, Section 2.

COUNT NINE
(Maintaining Drug-Involved Premises)

From at least as early as in or about September 2004 through in or about October 2005, in the county of Essex, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly open, lease, rent, use, and maintain a place, that is, a building located at 572 Market Street, Newark, New Jersey for the purpose of distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1), and Title 18, United States Code, Section 2.

COUNT TEN
(Maintaining Drug-Involved Premises)

From at least as early as in or about 2008 through on or about May 20, 2009, in the county of Essex, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly open, lease, rent, use, and maintain a place, that is, a premises located at 50 Park Place, Tenth Floor, Newark, New Jersey for the purpose of distributing a controlled substance, that is, a quantity of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1), and Title 18, United States Code, Section 2.

COUNT ELEVEN

[OMITTED BY AGREEMENT]

COUNT TWELVE

(Conspiracy to Murder a Witness Against Client Criminal W.B.)

1. The allegations contained in: paragraphs twenty-four through twenty-seven of Count One; paragraphs fourteen through twenty-six of Count Two; and paragraphs three through seven and twelve (a) & (d) of Count Five of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. A co-conspirator who is referred to in Count One of this Second Superseding Indictment as H.C. was the leader of a drug trafficking organization that, among other things, sold kilogram quantities of cocaine.

3. Co-conspirators who are referred to in Count One of this Second Superseding Indictment as W.B., R.B., and A.Y. were members and associates of the drug trafficking organization headed by H.C.

4. H.C. obtained kilogram quantities of cocaine from the drug trafficking business referred to in Counts One and Five of this Second Superseding Indictment as The Bergrin Law Enterprise's Drug Trafficking Business.

5. From in or about January 2003 through in or about November 2003, Federal law enforcement agents conducted an investigation into the drug

trafficking activities of W.B.

6. The person referred to in Count One of this Second Superseding Indictment as “K.D.M.” provided information and assistance to Federal law enforcement agents in connection with the investigation into the drug trafficking activities of W.B. As part of the investigation, K.D.M., while acting as a cooperating confidential witness under the supervision and surveillance of Federal law enforcement agents, purchased crack cocaine from W.B. on six separate occasions.

7. On or about November 18, 2003, a United States Magistrate Judge for the District of New Jersey signed a criminal complaint and issued an arrest warrant charging W.B. with distributing five grams or more of crack cocaine in violation of Federal law (previously and hereinafter referred to as “W.B.’s Federal Drug Case”).

8. The affidavit of a Federal law enforcement agent (the “Agent’s Affidavit”) submitted in support of the criminal complaint and arrest warrant set forth, in substance and in part, that K.D.M., identified in the Agent’s Affidavit only as the “confidential witness,” assisted law enforcement by making purchases of crack cocaine from W.B.

9. On or about November 25, 2003, W.B. was arrested on the

above-described arrest warrant and appeared in United States Court for the District of New Jersey. Defendant PAUL BERGRIN appeared as defense counsel for W.B. in connection with W.B.'s Federal Drug Case. At that Court proceeding, W.B. and defendant PAUL BERGRIN were informed of the crime with which W.B. was charged and received a copy of the criminal complaint and the Agent's Affidavit.

10. On that same day, after learning of the allegations in the criminal complaint and the Agent's Affidavit, W.B. determined that K.D.M. was the person identified in the Agent's Affidavit as the "confidential witness."

The Conspiracy

11. From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and intentionally conspire and agree with others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in that in furtherance of the conspiracy, a co-conspirator did

unlawfully kill K.D.M. willfully, deliberately, maliciously, and with premeditation, contrary to Title 18, United States Code, Sections 1512(a)(1)(A) and (a)(3)(A).

The Object of the Conspiracy

12. It was the object of the conspiracy to kill K.D.M. to prevent his attendance and testimony at official proceedings pertaining to W.B.'s Federal Drug Case.

Manner and Means of the Conspiracy

13. It was part of the conspiracy that after W.B. determined the identity of the "confidential witness," W.B. informed defendant PAUL BERGRIN that the identity of the "confidential witness" was K.D.M.

14. It was further part of the conspiracy that defendant PAUL BERGRIN thereafter told other co-conspirators, including H.C., that the identity of the "confidential witness" was K.D.M.

