

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
vs. )  
 )  
BARTICE A. KING, )  
KORY KORALEWSKI, )  
PAUL FRANCIS TUCKER, )  
LEON MARK MORAN II, )  
KELLY JAMES DORN, )  
ZAPT ELECTRICAL SALES, INC., )  
RODGER VANPELT BRAMLEY, )  
KELLEY WARD DIEBNER, AND )  
LUIS ROBLES, )  
Defendants. )

Case No. CR-13-063-F

**PLAINTIFF UNITED STATES' PROPOSED FINDINGS OF FACT  
AND CONCLUSIONS OF LAW**

NOW COMES Plaintiff, United States of America, which, at the direction of the Court (Tr. Apr. 28, 2016, Vol. III, at 770), submits the following proposed findings of facts and conclusions of law at issue in this case:

**FACTS**

1. On March 3, 2015, a jury found defendants Luis Robles, Paul Francis Tucker and Zapt Electrical Sales, Inc., guilty of racketeering conspiracy in violation of 18 U.S.C. § 1962(d), and guilty of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h). The jury also found Robles and Tucker (but not Zapt) guilty of conducting an illegal gambling business in violation of 18 U.S.C. § 1955.

2. On April 30, 2015, a jury found defendant Bartice A. King guilty of conducting an illegal gambling business in violation of 18 U.S.C. § 1955, and conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h).
3. On May 22, 2015, a jury found defendants Rodger Vanpelt Bramley, Kelly Ward Diebner, and Leon Mark Moran guilty of racketeering conspiracy, conducting an illegal gambling business, and conspiracy to commit money laundering in violation of 18 U.S.C. §§ 1962(d), 1955, and 1956(h).
4. On November 4, 2015, a jury found defendant Kelly James Dorn guilty of racketeering conspiracy and conducting an illegal gambling business in violation of 18 U.S.C. §§ 1962(d) and 1955. The jury found Koralewski guilty of racketeering conspiracy in violation of 18 U.S.C. § 1962(d).
5. An article on a gambling news website announced that in 2003 Legendz Sports (essentially an umbrella company for multiple entities) moved its gambling operation to Panama. (Exhibit 2); (Tr. Feb. 17, 2015, Vol. III, at 533-34, 542).
6. Between 2003 and 2013, Bartice A. King a/k/a Luke King was the CEO of the Legendz Sports enterprise. (Tr. Feb. 17, 2015, Vol. III, at 542); (Tr. Apr. 27, 2015, Vol. VIII, 1806 (Mr. King CEO of Legendz); (Tr. Apr. 16, 2015, Vol. I, at 53) (Mr. King CEO of Legendz in 2002 or 2003); (Tr. Feb. 12, 2015, Vol. I, at 75) (David Ross worked as a bookmaker for Mr. King until 2013).
7. Data Support Services (DSS) was an entity under the Legendz Sports umbrella, operating a call center that received calls from bettors in the United States. (Tr. Apr. 22, 2015, Vol. V, at 1124) (testimony that DSS provided support to Mr.

King's gambling business, known as Legendz); (Id. at 1176-77) (testimony that DSS was the Legendz call center that received calls from bettors in the United States).

8. The DSS phone list shows Mr. King to be its Director, Eddie Gooch (otherwise known as Edward Buonanno) to be its Operations Vice President, Max McLaren to be its the General Manager, Rigo Nolan (also known as Rigoberto Nolan) to be the President of LGC (Legendz Gamming Corporation), Kasandra Farrier (also known as Kasandra Bates) to be the Executive Director in the administrative branch of DSS, and Anastasio Bayne as the Messenger for DSS. (Exhibit 27) (DSS phone extension list); (Tr. Feb. 18, 2015, Vol. IV, at 851-852, 854-861); (Tr. Apr. 22, 2015, Vol. V, at 1091) (explaining that LGC stands for Legendz Gamming Corporation).
9. Although not a complete list, a DSS internal directory lists agents, bookmakers, and individuals associated with DSS and Legendz Sports, including Big Lou, Georgie, RoseK, Ski, Paul, and Black. (Exhibit 25); (Tr. Feb. 18, 2015, Vol. IV, at 1062-1064). These individuals have been identified as Mr. Robles, Mr. Hernandez, Mr. Diebner, Mr. Koralewski, Mr. Tucker, and Mr. Barry. (Tr. Feb. 13, 2015, Vol. II, at 348) (identifying Big Lou as Mr. Robles); (Tr. Feb 17, 2015, Vol. III, at 703) (identifying Paul Tucker as an agent of Legendz Sports from Florida); (Tr. Oct. 20, 2015, Vol. II, at 265) (identifying "ski" as Mr. Koralewski); (Tr. May 15, 2015, Vol. VIII, at 1529-1530) (identifying "RoseK" as Mr. Diebner); (Tr. Apr. 17, 2015, Vol. II, at 393) (identifying "Georgie" as Mr.

Hernandez); (Tr. Apr. 26, 2016, Vol. I, at 71-72) (identifying “Black” as Joseph Barry).

10. Mr. Bramley used the alias “Doc” within the Legendz Sports enterprise. (Tr. May 15, 2015, Vol. VII, at 1553).
11. Mr. Moran used the alias “Makavelli” and “Mastiff” within the Legendz Sports enterprise. (Tr. May 11, 2015, Vol. III, at 569); (Exhibit 473) (Legendz related betting sheet retrieved from Mr. Moran’s computer).
12. Terry Campbell used the aliases “Top Cat,” “Gato,” and “TC” within the Legendz Sports enterprise. (Tr. May 12, 2015, Vol. IV, at 829).
13. David Ross used the alias “Obie” within the Legendz Sports enterprise. ( Tr. May, 15, 2015, Vol. VII, at 1567-1568).
14. Corporate registration documents for Legendz affiliated entities list known Legendz associates as officers and directors. Data Support Services’ corporate registration documents list Maximillian McLaren, a general manager in the Legendz criminal enterprise, Maria Rojas, worked with Legendz’s financial manager, and Steve Forbes, a security manager for Legendz. (Tr. Apr. 20, 2015, Vol. III, at 570) (explaining that Mr. McLaren was second in command at Legendz and Ms. Rojas made sure the correct funds were sent out of Legendz); (Tr. Apr. 22, 2015, at 1188-1189) (explaining that Mr. King was CEO of the entire Legendz operation, including DSS, and that Mr. Forbes did not handled finances for DSS despite being listed as treasurer on corporate records); (Exhibit 27) (listing Mr.

McLaren as a general manager and Mr. Forbes as a secretary manager for Legendz).

15. UDS International is a Legendz affiliated entity created to receive funds from bettors located in the United States and its corporate registration document lists Javier Espinosa, Mr. King's attorney. (Exhibits 45, 45A); (Tr. Oct. 22, 2015, Vol. IV, at 845).
16. Legendz Gaming's corporate registration documents list Rigoberto Nolan, a known associate in the Legendz Sports enterprise. (Exhibits 46, 46A); (Exhibit 27) (listing Mr. Nolan on the DSS phone list).
17. JR Group is a Legendz Sports entity set up by Mr. Espinosa, Mr. King's attorney, and it received and cleared checks from bettors in the United States for Mr. King and the Legendz Sports enterprise. (Exhibits 48, 48A); (Tr. Apr. 22, 2015, Vol. V, at 1172-1173).
18. Olmos Overseas is a Legendz Sports entity controlled by Mr. King and received bettor funds. (Tr. Oct. 22, 2015, Vol. IV, at 817); (Tr. May 15, 2015, Vol. VII, at 1581-83) (Olmos Overseas received bettor funds).
19. Mr. King owned and controlled 6 Monkeys, S. De R.L. and is listed as an officer on its corporate registration. (Exhibits 52, 52A).
20. Global Data Payment Services was a gambling payment processor controlled by Mr. King—set up to receive and remit bettor funds for bettors in the United States. (Tr. Feb. 18, 2015, Vol. IV at 903) (describing Global Data Payment Services);

(Tr. Apr. 22, 2015, Vol. V, at 1179) (explaining that Legendz's gambling payment processor, Elite Pay Systems, later became Global Data Payment Services).

21. Mr. King controlled many entities under the Legendz Sports enterprise that received illegal gambling funds such as JR Group, Investment Consulting Services, International Goldstore, Regency Commercial, Data Assistance, Pentaci, Entiant, and Olmos Overseas. (Tr. Oct. 22, 2015, Vol. IV, at 816-17, 888-890) (testimony from Mr. Stewart that the only purpose for certain Legendz entities and their bank accounts, including JR Group, Investment Consulting, and other entities, was to prevent banks from knowing about gambling transactions); (Exhibit 691) (\$45,000.00 cashier's check from Los Cucos, the restaurant owned by known Legendz bettor Mr. Cabrera, made payable to Olmos Overseas—demonstrating that Olmos Overseas received proceeds from bettors located in the United States); (Exhibit 692) (\$45,000.00 cashier's check from Los Cucos, the restaurant owned by known Legendz bettor Mr. Cabrera, made payable to Investment Consulting Services—demonstrating that Investment Consulting Services received proceeds from bettors located in the United States).
22. Legendz Sports maintained a document outlining basic policy and responsibilities for Legendz agents. (Exhibit 563).
23. According to Legendz policy, sub-agents assumed all bad debts and slow play situations. (Exhibit 563, at 2, ¶ 3). Legendz policy requires sub-agents to collect all unsettled balances every third week. (Id., at 2, ¶ 4a); (Tr. Apr. 28, 2016, Vol. III, at 559).