15. It was further part of the conspiracy that defendant PAUL BERGRIN met with other co-conspirators, including H.C., R.B., and A.Y., reiterated to them that the identity of the "confidential witness" was K.D.M., stressed to the co-conspirators that if they did not kill K.D.M., W.B. would spend the rest of his life in jail, and told the co-conspirators that if they did kill K.D.M.

defendant PAUL BERGRIN would win W.B.'s Federal Drug Case and W.B. would go free.

16. It was a further part of the conspiracy that on or about March 2, 2004, A.Y. shot K.D.M. and caused the death of K.D.M.

In violation of Title 18, United States Code, Section 1512(k).

COUNT THIRTEEN

(Murder of a Witness Against Client Criminal W.B.)

1. Paragraphs one through ten and thirteen through sixteen of Count Twelve of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. From on or about November 25, 2003 through on or about March 2, 2004, in the counties of Essex and Hudson, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and intentionally aid, abet, counsel, and induce others to kill another person, namely, K.D.M., with malice aforethought and with intent to prevent the attendance and testimony of K.D.M. in an official proceeding, specifically, a criminal case, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in that such killing was done unlawfully, willfully, deliberately, maliciously, and with premeditation.

In violation of Title 18, United States Code, Section 1512(a)(1)(A), 1512(a)(3)(A) and Section 2.

COUNT FOURTEEN

(Conspiracy to Travel in Aid of Prostitution Business)

1. The allegations contained in paragraphs twenty-eight through thirty-one of Count One of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. At various times relevant to Count Fourteen of this Second Superseding Indictment:

a. Defendant PAUL BERGRIN was a lawyer who represented the co-conspirator referred to in Count One of this Second Superseding Indictment as “J.I.” on a violation of parole proceeding pending in the State of New Jersey and a criminal case pending in Supreme Court in New York County, New York.

b. J.I. operated a prostitution business located in New York.

c. J.I. was on parole in the State of New Jersey which restricted J.I.’s ability to travel (“J.I.’s Travel Restrictions”), thus hampering J.I.’s ability to continue operating the prostitution business.

d. As part of J.I.’s Travel Restrictions, J.I. was permitted to travel outside of his residence to engage in legitimate employment.

e. On or about August 20, 2004, J.I. was charged with

violating his New Jersey State parole (“ J.I.’s New Jersey Parole Violation”).

f. J.I. was temporarily detained pending the resolution of J.I.’s New Jersey Parole Violation, and thus was hampered further in operating the prostitution business.

g. On or about January 10, 2005, J.I. was charged with operating a prostitution business and money laundering in violation of New York State law (previously and hereinafter referred to as “J.I.’s New York Case”).

h. J.I. was detained in the Rikers Island Jail, East Elmhurst, New York, pending trial on J.I.’s New York Case, and thus was hampered further in operating the prostitution business.

The Conspiracy

3. From on or about July 24, 2004 through on or about March 2, 2005, in the counties of Essex, Hudson and Mercer, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and intentionally conspire and agree with others to commit an offense against the United States, that is, to travel in and use the mail and facilities in interstate commerce, and to cause the travel in and the use of the mail and facilities in interstate commerce with the intent to promote, manage, establish,

carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, prostitution offenses, contrary to New York State Penal Law Sections 230.25(1), 105.05 and 20.00, and to thereafter perform acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, contrary to Title 18, United States Code, Section 1952(a)(3).

Object of the Conspiracy

4. It was the object of the conspiracy for defendant PAUL BERGRIN and others to promote, manage and carry on a prostitution business.

Manner and Means of the Conspiracy

5. It was part of the conspiracy that defendant PAUL BERGRIN and others would devise a scheme to manipulate the New Jersey State Parole Board and its representatives (previously and hereinafter referred to as the “New Jersey Parole Board”) so that J.I. could continue to operate the prostitution business.

6. It was further part of the conspiracy that defendant PAUL BERGRIN, J.I., and others would falsely represent to the New Jersey Parole Board that J.I. was employed by defendant PAUL BERGRIN so that J.I. could evade J.I.’s Travel Restrictions.

7. It was further part of the conspiracy that defendant PAUL BERGRIN, among other things, would falsely represent to the New Jersey Parole Board that J.I. traveled outside of J.I.'s residence to perform legitimate work for defendant PAUL BERGRIN, when in fact, J.I. had actually traveled outside J.I.'s residence to operate the prostitution business.

8. It was further part of the conspiracy that after J.I. was charged in J.I.'s New York Case, defendant PAUL BERGRIN, and others, including persons referred to herein as H.O. and J.C., would manage and operate the prostitution business in J.I.'s absence.

Overt Acts

9. In furtherance of the conspiracy and to effect the illegal object thereof, defendant PAUL BERGRIN, co-conspirators J.I., H.O. and J.C. and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about August 26, 2004, defendant PAUL BERGRIN, in a letter, falsely represented to the New Jersey Parole Board that J.I. violated his curfew because he had been performing legitimate work for defendant PAUL BERGRIN.

b. On or about September 15, 2004, defendant PAUL BERGRIN caused a letter to be sent to the New Jersey Parole Board falsely stating that J.I. was to be employed as a paralegal at defendant PAUL BERGRIN's law firm, and that J.I.'s hours of employment were from 5:00 p.m. until 1:00 a.m.

c. On or about December 10, 2004, defendant PAUL BERGRIN caused a letter to be mailed to the New Jersey Parole Board falsely stating that J.I. would be working for defendant PAUL BERGRIN at an office located in New York.

d. On or about December 21, 2004, defendant PAUL BERGRIN made a telephone call to the New Jersey Parole Board and requested that J.I. be allowed to work for defendant PAUL BERGRIN until 3:00 a.m.

e. On or about December 31, 2004, J.I. caused a check to be drafted in the amount of \$1500 drawn on a bank account of Tribeca Models LLC, and made payable to defendant PAUL BERGRIN.

f. On or about January 12, 2005, defendant PAUL BERGRIN traveled from New Jersey to New York, met with other persons, including J.C., and discussed plans to operate the prostitution business in J.I.'s absence.

g. On or about January 25, 2005, defendant PAUL BERGRIN caused to be filed articles of incorporation for a business entity known as “NY Confidential Escorts, Inc.” with the New York State Department of State.

In violation of Title 18, United States Code, Section 371.

COUNTS FIFTEEN AND SIXTEEN
(Travel in Aid of Prostitution Business)

1. Paragraphs one, two and five through nine of Count Fourteen of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. On or about the dates set forth below, in the counties of Hudson and Essex, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and the use of the mail and facilities in interstate commerce with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, prostitution offenses, contrary to New York State Penal Law Sections 230.25(1), 105.05 and 20.00, and thereafter, did perform and attempt to perform an act to promote manage establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, as follows:

COUNT	DATE	TRAVEL/MAILING	ACT PERFORMED THEREAFTER
FIFTEEN	12/10/2004	The Mailing Set Forth in Count Fourteen Paragraph 9(c)	The Acts Set Forth in Count Fourteen Paragraphs 9(d) and (e)
SIXTEEN	1/12/2005	The Travel Set Forth in Count Fourteen Paragraph 9(f)	The Acts Set Forth in Count Fourteen Paragraphs 9(g)

All in violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

COUNT SEVENTEEN

(Conspiracy to Travel in Aid of Drug Trafficking Business and Bribery)

1. The allegations contained in: paragraphs thirty-four through thirty-eight of Count One; paragraphs fourteen through thirty and forty-one through sixty-eight of Count Two; paragraphs three through eleven, twelve (a), (b) & (d), and thirteen of Count Five; and paragraphs two through ten and thirteen through sixteen of Count Twelve of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. At all times relevant to Count Seventeen of this Second Superseding Indictment:

a. The person referred to in Counts One and Five of this Second Superseding Indictment as “A.W.” was employed by Law Office of Paul Bergrin. At the direction of defendant PAUL BERGRIN, A.W. performed duties related to the drug trafficking business referred to in Counts One and Five of this Second Superseding Indictment as The Bergrin Law Enterprise’s Drug Trafficking Business.

b. On or about June 8, 2007, A.W. possessed a .22 caliber revolver (previously and hereinafter referred to as the “.22 Revolver”) for which he was arrested by Newark police officers and charged in the Superior Court in

Essex County, New Jersey with possession of a firearm by a convicted felon in violation of New Jersey State criminal law (previously and hereinafter referred to as “A.W.’s Essex County Case”).