24. From June 2005 through April 2013, Mr. King received approximately \$1,805,444.59 from the Legendz Sports Enterprise through a bank account held by DSS. (Exhibit C47C); (Exhibit 1255) (containing the source banking documents for Data Support Services); (Tr. Apr. 26, 2016, Vol. I, at 18-19).
25. From May 2004 through May 2013, DSS received deposits totaling \$5,425,621.68. (Exhibit C47A); (Exhibit 1255).
26. Persons associated with the Legendz Sports enterprise such as Maximillian McLaren, Rigoberto Nolan, and Maria Rojas, are shown on the bank account opening documents for DSS. (Exhibit 1255, at 1-4).
27. Checks sent by bettors in the United States and received by the Legendz Sports enterprise were logged on Legendz Sports' spreadsheets. (Exhibits 58-64) (Tr. Oct. 22, 2015, Vol. IV, at 890-896).
28. These spreadsheets show the Legendz entities that received gambling payments on behalf of the Legendz Sports enterprise such as Entiant (Exhibit 58), Pentaci (id.), JR Group (Exhibits 59, 60); (Tr. Apr. 27, 2016, Vol. II, at 438) (testimony that JR Group was a shell company used to receive bettor payments), Investment Consulting Services (Exhibits 61, 62, 63), and Regency Commercial (Exhibit 64), along with the bettors' names, the Legendz agent associated with the payment, and the amount paid for gambling losses (Exhibits 59, 60, 61, 62, 63, 64).
29. On a monthly basis from April 2011 through at least April 2012, Mr. King received funds from Data Support Services totaling \$191,490.00, which were

deposited into his AmegyBank of Texas account, account number XXXXXX6878. (Exhibit C19.1); (Exhibit 853).

30. On June 1, 2011, \$7,000.00 was transferred from Mr. King's XXXXXX6878 account to his XXXXXX6894 account. (Exhibit 1407); (Tr. Apr. 26, 2016, Vol. I, at 38-39).
31. Funds from Certificate of Deposit account number XXXXXX5707 held at AmegyBank of Texas represent proceeds of Mr. King's illegal gambling business. (Exhibit C38); (Exhibit 1217A-F); (Tr. April 26, 2016, Vol. I, at 19-29, 39) (testimony regarding the movement of funds from DSS to Mr. King and then ultimately to five Certificates of Deposit at AmegyBank of Texas).
32. Funds from Certificate of Deposit account number XXXXXX5715 held at AmegyBank of Texas represent proceeds of Mr. King's illegal gambling business. (Exhibit C38); (Exhibit 1217A-F); (Tr. April 26, 2016, Vol. I, at 19-29, 39) (testimony regarding the movement of funds from DSS to Mr. King and then ultimately to five Certificates of Deposit at AmegyBank of Texas).
33. Funds from Certificate of Deposit account number XXXXXX5723 held at AmegyBank of Texas represent proceeds of Mr. King's illegal gambling business. (Exhibit C38); (Exhibit 1217A-F); (Tr. April 26, 2016, Vol. I, at 19-29, 39) (testimony regarding the movement of funds from DSS to Mr. King and then ultimately to five Certificates of Deposit at AmegyBank of Texas).
34. Funds from Certificate of Deposit account number XXXXXX5731 held at AmegyBank of Texas represent proceeds of Mr. King's illegal gambling business



and money laundering activity. (Exhibit C38); (Exhibit 1217A-F); (Tr. April 26, 2016, Vol. I, at 19-29, 39) (testimony regarding the movement of funds from DSS to Mr. King and then ultimately to five Certificates of Deposit at AmegyBank of Texas).

35. Funds from Certificate of Deposit account number XXXXXX5749 held at AmegyBank of Texas represent proceeds of Mr. King's illegal gambling business. (Exhibit C38); (Exhibit 1217A-F); (Tr. April 26, 2016, Vol. I, at 19-29, 39) (testimony regarding the movement of funds from DSS to Mr. King and then ultimately to five Certificates of Deposit at AmegyBank of Texas).
36. Mr. King deposited at least \$161,000.00 comprised of proceeds from the Legendz Sports enterprise, which received illegal gambling funds, into his Invesco AIM Investment Services account (an IRA account). (Exhibit 1218A-E); (Exhibit C39); (Tr. Apr. 26, 2016, Vol. I, at 68).
37. The 2013 Jeep Wrangler, VIN #1C4HJWEG0DL567712, was purchased with proceeds of Mr. King's illegal gambling operation. (Exhibit 1200A-H); (Exhibit C23); (Tr. Oct. 26, 2015, Vol. VI, at 1359-64); (Tr. Oct. 29, 2015, Vol. IX, at 2021-26); (Exhibit C89, at 3, ln. 35).
38. Proceeds from the Legendz Sports illegal gambling operation were used to restore the 1969 Ford Mustang, VIN # 9R03F105499. (Tr. Oct. 28, 2015, Vol. VIII, at 1745-47) (testimony from Mr. Myler that he spent approximately \$49,321.84 to restore the Mustang; the funds for which he took out of his Legendz bank);

(Exhibit 1027); (Exhibit 1028); (Exhibit C89, at 3, ln. 36); (Exhibits 320-321) (photos of the mustang retrieved from Mr. Moran's computer).

39. The 2009 Maserati, VIN # ZAMJK39A290046451, was purchased with proceeds of Mr. King's illegal gambling operation. (Exhibit 1201A-E); (Exhibit C24); (Tr. Oct. 26, 2015, Vol. VI, at 1365-69); (Tr. Oct. 29, 2015, Vol. IX, at 2026-32); (Exhibit C89, at 3, ln. 37).
40. Mr. King bought various pieces of jewelry for Mrs. King during the time period that he operated the Legendz Sports enterprise and received illegal proceeds generated by the enterprise. (Exhibit 409) (jewelry appraisal discovered in Mr. King's 2 Palmer Crest residence with Mr. King's name signed on it and dated April 13, 2005); (Exhibit 410) (jewelry appraisal dated June 14, 2006 discovered in Mr. King's 2 Palmer Crest residence); (Exhibit 411) (jewelry appraisal for several items from Magnum Jewelers, which was found in Mr. King's 2 Palmer Crest residence and dated May 22, 2010); (Tr. Oct. 19, 2015, Vol. I, at 89-96) (testimony regarding the jewelry appraisals found in Mr. King's residence); (Tr. Oct. 28, 2015, Vol. VIII, at 1805) (testimony that Mr. King would buy Mrs. King nice clothes and jewelry).
41. Mr. King used proceeds of his illegal gambling operation to purchase and pay the mortgage on the real property located at 2 Palmer Crest, Spring, Texas. (Tr. April 26, 2016, Vol. I, at 54-55); (Exhibit C36) (summarizing the movement of funds from Panama to Mr. King's Wachovia account ending in #6532 and his Amegy account ending in #6878 and then ultimately to mortgage payments for the 2

Palmer Crest property); (Exhibit 1216A); (Exhibit 853); (Exhibit C19.2) (Exhibit C25); (Tr. April 26, 2016, Vol. I, at 55-56) (testimony regarding the use of money orders, believed to be purchased with illegal proceeds, to make mortgage payments on 2 Palmer Crest); (Exhibit C37); (Exhibit 1210). Approximately \$495,151.02 in illegal proceeds were remitted in payment on the mortgage on 2 Palmer Crest. (Exhibit C37.1).

42. On November 11, 2014, Mr. King sold the 2 Palmer Crest property and received \$303,527.47 in net proceeds from the sale, which are being held by the Clerk of the Court. (Doc. 40); (Doc. 43). The total amount of illegal proceeds paid toward the mortgage on 2 Palmer Crest exceeds the net proceeds received from the property's sale by \$191,623.56. (Exhibit C37.1); (Tr. April 26, 2016, Vol. I, at 56-57); (Exhibit C89, at 4, ln. 44).
43. Corporate registration documents of Starting 5, LLC, show that the entity was formed in 2007, that its registered agent is Serena King, and that its business address is 2 Palmer Crest, The Woodlands, Texas. (Exhibit 39).
44. Proceeds from the Legendz Sports enterprise, which received illegal sports bets, can be traced to the purchase of 22 Nestlewood Place, The Woodlands, Texas. (Exhibit 1203A-K); (Exhibit C26); (Tr. Oct. 26, 2015, Vol. VI, at 1351) (Tr. Oct. 29, 2015, Vol. IX, at 2051-53); (Exhibit C89, at 4, ln. 49).
45. Proceeds from the Legendz Sports enterprise, which received illegal sports bets, can be traced to the purchase of 30 Nestlewood Place, The Woodlands, Texas.

- (Exhibit 1204A-C); (Exhibit C27) (Tr. Oct. 26, 2015, Vol. VI, at 1331-33, 1353-55); (Tr. Oct. 29, 2015, Vol. IX, at 2053-54); (Exhibit C89, at 4, ln. 47).
46. Proceeds from the Legendz Sports enterprise, which received illegal sports bets, can be traced to the purchase of 206 North Vesper Bend Circle, Spring, Texas. (Exhibit 1205A-K); (Exhibit C28); (Tr. Oct. 26, 2015, Vol. VI, at 1334-39, 1346-49) (Tr. Oct. 29, 2015, Vol. IX, at 2054-57); (Exhibit C89, at 4, ln. 48).
47. Proceeds from the Legendz Sports enterprise, which received illegal sports bets, can be traced to the purchase of 86 Blue Creek Place, Spring, Texas. (Exhibit C33); (Exhibit 1213A-L); (Exhibit C33.1); (Tr. Apr. 26, 2016, Vol. I, at 41-52); (Exhibit C89, at 4, ln. 45).
48. Proceeds from the Legendz Sports illegal gambling operation and a line of credit from Wachovia bank can be traced to the purchase of 82 Blue Creek Place, Spring, Texas. (Exhibit 1214A-E); (Exhibit C34) (summary chart for purchase of 82 Blue Creek); (Tr. Apr. 26, 2016, Vol. I, at 58-64); (Exhibit C89, at 4, ln. 46).
49. Proceeds from the Legendz Sports enterprise, which received illegal sports bets, were used to pay the line of credit provided by Wachovia to purchase 82 Blue Creek Place, Spring, Texas. (Exhibit C35); (Tr. Apr. 26, 2016, Vol. I, at 65-67).
50. Reginald Berthiaume developed Elite Pay Systems, an in-house payment processor that moved gambling funds from bettors to Legendz, for Mr. King and the Legendz Sports enterprise. (Tr. Feb. 17, 2015, Vol. III, at 731-35); (Tr. Apr. 20, 2015, Vol. III, at 606-08) (discussing Elite Pay Systems). Elite Pay Systems later became Global Data Payment Services. (Tr. Apr. 22, 2015, Vol. V, at 1179)

(explaining that Legendz's gambling payment processor, Elite Pay Systems, later became Global Data Payment Services); (Tr. Feb. 18, 2015, Vol. IV, at 913) (discussing Global Data Payment Services); (see also Exhibit 1405B) (diagram created by Mr. Berthiaume detailing Legendz's use of various payment processors to receive and remit gambling proceeds).

51. From January 2007 through January 2009, a bank account held by Global Data Payment Services received deposits in the amount of approximately \$7,152,574.65. (Exhibit C49A) (summarizing deposits into Global Data Payment Services bank account); (Exhibit 1258) (containing underlying source documents for Global Data Payment Services' bank records). This bank account received deposits from entities that received illegal gambling proceeds from bettors in America—International Goldstore, International Data Processing, Seven Capital Business, and Elite Pay Systems. (Tr. Feb. 17, 2015, Vol. III, at 742-50) (discussing Seven Capitals); (Tr. Apr. 26, 2016, Vol. I, at 79); (Tr. Apr. 27, 2016, Vol. II, at 438) (testimony that International Goldstore was a shell company used to receive bettor payments); (Exhibit C49A); (Exhibit 1258).
52. The known deposits of \$7,152,574.65 into the Global Data Payment Services account occurred over a two year period. (Exhibit C49A); (Exhibit 1258).
53. These deposits extrapolated over a nine-year<sup>1</sup> period yields \$32,251,525.34 in illegal proceeds deposited from bettors over the life of the conspiracy. (Tr. Feb.

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<sup>1</sup> While less than the full ten-year conspiracy, the United States chose a nine-year period as a benchmark for extrapolation for persons affiliated with the Legendz

18, 2015, Vol. IV, at 903) (describing how Global Data Payment Systems functioned)

54. For purposes of a money judgment calculation and to avoid a double-counting issue with the Global Data Payment Services, the extrapolated amount of approximately \$32,251,525.43 less the deposit amount of \$7,152,574.65 results in a total extrapolated amount of approximately \$25,098,950.78 in illegal proceeds attributable for Global Data Payment Services' contribution to the Legendz Sports enterprise. (Exhibit C89) (comparing the first entry for Legendz Payouts to Bettors on Global Data Payment to Line 2, Money Laundering accounts); (Tr. Apr. 26, 2016, Vol. I, at 137-39).
55. Consequently, a known amount of illegal proceeds processed by Global Data Payment Services is approximately \$7,152,574.65, while an extrapolated total is approximately \$25,098,950.69.
56. Funds deposited into the bank account held by Global Data Payment Services were transferred to individuals and entities such as Elite Pay Systems and Virtual Automated Technologies. (Exhibit C49B).
57. Through Global Data Payment Services, Elite Pay Systems and Virtual Automated Technologies received illegal proceeds from the Legendz Sports enterprise. (Tr. Apr. 26, 2016, Vol. I., at 80-82) (discussing the flow of funds into and out of the Global Data Payment Services bank account, including testimony that Virtual

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enterprise for the full ten-year period because a nine-year baseline provides a more conservative representation of the total amount of criminal proceeds generated over the life of the enterprise. (Tr. Apr. 26, 2016, Vol. I, at 137-39).

Automated Technologies is an entity used by Legendz Sports to remit gambling proceeds to bettors in the United States).

58. Platinum Advantage records show that between August 2008 and January 2009 Virtual Automated Technologies, a payment processor Legendz used to remit funds to bettors, received approximately \$4,179,355.00 in illegal proceeds from Platinum Advantage and Seven Capital—entities created to move bettor funds. (Exhibit C42D); (Exhibit 1405A) (showing wire transfers from Platinum Advantage to Virtual Automated Technologies); (Tr. Apr. 26, 2016, Vol. I, at 77-78); (Tr. Feb. 17, 2015, Vol. III, at 742-50) (discussing the payment processing systems established by Mr. Berthiaume to remit funds to bettors in the United States, including testimony that Platinum Advantage was created to move money among Legendz entities).
59. According to Terry Campbell's gambling records, from January 2013 through April 2013 (a ten week period), he generated approximately \$830,000.00 in illegal proceeds for the Legendz Sports enterprise. (Exhibit 1257) (Terry Campbell's gambling records which span approximately ten weeks); (Exhibit C45). Extrapolated over the nine-year benchmark, Mr. Campbell generated approximately \$38,888,787.60 in illegal gambling proceeds for Legendz Sports. (Exhibit 1257); (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 140) (explaining the calculation for the total amount of illegal proceeds generated by Terry Campbell); (Tr. April 27, 2016, Vol. II, at 417-19) (clarifying that the Court may look to Government's Exhibit 1257 as the underlying source records which served as a

basis for Mr. Campbell's total extrapolated forfeiture amount); (Exhibit 496) (Shoobeedo printout with weekly balance for Mr. Campbell); (Exhibit 497) (Shoobeedo printout with distribution to Mr. Campbell); (Exhibit 515) (checks from Mr. Campbell made payable to Fundacion Los Olivos to pay back money borrowed from Mr. King) (Tr. Apr. 17, 2015, Vol. II, at 285) (discussing Exhibit 515).

60. Records seized from Bruce Middlebrook show that in a period of seven months Mr. Middlebrook received approximately \$288,384.00 in illegal proceeds on behalf the Legendz enterprise. (Exhibit 1134H). This amount yields a monthly average in the amount of approximately \$41,197.71. (Tr. Apr. 26, 2016, Vol. I, at 146).
61. This average monthly amount extrapolated over nine years results in Mr. Middlebrook generating a total of approximately \$4,449,353.14 in illegal gambling proceeds for Legendz Sports enterprise. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 146).
62. Extrapolating over nine years, Leon Mark Moran generated approximately \$6,491,205.00 in illegal proceeds for the Legendz Sports enterprise during his affiliation with the enterprise. (Exhibit C89).
63. Over the course of 44 weeks, David Ross received approximately \$515,709.00 in illegal gambling proceeds for Legendz Sports. (Exhibit 392); (Exhibit 393); (Exhibit 394); (Exhibit 395); (Exhibit 396); (Exhibit 397); (Exhibit 398); (Tr. Apr. 16, 2015, Vol. I, at 99-106, 139-142) (explaining the Shoobeedo ledger sheets,



Exhibits 392-398); (Tr. Apr. 26, 2016, Vol. I, at 154). This amount equates to an average of \$11,720.60 in illegal proceeds per week. (Tr. Apr. 26, 2016, Vol. I, at 154).

64. This monthly average extrapolated over nine years results in Mr. Ross receiving a approximately \$5,485,268.45 in illegal proceeds for the Legendz Sports enterprise. (Id.); (Exhibit C89).
65. From January 2009 through August 2010, Christopher Tanner's bookmaking operation produced approximately \$2,523,985.00 in illegal gambling proceeds for the Legendz Sports enterprise. (Exhibit 528); (Exhibit C71) (summarizing exhibit 528, which reflects Mr. Tanner's accounting of illegal betting activity over the course of one year); (Tr. Apr. 26 2016, Vol. I, at 73-74, 143-44).
66. Extrapolated over six years, the time in which Mr. Tanner associated with Legendz Sports, he would have generated approximately \$15,143,910.00 in illegal gambling proceeds for the Legendz Sports enterprise. (Exhibit 528); (Tr. Apr. 26 2016, Vol. I, at 143-44); (C89); (see also Exhibits 525, 526) (gambling ledgers retrieved from Mr. Tanner's computer).
67. Joseph Barry, using the alias "Black," sent approximately 146 checks for \$3,960,344.00 in illegal gambling proceeds to Legendz over the course of a 28-month period. (Exhibits 59, 61-63); (Exhibit C55) (summarizing payments shown in exhibit 59, which are attributable to Mr. Barry); (Tr. Apr. 26, 2016, Vol. I, at 144-45) (explaining the months the 146 checks cover); (Tr. Apr. 26, 2016, Vol. I,

at 71-72). This equates to a monthly average of \$141,440.86 for the 28-month period.