c. At the time he was charged in A.W.’s Essex County Case, A.W. was under the supervision of the New Jersey State Parole Board in connection with a sentence on a prior criminal conviction.

d. As a result of A.W.’s Essex County Case, the New Jersey State Parole Board charged A.W. with violating the conditions of his parole (previously and hereinafter referred to as “A.W.’s Parole Violation Charges”).

e. As a result of A.W.’s Parole Violation Charges, beginning on or about June 20, 2007, A.W. was detained in the Essex County Correctional Facility.

f. While A.W. was detained in the Essex County Correctional Facility, A.W. was unable to assist defendant PAUL BERGRIN and others in operating The Bergrin Law Enterprise’s Drug Trafficking Business.

g. Defendant PAUL BERGRIN was a lawyer who represented A.W. in A.W.’s Essex County Case and A.W.’s Parole Violation Charges.

h. The person identified in Count One of this Superseding

Indictment as “J.M.” was an associate of A.W.

3. From on or about June 8, 2007 through on or about August 2007 in the county of Essex, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and intentionally conspire and agree with others to commit an offense against the United States, that is, to travel in and use the mail and facilities in interstate commerce, and to cause the travel in and the use of the mail and facilities in interstate commerce with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, (a) bribery, contrary to N.J.S.A. Sections 2C:28-5 and 2C:2-6 and (b) the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and to thereafter perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, contrary to Title 18, United States Code, Section 1952(a)(3).

Object of the Conspiracy

4. It was the object of the conspiracy for defendant PAUL

BERGRIN and his co-conspirators to pay J.M. to falsely exculpate A.W. so that A.W. could thwart the prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges, secure his release from the Essex County Correctional Facility, and resume assisting The Bergrin Law Enterprise's Drug Trafficking Business.

Manner and Means of the Conspiracy

5. It was part of the conspiracy that, in order to secure A.W.'s release from the Essex County Correctional Facility, defendant PAUL BERGRIN, A.W. and others would devise and execute a plan to corruptly thwart the prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges.

6. It was further part of the conspiracy that, in connection with the plan to thwart prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges, J.M. would accept money from A.W. in exchange for J.M. falsely confessing that he, not A.W., possessed the .22 Revolver on June 8, 2007.

7. It was further part of the conspiracy that defendant PAUL BERGRIN would knowingly present J.M.'s false confessions to the New Jersey State Parole Board in a corrupt effort to cause the New Jersey State Parole Board to find A.W. not guilty of A.W.'s Parole Violation Charges.

8. It was further part of the conspiracy that defendant PAUL

BERGRIN would knowingly present J.M.'s false confessions to the Essex County Prosecutor's Office in a corrupt effort to cause the Essex County Prosecutor's Office to dismiss A.W.'s Essex County Case.

9. It was further part of the conspiracy that defendant PAUL BERGRIN, A.W. and others would use the mail and facilities in interstate commerce, and cause others to use the mail and facilities in interstate commerce in connection with their corrupt effort to thwart prosecution of A.W.'s Essex County Case and A.W.'s Parole Violation Charges.

10. It was further part of the conspiracy that after defendant PAUL BERGRIN secured A.W.'s release from the Essex County Correctional Facility, A.W. would resume assisting defendant PAUL BERGRIN and others in operating The Bergrin Law Enterprise's Drug Trafficking Business.

Overt Acts

11. In furtherance of the conspiracy and to effect the illegal object thereof, defendant PAUL BERGRIN and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. After A.W.'s arrest on June 8, 2007, defendant PAUL BERGRIN and A.W. met and discussed, among other things, that A.W. had, in

fact, possessed the .22 Revolver on June 8, 2007.

b. On or about June 21, 2007, A.W. and J.M. had a telephone conversation in which they rehearsed the details of J.M.'s false confession to possessing the .22 Revolver on June 8, 2007.

c. On or about June 21, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which they discussed that J.M. was willing to confess to possessing the .22 Revolver on June 8, 2007 and defendant PAUL BERGRIN told A.W., among other things, he wanted to meet with J.M. to see "how stand up this guy [J.M.] is."

d. On or about June 21, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which A.W. agreed to pay the fee for defendant PAUL BERGRIN to hire an investigator and defendant PAUL BERGRIN stated he would "get the investigator on board to take a statement" from J.M. "right away."

e. On or about June 27, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which defendant PAUL BERGRIN told A.W. that the investigator was going to take statements from A.W.'s "people" that night and that defendant PAUL BERGRIN intended to "go into the prosecutor's office tomorrow" with the statements.

f. On or about June 27, 2007, A.W. caused J.M. to go to defendant PAUL BERGRIN's office and give a written statement to an investigator working for defendant PAUL BERGRIN in which J.M. falsely stated, in substance and in part, that he possessed the .22 Revolver on June 8, 2007 (previously and hereinafter referred to as "J.M.'s False Confession to Paul Bergrin").

g. On or about June 29, 2007, defendant Paul Bergrin sent a letter to New Jersey State Parole in which he attached, among other things, a copy of J.M.'s False Confession to Paul Bergrin.

h. On or about July 1, 2007, defendant PAUL BERGRIN and A.W. had a telephone conversation in which defendant PAUL BERGRIN told A.W., among other things, that he sent the letter described in paragraph 11(g) above to New Jersey State Parole and that he was going to provide J.M.'s False Confession to Paul Bergrin to the Essex County Prosecutor's Office.

i. On or about July 5, 2007, A.W. caused J.M. to falsely claim to Newark police officers, in substance and in part, that he, not A.W., possessed the .22 Revolver on June 8, 2007; after which, the Newark police officers generated a written report of J.M.'s false statement (previously and hereinafter referred to as "J.M.'s False Confession to Police") and arrested J.M.

for possession of the .22 Revolver.

j. On or about July 9, 2007, A.W. and J.M. had a telephone conversation in which they made arrangements to pay \$1500 to J.M. in exchange for J.M.'s having made the false confessions.

k. On or about July 18, 2007, defendant PAUL BERGRIN caused a facsimile to be sent to a representative of New Jersey State Parole that contained a copy of J.M.'s False Confession to Police and other police reports detailing J.M.'s subsequent arrest for possessing the .22 Revolver on June 8, 2007.

l. On or about August 3, 2007, in connection with his representation of A.W. at a hearing before the New Jersey State Parole Board, defendant PAUL BERGRIN knowingly presented J.M.'s False Confession to Paul Bergrin and J.M.'s False Confession to Police to the New Jersey State Parole Board Hearing Officer who was deciding the disposition of A.W.'s Parole Violation Charges.

m. On multiple occasions from sometime after in or about September 2007 through in or about May 2009, A.W. delivered kilograms of cocaine to other persons on behalf of defendant PAUL BERGRIN.

n. On multiple occasions from sometime after in or about September 2007 through in or about May 2009, defendant PAUL BERGRIN,

caused A.W. to be supplied with kilograms of cocaine.

In violation of Title 18, United States Code, Section 371.

COUNTS EIGHTEEN AND NINETEEN
(Travel in Aid of Drug Trafficking and Bribery)

1. Paragraphs one, two, and five through eleven of Count Seventeen of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. On or about the dates set forth below, in the county of Essex, in the District of New Jersey, and elsewhere, defendant

PAUL BERGRIN

did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and use of the mail and facilities in interstate commerce with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, (a) bribery, contrary to N.J.S.A. Sections 2C:28-5 and 2C:2-6 and (b) the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity as follows:

COUNT	DATE	FACILITY IN INTERSTATE COMMERCE	ACT PERFORMED THEREAFTER
EIGHTEEN	6/21/07	Telephone call Set Forth in Count Seventeen Paragraph 11(c)	The Acts Set Forth in Count Seventeen Paragraphs 11(d) Through (g)
NINETEEN	7/1/2007	Telephone Call Set Forth in Count Seventeen Paragraph 11(h)	The Acts Set Forth in Count Seventeen Paragraphs 11(i) Through (n)

All In violation of Title 18, United States Code, Section 1952(a)(3)

and Section 2.