68. This monthly average extrapolated over the nine-year benchmark yields a total of \$15,275,612.57 in illegal proceeds generated by Mr. Barry for Mr. King and the Legendz Sports enterprise over the life of Mr. Barry's affiliation with Legendz Sports. (Tr. Apr. 26, 2016, Vol. I, at 71-72, 145) (discussing the calculation of illegal proceeds attributable to Mr. Barry); (Exhibit C89).
69. Records associated with Legendz's illegal gambling operation show that Ralph Hernandez, using the alias "Georgie," sent, on average, approximately \$193,603.28 per month in illegal gambling proceeds to Legendz Sports. (Exhibit 198) (Legendz financial spreadsheet showing shipments of illegal gambling proceeds); (Exhibit C51) (isolating and summarizing payments for illegal gambling shipped by Mr. Hernandez and received by Legendz Sports).
70. The Legendz's shipment tracking records obtained by law enforcement show a known total amount of \$7,550,528.00 in illegal proceeds sent by Mr. Hernandez to Legendz Sports over a 45-month time period. (Exhibit C51); (Exhibit 198).
71. While the dates for the tracking records span from 2006 through 2008, Mr. Hernandez associated with Legendz Sports throughout the entire ten-year conspiracy. (Tr. Apr. 23, 2015, Vol. VI, at 1425) (testimony from Bruce Middlebrook dating the shipment tracking records as being between 2006 and 2008).

72. Extrapolating Mr. Hernandez's shipment activity over the nine-year benchmark, Mr. Hernandez would have sent Legendz Sports approximately \$18,121,267.20 in proceeds of illegal gambling. (Tr. Apr. 26, 2016, Vol. I, at 141); (C89) (showing the total attributable to Mr. Hernandez).
73. Michael Lawhorn received approximately \$1,000,000.00 in illegal proceeds per year as a bookmaker for Legendz Sports. (Tr. Oct. 23, 2015, Vol. V, at 1135).
74. Mr. Lawhorn had a "50 red" with Mr. King and the Legendz Sports enterprise—meaning a 50/50 split. (Tr. Apr. 26, 2016, Vol. I, at 144) (explaining Mr. Lawhorn split proceeds with Mr. King so that if Mr. Lawhorn made \$1,000,000.00 then Mr. King also made \$1,000,000.00); (Tr. Apr. 27, 2015, Vol. VIII, at 1843) (Mr. Lawhorn stating that he had a 50 red with Mr. King); (Tr. Apr. 16, 2015, Vol. I, at 61, 184) (Mr. Ross explaining the "50/50 redline" and he had a "50 red").
75. Extrapolated over a nine-year period, the entire time Mr. Lawhorn affiliated with Legendz Sports, based on Mr. Lawhorn having a "50 red," he generated a total of approximately \$18,000,000.00 in illegal proceeds for the Legendz Sports enterprise. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 144); (Exhibit 884A-JJ) (checks relating to Mr. Lawhorn, totaling approximately \$255,799.00).
76. Legendz records show that Paul Wilson generated approximately \$1,157,864.00 in illegal proceeds over the course of 32 months, February 2008 to August 2010, for Legendz Sports. (Exhibit 61) (Legendz financial record regarding Investment Consulting Services); (Tr. Apr. 2016, Vol. I, at 149-50). That amount extrapolated over a nine-year period results in Mr. Wilson producing approximately

\$3,907,791.00 in illegal gambling proceeds for Mr. King and the Legendz Sports enterprise. (Exhibit C89); (Tr. Apr. 2016, Vol. I, at 149-50); (Tr. Apr. 17, 2015, Vol. II, at 387-390, 402-407) (testimony regarding the process by which Mr. Wilson sent checks for gambling losses to Legendz Sports, including checks made payable to Investment Consulting Services, International Goldstore, and JR Group); (Id. at 480) (testimony that the money for the checks made payable to Investment Consulting Services and JR Group ultimately went to Mr. King); (see also Exhibit 171) (check from Paul Wilson made payable to Investment Consulting Services).

77. On at least one occasion, Joseph McFadden delivered approximately \$30,000.00 to Serena King on behalf of Mr. King. (Tr. Oct. 21, 2015, Vol. III, at 627-629).
78. During the course of his affiliation with Mr. King, Mr. McFadden delivered approximately \$400,000.00 of illegal proceeds for Mr. King. (Tr. Oct. 21, 2015, Vol. III, at 604-606).
79. Mr. King provided Mr. McFadden with approximately \$350,000.00 in cash, which constituted illegal proceeds of the Legendz Sports enterprise, to clean after Mr. King's father had buried it. (Tr. Oct. 21, 2015, Vol. III, at 630).
80. In 2003, Mr. King invested approximately \$196,800.00 of illegal proceeds derived from the Legendz Sports enterprise into a company partially owned by Mr. McFadden. Approximately \$208,000.00 was returned to Mr. King on his initial investment. (Tr. Oct. 21, 2015, Vol. III, at 618-621).

81. Mr. McFadden transferred approximately \$600,000.00 from the sale of Mr. King's Florida residence to a holding company called Zima Holdings on behalf of Mr. King. (Tr. Oct. 21, 2015, Vol. III, at 624-627).
82. Without extrapolating, over the course of his affiliation with the Legendz Sports enterprise and Mr. King, Mr. McFadden handled a total of \$1,588,000.00 in illegal proceeds. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 153); (Tr. Oct. 21, 2015, Vol. III, at 604-632).
83. From October 2005 through July 2012, Legendz Gaming Corp., an entity used by Legendz Sports and Mr. King to collect funds from post-up bettors, received approximately \$3,746,816.83 in deposits. (Exhibit 1264); (Exhibit 1259); (Exhibit C58A) (summarizing deposits into an account held by Legendz Gaming). Among those deposits, Legendz Gaming received deposits from Grupo Legendz, Data Support Services, UDS International Software, Vaporama Internacional, and Neteller, entities known to receive or process illegal gambling proceeds for Legendz Sports. (Exhibit C58A); (Tr. Apr. 26, 2016, Vol. I, at 101-102); (Exhibit 65) (Legendz cash summary spreadsheet listing various entities associated with Legendz Sports, including Grupo Legendz, Data Support Services, UDS International Software, Vaporama Internacional, Money Bookers, and Neteller). Legendz Gaming also received funds from FBI agents who, as part of their investigation into the Legendz Enterprise, funded online accounts to place illegal bets with Legendz. (Exhibit C58A, at 2); (Tr. Apr. 26, 2016, Vol. I, at 101-102) (discussing the identities of J. Hash and JC Lyon).

84. Legendz Gaming also remitted funds to payment processors associated with the Legendz Sports enterprise, such as Neteller and Money Bookers, and other entities affiliated with Legendz, such as Grupo Legendz and Inversiones Altamonte. (Exhibit C58B); (Tr. Apr. 26, 2016, Vol. I, at 105-107) (Exhibits 65-67) (Legendz weekly cash summaries prepared by Karlo Stewart at Mr. King's direction, which lists Legendz affiliated entities, including Neteller and Money Bookers).
85. From December 2009 through February 2013, Investment Consulting Services received approximately \$4,630,377.83 in illegal gambling proceeds on behalf of Mr. King and Legendz Sports. (Exhibit C52A); (Exhibit 879A-E).
86. Over the course of the Legendz Sports operation, Investment Consulting Services received a total of approximately \$8,453,985.55 in proceeds in the form of checks for Mr. King and the Legendz Sports enterprise. (Exhibit C8A.3); (Exhibit 879A-E); (Tr. Apr. 27, 2016, Vol. II, at 420-422).
87. Investment Consulting Services is an entity that received illegal gambling proceeds from bettors in the United States on behalf of the Legendz Sports enterprise. (Tr. Apr. 17, 2015, Vol. II, at 404-05) (testimony that bettors made checks payable to Investment Consulting Services for gambling losses with Legendz Sports); (Tr. Oct. 22, 2015, Vol. IV, at 816-17) (discussing various Legendz entities that received illegal gambling proceeds from bettors located in the United States, including Investment Consulting Services); (Exhibit 370) (two checks for a total of \$80,000 from Sergio Cabrera, a known Legendz bettor, to Investment Consulting Services).

88. From June 2005 through June 2012, International Goldstore received a total of approximately \$3,613,897.27 in deposits on behalf of Mr. King and Legendz Sports. (Exhibit C53A); (Exhibit 1260). Among these deposits, International Goldstore received deposits from persons and entities that received illegal proceeds and associated with Legendz Sports' illegal gambling operations. (Exhibit C53A); (Exhibit 1260, at 515) (check from Panco Recursos, an entity Mr. Bramley used to move illegal gambling proceeds, made payable to International Goldstore); (Id., at 638) (check from JR Group made payable to International Goldstore); (Id., at 620) (cashier's check from Michael Lawhorn made payable to International Goldstore); (Tr. Apr. 26, 2016, Vol. I, at 83-86).
89. International Goldstore transferred funds to Legendz affiliated entities, such as Digilume, DSS International, and Global Data Payment Services. (Exhibit C53B).
90. From May 2004 through May 2013, Data Support Services (DSS) received approximately \$5,425,621.68 in deposits on behalf of the Legendz Sports enterprise. (Exhibit 1255); (Exhibit C47A); (Tr. Apr. 26, 2016, Vol. I, at 13-14) (describing how Mr. King received bettor proceeds from DSS). DSS was a Legendz Sports entity; specifically, it was the Legendz's physical call center that received calls from bettors in the United States. (Tr. Apr. 20, 2016, Vol. III, at 587-588); (Tr. Apr. 20, 2016, Vol. II, at 298-299) (describing DSS and explaining how its employees took bettor calls and adjusted the betting lines); (Tr. Apr. 22, 2015, Vol. V, at 1176-1180) (discussing DSS role in the Legendz Sports enterprise).

91. From April 2008 through April 2013, Grupo Legendz received approximately \$3,911,702.84 in deposits. (Exhibit C50A); (Exhibit 1259) (containing the source documents for the Grupo Legendz deposits). Those deposits, in part, are from entities that received or processed illegal gambling proceeds on behalf of Mr. King and Legendz Sports. (Tr. Apr. 26, 2016, Vol. I, at 90- 93). For instance, Grupo received a deposit from Absolute Privilege, a payment processor listed on Legendz's spreadsheets. (Id. at 90-91); (see also, e.g., Exhibits 65-67) (Legendz weekly cash summary spreadsheets listing Absolute Privilege as one of its payment processor along with accompanying balances). Grupo also received a \$80,214.14 payment from Pentraci Corporation, an entity know to receive illegal gambling proceeds on behalf of Mr. King and the Legendz Sports enterprise. (Tr. Oct. 22, 2015, Vol. IV, at 816-17) (explaining that Pentraci received illegal gambling proceeds from bettors located in the United States and remitted the proceeds to Legendz); (Exhibit 58) (Legendz spreadsheet showing Pentraci as an entity moving bettor funds to Legendz).
92. After receiving deposits from Legendz entities that received illegal gambling proceeds, Grupo Legendz transferred funds from its account to other entities associated with Legendz in order to, among other things, remit funds to bettors in the United States. (See, e.g., Exhibit C50B, at 4-7, 12) (funds transferred from the Grupo account to Global Data Payment Systems, Legendz Gamming, and Vaporama Internacional); (Tr. Apr. 26, 2016, Vol. I, at 94-96) (discussing entities



receiving transfers from Grupo Legendz and the flow of funds being deposited into the Grupo account and leaving the Grupo Legendz account).

93. Mr. King moved illegal proceeds through Fundacion Los Olivos. Two check deposits totaling \$1,359,882.79 were used to open an account held by Fundacion Los Olivos on June 24, 2013, with total deposits into that account in the amount of approximately \$1,380,865.13. (Exhibit C48) (Exhibit 1256) (underlying source material for Fundacion Los Olivos banking information). Fundacion Los Olivos, a Legendz Sports entity, was used to receive gambling funds from bettors in the United States. (Tr. May 12, 2015, Vol. IV, at 767-68); (Tr. May 15, 2015, Vol. VII, at 1581-83) (discussing an email printout with Legendz's betting client, Los Cucos, handwritten on it, along with Fundacion Los Olivos handwritten on the email printout and described as a Legendz entity used to receive bettor payments); (Exhibit 369); (Exhibit 887I) (cashier's check from Los Cucos, the restaurant owned by known Legendz bettor Sergio Cabrera, made payable to Fundacion Los Olivos in the amount of \$45,000.00); (Exhibit 887M) (cashier's check from Sergio Cabrera made payable to Fundacion Los Olivos in the amount of \$41,000.00); (Exhibit 887P) (cashier's check from Sergio Cabrera made payable to Fundacion Los Olivos in the amount of \$49,000.00); (Exhibit 693) (\$45,000.00 cashier's check from Los Cucos, a restaurant owned by Legendz bettor Mr. Cabrera, made payable to Fundacion Los Olivos).
94. On June 25, 2013, there were two deposits into the Fundacion Los Olivos account, totaling \$1,359,882.86. (Exhibit C48).

95. The deposits occurred approximately two months after many of the indicted defendants were arrested. (Tr. Apr. 26, 2016, Vol. I, at 108-09).
96. From July 2006 through October 2013, Vaporama received deposits in its account held with Banco General of Panama, account number XX-XX-XX-XX7632-3, in the amount of \$1,934,515.94. (Exhibit C64A); (Exhibit 1267) (containing the source documents for the Vaporama account). Data Support Services, the entity that received calls from bettors located in the United States, deposited \$15,000.00 into the Vaporama account. Id. Likewise, Vaporama received funds from Grupo Legendz, which received deposits from entities that received funds from bettors in the U.S. or processed gambling funds for Legendz Sports. Id.; (Tr. Apr. 26, 2016, Vol. I, at 97); (Exhibit C50A) (showing the entities making deposits into Grupo account).
97. Vaporama's account also shows that funds were remitted to individuals associated with the Legendz Sports enterprise such as Anastasio Bayne, who was a messenger for the Legendz Sports enterprise (Exhibit 27), and from entities that laundered proceeds for Legendz such as Grupo Legendz. (Exhibit C64B, at 1, 3); (Tr. Apr. 26, 2016, Vol. I, at 98-99). Illegal gambling funds from entities affiliated with Legendz Sports were deposited into the Vaporama account then remitted or transferred to entities and persons known to be associated with the Legendz Sports enterprise. (Tr. Apr. 26, 2016, Vol. I, at 100).
98. From March 2012 through October 2012, Inversiones Altamonte's bank account with Banco Panama, account number XXXXXX0395, received deposits totaling

\$1,119,321.72. (Exhibit C54B); (Exhibit 1262) (Inversiones Altamonte bank account documents). Among the deposits received by Inversiones Altamonte's bank account, Paige Overseas—a payment processor affiliated with Legendz Sports—made deposits into the Inversione Altamonte account. (Exhibit C54B). Likewise, Legendz Gaming, a Legendz entity that received illegal proceeds or proceeds that had been commingled with illegal proceeds from other Legendz entities which were known to receive or process illegal proceeds, deposited approximately \$109,994.65 into the Inversione Altamonte account. (Id.)

99. Funds from the Inversiones Altamonte account, number XXXXXX0395, were used to purchase a certificate of deposit in the amount of \$500,000.00. (Exhibit C54B); (C54A); (Tr. Apr. 26, 2016, Vol. I, at 112-13).
100. Records for the Inversiones Altamonte bank account number XXXXXX0395, (Exhibit C54C), show the account was closed with a withdrawal in the amount of \$229,951.78 and that those funds were then deposited into another bank account held by Inversiones Altamonte, bank account number XXXXXX2657. (Exhibit C54D); (Tr. Apr. 26, 2016, Vol. I, at 116).
101. Records from the Inversiones Altamonte, bank account number XXXXXX2657, show several transfers of funds to Rigoberto Nolan, an individual associated with the Legendz Sports enterprise. (Exhibit C54E); (see also Tr. Apr. 26, 2016, Vol. I, at 117-18) (describing the source and flow of funds in and out of the Inversiones Altamonte bank accounts).

102. From December 2012 through December 2013, account number XXXXXX2657 held by Inversiones Altamonte at Credicorp Bank in Panama received approximately \$336,463.38 in deposits, of which \$229,951.78 came from the Inversiones Altamonte bank account number XXXXXX0395 that received funds from entities that received and transferred proceeds from the Legendz Sports enterprise. (Exhibit C54D).
103. From December 2010 through May 2013, the Woodcastle Foundation, an entity associated with Legendz and controlled by Javier Espinosa, received \$3,636,171.24 in deposits into its Tower Bank account, number XX-XX-XX3671-5. (Exhibit C66A); (Exhibit 1271) (Woodcastle Foundation's banking records obtained via MLAT). This account received deposits from entities known to receive and move illegal gambling funds on behalf of the Legendz Sports enterprise, including Fundacion Los Olivos, Investment Consulting Services, and Olmos Overseas. Tr. May 12, 2015, Vol. IV, at 767-68); (Tr. May 15, 2015, Vol. VII, at 1581-83) (describing Fundacion Los Olivos and Olmos Overseas as entities used to receive bettor proceeds); (Exhibit 369); (Exhibit 887M, P) (cashier's check from known Legendz bettor, Sergio Cabrera, made payable to Fundacion Los Olivos); (Exhibit 887C-F,H, J, K, L, N, Q) (cashier's check from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887G, O, R) (cashier's check from Sergio Cabrera made payable to Olmos Overseas); (Tr. Apr. 17, 2015, Vol. II, at 389, 402-403) (discussing Investment Consulting Services' affiliation with Legendz Sports and that it would accept checks from bettors located in the

United States); (Exhibit 1271, at 94) (check from Olmos Oversea made payable to Woodcastle Foundation); (Exhibit 1271, at 98) (check from Fundacion Los Olivos made payable to Woodcastle Foundation).