COUNT TWENTY

(Conspiracy to Travel in Aid of Drug Trafficking Business)

1. The allegations contained in paragraphs forty-two through fifty-one of Count One; paragraphs fourteen through thirty, forty-one through eighty-four, eighty-seven through 109, and 113 through 115 of Count Two; paragraphs three through thirteen of Count Five; paragraphs two through ten and thirteen through sixteen of Count Twelve; and paragraphs two and five through eleven of Count Seventeen of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. At all times relevant to Count Twenty of this Second Superseding Indictment:

a. The co-conspirator referred to in Count One of this Second Superseding Indictment as V.E. operated a drug trafficking business (“V.E.’s Drug Trafficking Business”).

b. V.E. was charged in Superior Court in Monmouth County, New Jersey with drug trafficking in violation of New Jersey State criminal law (previously and hereinafter referred to as “V.E.’s Monmouth County Case”).

c. Defendant PAUL BERGRIN was a lawyer who

represented V.E. in V.E.'s Monmouth County Case.

d. The co-conspirator referred to in Count One of this Second Superseding Indictment as T.M. was a lawyer who assisted PAUL BERGRIN in V.E.'s Monmouth County Case.

e. V.E. was detained in the Monmouth County Correctional Institution pending trial on V.E.'s Monmouth County Case, and thus, was hampered in operating V.E.'s Drug Trafficking Business.

The Conspiracy

3. From in or about June 2008 through in or about April 2009, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and intentionally conspire and agree with others to commit an offense against the United States, that is, to travel in and to use the mail and facilities in interstate commerce, and to cause the travel in and the use of the mail and facilities in interstate commerce with the intent: (a) to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21,

United States Code, Sections 841 and 846, and to thereafter perform acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, contrary to Title 18, United States Code, Section 1952(a)(3); and (b) to commit a crime of violence to further an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and to thereafter perform an act to commit a crime of violence to further such unlawful activity, contrary to Title 18, United States Code, Section 1952(a)(2).

Object of the Conspiracy

4. It was the object of the conspiracy for defendant PAUL BERGRIN and his co-conspirators, to prevent witnesses in V.E.'s Monmouth County Case from testifying against V.E. so that V.E. could thwart the prosecution of V.E.'s Monmouth County Case, secure his release from the Monmouth County Correctional Institution, and resume trafficking drugs.

Manner and Means of the Conspiracy

5. It was part of the conspiracy that defendant PAUL BERGRIN and his co-conspirators would identify persons who they believed were cooperating with law enforcement and were likely to be witnesses for the

prosecution against V.E. in V.E.'s Monmouth County Case (collectively, the "Monmouth County Witnesses").

6. It was further part of the conspiracy that defendant PAUL BERGRIN and others, including T.M. and V.E., would devise a plan to ensure that the Monmouth County Witnesses did not cooperate with law enforcement and did not testify against V.E. in V.E.'s Monmouth County Case.

7. It was further part of the conspiracy that defendant PAUL BERGRIN and others would intimidate and otherwise attempt to influence certain Monmouth County Witnesses not to implicate V.E. in V.E.'s Monmouth County Case.

8. It was further part of the conspiracy that defendant PAUL BERGRIN and others, including V.E., would solicit and obtain the services of the person referred to in Count One of this second superseding Indictment as the "Hitman" to kill certain Monmouth County Witnesses (previously and hereinafter referred to as the "Targeted Monmouth County Witnesses") in order to prevent them from further cooperating with law enforcement and testifying against V.E. in V.E.'s Monmouth County Case.

9. It was further part of the conspiracy that defendant PAUL BERGRIN and others, including T.M. and V.E., would travel in interstate

commerce and use the mail and telephones and cause others to travel in and use the mail and telephones in furtherance of their plot to kill the Targeted Monmouth County Witnesses (previously and hereinafter referred to as the “Plot to Kill the Targeted Monmouth County Witnesses”) and otherwise prevent the Monmouth County Witnesses from cooperating with law enforcement.

10. It was further part of the conspiracy that after V.E. was released from the Monmouth County Correctional Facility, V.E. would continue to operate V.E.’s Drug Trafficking Business.

11. It was further part of the conspiracy that after V.E. was released from the Monmouth County Correctional Facility, V.E. was going to assist defendant PAUL BERGRIN in operating the drug trafficking business referred to in Counts One and Five of this Second Superseding Indictment as The Bergrin Law Enterprise’s Drug Trafficking Business by, among other things, providing wholesale cocaine suppliers and additional customers to The Bergrin Law Enterprise’s Drug Trafficking Business.