104. On March 21, 2012, September 3, 2012, and January 24, 2013, funds from the Woodcastle Foundation account ending in 3671-5, which received funds from entities known to receive or process illegal proceeds on behalf of the Legendz enterprise, were used to pay approximately \$298,107.00 in federal income taxes for Mr. King. (Exhibit 1271, at 84); (Id., at 86); (Exhibit C66B, at 3); (Tr. Apr. 26, 2016, Vol. I, at 121-22).
105. From December 2010 through May 2013, approximately \$1,490,912.21 was transferred from the Woodcastle Foundation account ending in 3671-5 to a Woodcastle Foundation bank account, account number XX-XX-XX2780-8. (Exhibit C66B); (Exhibit C65A) (summarizing deposits into the Woodcastle Foundation account ending in 2780-8, including transfers from the Woodcastle Foundation account ending in 3671-5). Thereafter, funds from the Woodcastle Foundation bank, account number XX-XX-XX2780-8, were distributed to individuals and entities affiliated with the Legendz Sports enterprise, including DSS International, Olmos Overseas, and Javier Espinosa. (Exhibit C65B); (Exhibit 65) (Legendz's financial document listing DSS International) (Tr. Apr. 22, 2015, Vol. V, at 1179-80) (explaining why Legendz used Data Support Services and DSS International); (Tr. Apr. 22, 2015, Vol. V, at 1085) (discussing Javier Espinosa's role in the Legendz enterprise).

106. Mr. King opened a bank account for 6 Monkeys S de RL, account number XXXXX0262, with Bank of Nova Scotia, which received deposits totaling \$445,866.52. (Exhibit 1266) (6 Monkeys' financial documents received via MLAT); (Exhibit C41).
107. On April 19, 2012, Starlink Investissements, an entity which received funds from DSS, deposited approximately \$442,366.52 into the Bank of Nova Scotia, account number XXXXX0262, held by 6 Monkeys S de RL and Mr. King. (Tr. Apr. 22, 2015, Vol. V, at 1186-87) (testimony that Mr. King held a Swiss account, Starlink Investments, for the operation of his enterprise); (Tr. Apr. 26, Vol. I, at 128) (discussing Starlink and that it receive funds from DSS); (Exhibit 214) (email from Mr. King to Maria Rojas regarding a transfer of funds from DSS to Starlink); (Tr. Oct. 23, 2015, Vol. V, at 966-968) (discussing the email about a transfer of funds from DSS to Starlink).
108. Mr. King used funds from his 6 Monkeys' account with Bank of Nova Scotia to purchase approximately \$115,000.00 worth of jewelry from Magnum Jewelers. (Tr. Apr. 26, 2016, Vol. I, at 128); (Exhibit 411) (jewelry appraisal from Magnum Jewelers).
109. On April 25, 2013, Mr. King authorized the withdrawal of approximately \$253,684.00 from an account held by 6 Monkeys. (Exhibit 1266, at 96). The check withdrawing the funds was made payable to 6 Monkeys. (Id., at 94).

110. Mr. King opened a bank account with Bank of Nova Scotia, bank account number XXXXX5385, and received approximately \$153,000.35 in deposits. (Exhibit 1263); (Exhibit C41); (Tr. Apr. 26, 2016, Vol. I, at 129-130).
111. The amount of the deposits into Mr. King's Bank of Nova Scotia, bank account number XXXXX5385, were consistent with the amounts paid out of DSS. (Exhibit 1263); (Exhibit C41); (Tr. Apr. 26, 2016, Vol. I, at 129-130).
112. From March 2008 through September 2012, Bartice and Serena King purchased money orders totaling \$245,136.55, which were used to pay credit card bills and mortgages. (Exhibit 1105); (Exhibit C31) (summarizing the money orders set forth in Exhibit 1105); (Tr. Oct. 29, 2015, Vol. IX, at 2017-2020) (discussing the King's purchase of money orders and use of money orders to pay for credit cards and mortgage payments).
113. From 2003 until 2013, the years spanning Mr. Bramley's involvement in the Legendz Sports conspiracy, Mr. Bramley did not have a full-time job. (Tr. Apr. 27, 2016, Vol. II, at 434-435).
114. Mr. Bramley used proceeds from his illegal bookmaking associated with the Legendz Sports organizations to pay his mortgages for the real property located 3120 Crooked Stick Drive, Plano, Denton County, Texas, also described as The Hills at Prestonwood, V-b, Block C, Lot 2, Denton County, Texas. (Exhibit C21).
115. Between 2010 and 2013, Mr. Bramley used twenty-nine checks from third-party bettors to pay his mortgages associated with the 3120 Crooked Stick residence—totaling \$117,968.00 in illegal proceeds from the Legendz Sports enterprise.

- (Exhibit 871) (showing checks going to Colonial Savings on behalf of Mr. Bramley); (Exhibit C21) (summarizing payments of illegal proceeds to Mr. Bramley or on behalf of Mr. Bramley for his personal benefit); (Tr. Apr. 28, 2016, Vol. III, 485-490).
116. Mr. Bramley used the 3120 Crooked Stick residence to facilitate his illegal gambling operation. (Exhibit 1284) (picture showing paperwork for Colonial Savings and FedEx shipping supplies); (Exhibit 1285) (various casino cards, drivers licenses and Scottrade cards); (Exhibit 1286) (cash stored in Mr. Bramley's desk drawer); (Exhibit 1287) (cash found at Mr. Bramley's residence); (Tr. Apr. 28, 2016, Vol. III, at 515-521) (discussing Mr. Bramley's use of his residence to facilitate the gambling operation).
117. Mr. Bramley stored large sums of cash proceeds from his illegal gambling activity in his 3120 Crooked Stick residence. (Exhibits 1281-1283) (photos of cash stored in Mr. Bramley's house, including \$9,090.00 stored in a safe).
118. From 2010 through 2013, Mr. Bramley deposited checks totaling \$117,164.00, from individuals and entities for illegal gambling losses, into his Viewpoint Bank account # XXXXXX6470. (Exhibit 871); (871A-C); (Exhibit 1406); (Exhibit C43.3) (summarizing checks deposited into Mr. Bramley's account, the source of which are known bettors, suspected bettors, and money orders believed to be for illegal gambling proceeds); (Tr. Apr. 28, 2016, Vol. III, at 478-484).
119. Between January 2009 and January 2010, Mr. Bramley deposited a total of \$16,032.00 in illegal gambling proceeds into an account he held with Edward



Jones, account #XXX-XXX30-1-8. (Exhibit 1295); (Exhibit 1269); (Tr. Apr. 28, 2016, Vol. III, at 491-495).

120. Mr. Bramley received deposits of illegal gambling proceeds into an account he held with Linsco Private Ledger; specifically, he received a deposit in the amount of approximately \$26,328.00 in illegal gambling proceeds from Robert Sambol, a Legendz bettor. (Exhibit 1400A-C); (Tr. Apr. 28, 2016, Vol. III, at 495-498).
121. Mr. Bramley controlled two Scottrade accounts (#42P-XXXX7621-10 and #42G-XXXX4293-16), which he used to invest the proceeds of his illegal bookmaking. (Exhibit 1292) (transfer of funds from a Linsco Private Ledger account, which received illegal proceeds, held by Mr. Bramley to his Scottrade account #42P-XXXX7621-10); (Exhibit 1294) (showing a transfer of funds from Mr. Bramley's Edward Jones account to his Scottrade account #42P-XXXX7621-10); (Tr. Apr. 28, 2016, Vol. III, at 498-500); (Exhibit 1268) (showing deposits from Mr. Bramley's Viewpoint bank account to his Scottrade accounts); (Exhibit 1288) (transfer from Mr. Bramley's Scottrade account #42P-XXXX7621-10 to his other Scottrade account #42G-XXXX4293-16); (Exhibit 1289) (same); (Exhibit 1290) (same); (Exhibit 1291) (same); (Exhibit 1293) (transfer from Mr. Bramley's Linsco Private Ledger account to his Scottrade #42G-XXXX4293-16); (Exhibit 1406) (checks drawn on Mr. Bramley's Viewpoint bank account, which received bettor funds, deposited into Mr. Bramley's Scottrade accounts); (Tr. Apr. 28, 2016, Vol. III, at 502-508); (Exhibit C81) (summarizing Mr. Bramley's forfeiture evaluation).

122. Mr. Bramley used \$10,000.00 in illegal proceeds to open an account at Wells Fargo. (Exhibit 1270); (Tr. Apr. 28, 2016, Vol. III, at 513-514).
123. Mr. Bramley met Mr. Myler numerous times at two different locations to deliver illegal gambling proceeds. (Tr. May 15, 2015, Vol. VII, at 1527-1528); (Tr. Apr. 28, 2016, Vol. III, at 500-501); (Exhibit 349) (showing amounts of illegal proceeds picked up by Mr. Myler from Legendz agents, including a collection of \$175,000.00 from Mr. Bramley).
124. Mr. Bramley made a payment from his Scottrade account, which received illegal proceeds, in the amount of \$24,803.49 toward the loan for his 2009 Mercedes Benz S550. (Exhibit 1280); (Tr. Apr. 28, 2016, Vol. III, at 500-501).
125. Legendz Sports' financial records, including Legendz Sports' spreadsheets, Edward Buonanno's records, shipment tracking records, and Legendz Sports' petty cash records, show that Mr. Bramley generated a total of \$1,601,872.00 in proceeds for illegal gambling losses. (Exhibit C43); (Exhibits 58-63) (Legendz spreadsheets, showing Mr. Bramley remitted \$967,847.00 in illegal proceeds to Legendz Sports); (Exhibits 68-108) (Mr. Buonanno's records, showing Mr. Bramley remitted \$277,729.00 in illegal proceeds to Legendz Sports); (Exhibit C43.1) (summarizing Mr. Buonanno's records regarding Mr. Bramley); (Exhibit 113) (Legendz's petty cash ledger showing \$20,000.00 remitted by Mr. Bramley to Legendz); (Exhibit 198) (Legendz shipment tracking records for bettor checks sent to Legendz between 2006 and 2008, showing that Mr. Bramley sent approximately \$336,296.00 in illegal proceeds to Legendz Sports); (Exhibit

- C43.2) (summarizing the Legendz tracking records with regard to Mr. Bramley's shipments); (Tr. Apr. 27, 2016, Vol. II, at 436-462).
126. Mr. Bramley accepted at least \$128,140.00 from Thomas Wouters for illegal gambling losses. (Exhibit 871); (see also Exhibit 894A-U).
  127. Mr. Bramley delivered at least approximately \$1,200,000.00 in cash proceeds to Neil Myler, a runner for the Legendz Sports enterprise. (Tr. May 15, 2015, Vol. VII, at 1527-1528).
  128. Mr. Bramley received approximately \$22,680.00 in illegal proceeds from Michael O'Brien, one of Mr. Bramley's bettors with Legendz. (Exhibit 892A-F); (Exhibit 63); (Exhibit C81).
  129. Mark Polan testified that over the course of seven to eight years of betting through Mr. Bramley, he suffered \$200,000.00 in gambling losses, which he paid to Mr. Bramley. (Tr. May 12, 2015, Vol. IV, at 781-791); (Exhibit 60); (Exhibit 61); (Exhibit 164).
  130. Dr. Carl Hook wagered approximately \$29,679.00 in illegal sports bets through Mr. Bramley. (Exhibit 871); (see also Exhibit 890A-J).
  131. David Pray wagered approximately \$256,500.00 in illegal sports bets through Mr. Bramley. (Tr. May 13, 2015, Vol. V, at 1054-1066).
  132. Brian Potts wagered at least \$4,000.00 in illegal sports bets through Mr. Bramley. (Exhibit 871); (see also Exhibit 895A-B).
  133. Justin Walters wagered approximately \$17,152.00 in illegal sports bets through Mr. Bramley. (Exhibit 893A-G); (Tr. May 14, 2016, Vol. VI, at 1314-1325).

134. Mr. Bramley also received illegal gambling proceeds from James Archie and Rusty Lucas. (Exhibit 889A-E); (Exhibit 891A-H); (Exhibit 871).
135. Mr. Bramley controlled the bank account of an entity called Panco Recursos, which received \$1,373,022.78 in deposits, including deposits from bettors in the U.S. (Exhibit 1265) (records obtained via MLAT regarding Panco Recursos, including records with Steven Polak, a person working in Panama on behalf of Mr. Bramley); (C60A) (summarizing Panco Recursos deposit records obtained via MLAT); (Tr. Apr. 28, 2016, Vol. III, at 508-512) (discussing the Panco Recursos entity).
136. Panco Recursos issued checks to Legendz Sports enterprise through entities such as JR Group and International Goldstore. (Exhibit 139) (containing a \$10,000.00 check from Panco to JR Group); (Exhibit 144) (containing a \$10,000.00 check from Panco to JR Group); (Exhibit 151) (containing a \$5,000.00 check from Panco to JR Group); (Exhibit 163) (containing a \$11,000.00 check from Panco to JR Group); (Exhibit 1260, at 515) (check from Panco Recursos made payable to International Goldstore); (Exhibit C60B) (chart summarizing payments out of Panco Recursos' account to Legendz affiliated entities, including payments to JR Group, Investment Consulting Services, Global Data Payment Services, and Data Support Services); (Exhibit 1265) (source documents for Panco Recursos obtained via MLAT).

137. Without extrapolating, Rodger Bramley generated a total of approximately \$4,945,633.78<sup>2</sup> in illegal proceeds for Mr. King's illegal gambling operation. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 148) (explaining the money judgment amount derived from Mr. Bramley's affiliation with the Legendz Sports enterprise is not an extrapolated amount).
138. During the time of the Legendz Sports enterprise, from 2003 until 2013, Mr. Moran did not hold full-time employment. (Tr. Apr. 28, 2016, Vol. III, at 567).
139. Mr. Moran took pictures of large sums of money, including \$50,000.00 in cash proceeds stacked on his desk, an amount consistent with his work as a runner for Legendz Sports. (Exhibit 463); (Exhibit 459) (photo of Mr. Moran counting money); (Exhibit 460) (photo of Mr. Moran's bed covered with money); (Exhibit 461) (photo of Mr. Moran's bed covered with money); (Tr. Apr. 28, 2016, Vol. III at 571-573).
140. The \$60,700.00 in U.S. currency seized from Mr. Moran is proceeds from his involvement with Legendz Sports. (Tr. May 14, 2015, Vol. VI, at 1295-1298) (testimony that Alan Campbell met with Mr. Moran approximately seven times a year, some years more than seven times a year, to deliver between \$10,000.00 and \$60,000.00).

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<sup>2</sup> Mr. Bramley's total has been reduced by \$7,845.00 avoid double-counting two checks from Pamela New. (Tr. Apr. 28, 2016, Vol. III, at 522-523).

141. A total of \$1,299,940.00 in criminal proceeds is attributable to Mr. Moran for his work as a runner picking up Odes Thompson's cashier's checks for illegal gambling. (Exhibit 883A-S).
142. Steve Whitesides delivered five checks to Mr. Moran for a total payment of \$70,940.00 for gambling losses associated with Legendz Sports. (Exhibit 886A-E).
143. Mr. Moran collected approximately \$560,000.00 in proceeds from Alan Campbell representing illegal gambling losses associated with Legendz Sports. (Tr. May 14, 2015, Vol. VI, at 1295-1298) (Alan Campbell testified that he met with Mr. Moran approximately seven times a year, some years more than seven times a year, to deliver between \$10,000.00 and \$60,000.00).
144. Collection sheets found in Mr. Moran's residence show that he collected approximately \$481,471.00 in illegal gambling proceeds on behalf of the Legendz Sports enterprise. (Exhibit 472).
145. An envelope, dated September 24, 2009, with collection computations shows Mr. Moran picked up at least \$187,200.00 in illegal proceeds for the Legendz Sports enterprise. (Exhibit 1401).
146. Financial records associated with the Legendz Sports enterprise and its employees and agents show three checks for a total of \$22,825.00 in proceeds received for illegal gambling losses attributable to Mr. Moran. (Exhibits 58-64).
147. Records kept by Edward Buonanno, the general manager of Legendz Sports, attribute \$9,000.00 in illegal proceeds to Mr. Moran. (Exhibits 68-108).

148. A betting sheet recovered from Mr. Moran shows approximately \$40,790.00 in illegal proceeds. (Exhibit 476).
149. Records found on Mr. Moran's computer show that over the course of three months Mr. Moran collected \$240,415.00 in proceeds for Legendz Sports. (Exhibit 473) (gambling ledger for Mr. Moran); (Tr. Apr. 26, 2016, Vol. I, at 152); (Tr. Apr. 28, 2016, Vol. III, at 567-570) (discussing the Mr. Moran's betting records and the extrapolated amount based on the figures contained in his records); (Exhibit 469) (Shoobeedo ledger printout for Mr. Moran). Based on this amount, Mr. Moran generated approximately \$721,245.00 in illegal proceeds per year for the Legendz Sports enterprise. (Id.) This annual average extrapolated over nine years results in Mr. Moran generating approximately \$6,491,205.00 in illegal proceeds for Mr. King and the Legendz Sports enterprise. (Id.); (Exhibit C74.1); (Exhibit C74); (Exhibit C89).
150. Mr. Moran's betting records show that he generated approximately \$2,962,401.00 in illegal proceeds for Mr. King and the Legendz Sports enterprise. (Exhibit C74); (Tr. Apr. 28, 2016, Vol. III, at 570). The sum of \$2,962,401.00 is not an extrapolated figure; it reflects records obtained in the investigation of the Legendz Sports enterprise.
151. Twenty-nine receipts found at Mr. Diebner's residence, which were records associated with Legendz Sports and the illegal gambling enterprise, show cash payments of illegal proceeds in the amount of approximately \$743,632.80. (Exhibit 325); (Exhibit C78).