12. It was further part of the conspiracy that defendant PAUL BERGRIN and V.E. solicited the Hitman to, among other things, assist with smuggling shipments of cocaine into the United States.

Overt Acts

13. In furtherance of the conspiracy and to effect the illegal object thereof, defendant PAUL BERGRIN and others, including T.M. and V.E., committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about June 12, 2008, V.E. caused a letter to be mailed to the Hitman, in which V.E. informed the Hitman that the person who is referred to in Count One as D.C. was “a lying c--- sucker” and that none of V.E.’s co-defendants in V.E.’s Monmouth County Case was cooperating with law enforcement.

b. On or about July 10, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that V.E. wanted the Hitman to make sure that the Monmouth County Witnesses did not cooperate with law enforcement and testify against V.E.

c. On or about July 17, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that V.E. wanted the Hitman to assist V.E. in trafficking drugs.

d. On or about July 31, 2008, defendant PAUL BERGRIN met with the Hitman and discussed, among other things, traveling to Panama to

locate a witness in V.E.'s Monmouth County Case known as "Junior" (who is also referred to in Count One as D.C.).

e. On or about August 5, 2008, defendant PAUL BERGRIN traveled by air flight from New Jersey to Illinois to meet with the Hitman.

f. On or about August 5, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman, among other things, that an individual known as "Junior the Panamanian," (who is also referred to in Count One as D.C.) was the "f--king rat," that is, a potential witness against V.E. and that defendant PAUL BERGRIN would provide instructions designed to assist the Hitman in locating Junior the Panamanian.

g. On or about August 19, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that he would provide both the Hitman and V.E. with cellphones that were to be used exclusively for the Hitman to speak with V.E. regarding the Plot to Kill the Targeted Monmouth County Witnesses.

h. On or about August 21, 2008, T.M. met with the Hitman, gave the Hitman a cellphone and told the Hitman he also was going to give V.E. a cellphone so that the Hitman and V.E. could have a telephone conversation later

that day regarding the Plot to Kill the Targeted Monmouth County Witnesses.

i. On or about August 21, 2008, V.E. engaged in a telephone conversation with the Hitman in which V.E. confirmed that he wanted the Hitman to kill Junior the Panamanian and two other persons who V.E. believed were witnesses against him in V.E.'s Monmouth County Case. During that telephone conversation, V.E. also said he would involve the Hitman in drug trafficking in exchange for the Hitman killing the Targeted Monmouth County Witnesses.

j. On or about September 4, 2008, defendant PAUL BERGRIN met with the Hitman, told the Hitman that Junior the Panamanian had been seen in New Jersey, and agreed to set up a meeting between the Hitman and the person referred to in Count Two of this Second Superseding Indictment as "M.L.," who defendant PAUL BERGRIN said could provide the Hitman with more details regarding the location of Junior the Panamanian.

k. On or about September 5, 2008, defendant PAUL BERGRIN placed a telephone call to the Hitman and discussed with the Hitman that the Hitman had met with M.L., but that M.L. had not provided the Hitman with information regarding the current location of Junior the Panamanian.

l. On or about September 11, 2008, V.E. transferred title to

a property located at Block 1001, Lot 38.01, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

m. On or about September 11, 2008, V.E. transferred title to a property located at Block 1001, Lot 38.03, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

n. On or about September 11, 2008, V.E. transferred title to a property located at Block 1001, Lot 38.04, Tennent Road, Manalapan Township, New Jersey to defendant PAUL BERGRIN under the name Premium Luxury Resorts L.L.C. in exchange for one dollar.

o. On or about October 2, 2008, defendant PAUL BERGRIN met with the Hitman and told the Hitman that he would introduce the Hitman to a second person who would help the Hitman locate Junior the Panamanian so that the Hitman could kill Junior the Panamanian.

p. On or about November 17, 2008, defendant PAUL BERGRIN and T.M. met with the Hitman and provided the Hitman with a document identifying other persons whom V.E. wanted killed in order to prevent their testimony against him in V.E.'s Monmouth County Case.

q. On or about December 8, 2008, T.M. offered to assist the Hitman in obtaining a gun so that the Hitman could kill Junior the Panamanian.

r. On or about December 8, 2008, T.M. placed a telephone call to another individual in order to obtain a gun for the Hitman.

s. On or about December 8, 2008, subsequent to the telephone call described above in paragraph 13(r), T.M. drove the Hitman to a meeting with defendant PAUL BERGRIN.

t. On or about December 8, 2008, defendant PAUL BERGRIN met with the Hitman and instructed the Hitman to make the murder of Junior the Panamanian appear as if it were part of a home invasion robbery, rather than the murder of a witness.

In violation of Title 18, United States Code, Section 371.

COUNTS TWENTY-ONE THROUGH TWENTY-FIVE
(Travel in Aid of Drug Trafficking Business)

1. Paragraphs one, two, and five through thirteen of Count Twenty of this Second Superseding Indictment are hereby realleged and incorporated as though fully set forth herein.

2. On or about the dates set forth below, in the counties of Essex and Monmouth, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly travel in and use the mail and facilities in interstate commerce and cause the travel in and the use of the mail and facilities in interstate commerce with the intent to commit a crime of violence to further an unlawful activity, that is, the distribution of a controlled substance and conspiracy to distribute a controlled substance, contrary to Title 21, United States Code, Sections 841 and 846, and thereafter, did perform and attempt to perform an act to commit a crime of violence to further such unlawful activity, as follows:

COUNT	DATE	TRAVEL/ FACILITY	ACT PERFORMED THEREAFTER
TWENTY-ONE	7/7/2008	The Hitman traveled by air flight from Illinois to New Jersey.	The Acts Set Forth in Count Twenty Paragraphs 13 (b), (c), and (d)
TWENTY-TWO	8/5/2008	Defendant PAUL BERGRIN traveled by air flight from New Jersey to Illinois.	The Acts Set Forth in Count Twenty Paragraphs 13 (f), (g), and (h)
TWENTY-THREE	8/21/2008	V.E. engaged in a telephone conversation with the Hitman.	The Acts Set Forth in Count Twenty Paragraph 13 (j)
TWENTY-FOUR	9/5/2008	Defendant PAUL BERGRIN engaged in a telephone conversation with the Hitman.	The Acts Set Forth in Count Twenty Paragraphs 13 (l), (m), (n), (o), and (p)
TWENTY-FIVE	12/8/2008	The Hitman traveled by air flight from Illinois to New Jersey.	The Acts Set Forth in Count Twenty Paragraphs 13 (q), (r), (s), and (t)

All in violation of Title 18, United States Code, Section 1952(a)(2) and Section 2.

COUNT TWENTY-SIX

(Evading Currency Transaction Reporting Requirements)

1. At all times relevant to Count Twenty-Six of this Second Superseding Indictment:

a. Law Office of Paul Bergrin was a nonfinancial trade or business within the meaning of Title 31, United States Code, Sections 5331 and 5324(b) and the regulations issued thereunder.

b. Title 31, United States Code, Section 5331 and the regulations issued thereunder required that each nonfinancial trade or business that, in the course of such trade or business, received more than \$10,000 in coins or currency in one transaction or two or more related transactions, file a report with the Financial Crimes Enforcement Network.

2. On or about September 4, 2008, the person referred to in Count One of this Second Superseding Indictment as the "Hitman" gave defendant PAUL BERGRIN \$20,000 in United States currency as payment for services defendant PAUL BERGRIN's law firm, Law Office of Paul Bergrin, had rendered to the co-conspirator referred to in Count One of this Second Superseding Indictment as V.E.

3. Defendant PAUL BERGRIN was required to file a form with the Internal Revenue Service reporting his receipt of the \$20,000 in United States

currency from the Hitman. Defendant PAUL BERGRIN failed to file the form with the Internal Revenue Service reporting the receipt of the \$20,000 from the Hitman.

4. On or about September 4, 2008, in the county of Essex, in the District of New Jersey and elsewhere, defendant

PAUL BERGRIN

did knowingly and for the purposes of evading the reporting requirements of Title 31, United States Code, Section 5331 and the regulations issued thereunder, cause a nonfinancial trade or business, namely Law Office of Paul Bergrin, to fail to file a report required under Title 31, United States Code, Section 5331, in connection with the receipt by Law Office of Paul Bergrin of United States currency in amounts over \$10,000.

In violation of Title 31, United States Code, Section 5324(b) and Title 18, United States Code, Section 2.