152. Extrapolating from the twenty-nine receipts, spanning twenty-nine weeks, Mr. Diebner generated a total of approximately \$17,432,674.00 in illegal proceeds for Mr. King and the Legendz Sports enterprise during his six and a half year association with the Legendz enterprise. (Exhibit 325); (Exhibit C78); (Tr. Apr. 28, 2016, Vol. III, at 527-531).
153. Neil Myler conducted transactions totaling approximately \$2,256,615.00 in illegal proceeds with Mr. Diebner for his work for Legendz Sports. (Exhibits 324-341) (Tr. Apr. 24, 2015, Vol. VII, at 1664-166) (admitting exhibits 342-341 and testimony from Neil Myler that he picked up approximately \$2,000,000.00 from Mr. Diebner and his associates); (Exhibit 348); (Exhibit 351); (Exhibit 361); (Exhibit 362); (Exhibit 363); (Exhibit 365); (Exhibit 368); (Exhibit 372); (Exhibit 423); (Tr. May 15, 2015, Vol. VII, at 1532-1544) (Mr. Myler's testimony regarding his collection efforts for the Legendz Sports enterprise); (Exhibit C78).
154. Sergio Cabrera Pineda and Sergio Cabrera, Mr. Pineda's father, placed illegal sports bets with Mr. Diebner totaling approximately \$1,300,000.00. (Tr. May 12, 2015, Vol. IV, at 751) (testimony that Sergio Cabrera Pineda and Sergio Cabrera placed sports bets with Legendz Sports through Kelley Diebner); (Tr. May 12, 2015, Vol. IV, at 1576) (Testimony that Mr. Cabrera owned the Los Cucos Mexican restaurant); (Tr. May 12, 2015, Vol. IV, at 761-68) (Tr. May 12, 2015, Vol. IV, at 740-42) (admitting cashier's checks from Mr. Cabrera for illegal gambling losses, which were paid through Mr. Diebner); (Exhibit 887A) (\$45,000.00 cashier's check for gambling losses from Sergio Cabrera made



payable to JR Group); (Exhibit 887B) (\$40,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to JR Group); (Exhibit 887C) (\$40,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887D) (\$40,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887E) (\$44,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887F) (\$44,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887G) (\$45,000.00 cashier's check for gambling losses from Los Cucos made payable to Olmos Overseas); (Exhibit 887H) (\$45,000.00 cashier's check for gambling losses from Los Cucos made payable to Investment Consulting); (Exhibit 887I) (\$45,000.00 cashier's check for gambling losses from Los Cucos made payable to Fundacion los Olivos); (Exhibit 887J) (\$25,000.00 cashier's check for gambling losses from Los Cucos Mexican Cafe made payable to Investment Consulting Services); (Exhibit 887K) (\$25,000.00 cashier's check for gambling losses from Los Cucos Mexican Cafe made payable to Investment Consulting Services); (Exhibit 887L) (\$49,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887M) (\$41,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Fundacion los Olivos); (Exhibit 887N) (\$47,500.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting

Services); (Exhibit 887O) (\$48,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Olmos Overseas Ltd); (Exhibit 887P) (\$49,000.00 cashier's check for gambling losses from Sergio Cabrera made payable to Fundacion los Olivos); (Exhibit 887Q) (\$48,700.00 cashier's check for gambling losses from Sergio Cabrera made payable to Investment Consulting Services); (Exhibit 887R) (\$47,900.00 cashier's check for gambling losses from Sergio Cabrera made payable to Olmos Overseas Ltd); (Exhibit 887S) (check in the amount of \$9,000.00 from Mr. Cabrera to Mr. Diebner for gambling losses); (Exhibit 887T) (check in the amount of \$9,000.00 to Jerry Diebner for gambling losses); (Tr. May 12, 2015, Vol. IV, at 768-69) (testimony that Mr. Cabrera lost approximately \$1.3 or \$1.4 million total, consisting of cash and checks paid through Mr. Diebner for gambling losses); (Exhibit C78).

155. Tipton Rowland placed bets with Mr. Diebner totaling approximately \$47,020.00, including paying illegal gambling funds to Mr. Diebner through an entity controlled by Mr. Diebner known as KWD Services. (Tr. May 12, 2015, Vol. IV, at 713-20) (business records reflecting payments to Mr. Diebner for gambling losses); (Exhibits 888A-L); (Exhibit C78).
156. Michael Caplan paid approximately \$5,000.00 to Mr. Diebner for illegal gambling losses. (Tr. May 12, 2015, Vol. IV, at 800); (Exhibit C78).
157. Mr. Diebner accepted illegal sports bets through ZMEL, an entity he controlled and used to funnel illegal gambling proceeds to Legendz Sports, totaling more than \$71,030.00. (Exhibits 61, 62, 70, 97, 99, 100, 102, 103).

158. Without extrapolating, Mr. Diebner generated a total of \$3,679,665.88 in proceeds for the Legendz Sports enterprise. (Exhibit C78).
159. Mr. Koralewski deposited checks consisting of illegal proceeds into his Wells Fargo bank account number XXX-XXX0779. (Exhibit 1119); (Exhibit 1120).
160. Mr. Koralewski received checks valued at approximately \$202,510.00 consisting of illegal proceeds from the Legendz enterprise. (Exhibit 915); (Exhibit C29); (Tr. Apr. 28, 2016, Vol. III, at 539-541).
161. Mr. Koralewski delivered approximately \$10,000.00 in illegal gambling proceeds to David Ross. (Tr. Oct. 20, 2015, Vol. II, at 502).
162. Funds traced to illegal proceeds from the Legendz Sports enterprise were used by Mr. Koralewski to purchase and pay the mortgage for the real property located at 10845 East Pinewood. (Exhibit 398B-D) (including a home loan application listing DSS as Mr. Koralewski's employer); (Exhibit 1120) (Mr. Koralewski's Wells Fargo bank records showing deposits from banks in Costa Rica, where Legendz operated prior to Panama); (Exhibit 1085); (Tr. Apr. 28, 2016, Vol. III, at 546-554).
163. Legendz Sports' shipment records show that Mr. Koralewski sent approximately 70 packages to Legendz Sports, containing approximately \$711,812.00 in illegal proceeds. (Exhibit 198); (Exhibit C62) (summarizing Mr. Koralewski's shipments of proceeds to Legendz); (Tr. Apr. 28, 2016, Vol. III, at 534-539).
164. Legendz financial spreadsheets attribute approximately \$10,790.00 in illegal proceeds to Mr. Koralewski. (Exhibit 59); (Exhibit 208); (Exhibit C87)

(summarizing Legendz spreadsheets with regard to proceeds attributable to Mr. Koralewski); (Tr. Apr. 28, 2016, Vol. III, at 532-534).

165. Without extrapolating, Mr. Koralewski generated approximately \$935,112.00<sup>3</sup> for the Legendz Sports enterprise. (Exhibit C73).
166. From September 2008 through September 2009, Mr. Robles exchanged a total of \$269,000.00 in illegal gambling proceeds with a confidential informant. (Exhibit C76); (Exhibit 946); (Exhibit 947); (Exhibit C90).
167. Derek Hewitt picked up approximately \$160,459.00 in illegal gambling proceeds from Mr. Robles. (Exhibit 810); (Exhibit 813); (Exhibit C76).
168. Mr. Robles picked up or delivered approximately \$189,245.00 in illegal gambling proceeds from Allan Gould. (Exhibit C90); (Tr. Feb. 20, 2015, Vol. VI, at 1451-1453).
169. Legendz Sports financial records attribute approximately \$46,197.50 in illegal proceeds to Mr. Robles. (Exhibit 1273).
170. Mr. Robles was paid approximately \$2,000.00 per month in illegal proceeds for his delivering illegal proceeds in the Legendz Sports enterprise. (Tr. Feb. 13, 2015, Vol. II, at 353-356).
171. Overall, Mr. Robles is responsible for delivering or picking up approximately \$727,901.50 in illegal proceeds for the Legendz Sports enterprise. (Exhibit C89); (Exhibit C90); (Exhibit C76); (Exhibit 659); (Exhibit 660); (Exhibit 810); (Exhibit

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<sup>3</sup> This amount excludes the computation for Michael Schory's statements contained in an FBI 302. (Exhibit C73).

- 813); (Exhibit 819); (Exhibit 946); (Exhibit 947); (Exhibit 1348); (Exhibit 1349); (Exhibit 1350); (Exhibit 1351); (Exhibit 1352); (Exhibit 1353); (Exhibit 1353A); (Tr. Apr. 26, 2016, Vol. I, at 164-171) (discussing illegal proceeds attributable to Mr. Robles and corrections to computations).
172. Mr. Tucker deposited proceeds from his illegal gambling work for Legendz Sports into account XXXXXX6053 held with Reunion Bank. (Exhibit C70); (Exhibit 1403).
173. Based on Mr. Tucker's bookmaking records, from January 2009 through March 2009, his bookmaking operation generated \$221,064.00 in illegal proceeds for Legendz Sports. (Exhibit 546); (Exhibit C86); (Tr. Apr. 28, 2016, Vol. III, at 560-565) (explaining the computation of the extrapolated forfeiture amount attributable to Mr. Tucker).
174. This three-month period extrapolated over nine years results in Mr. Tucker producing a total of approximately \$7,958,304.00 in illegal proceeds for Mr. King and the Legendz Sports enterprise. (Exhibits 545-553); (Exhibit C86) (summarizing Mr. Tucker's bookmaking records); (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 145); (Tr. Apr. 28, 2016, Vol. III, at 560-565) (explaining the computation of the forfeiture amount attributable to Mr. Tucker); (Exhibit C82) (forfeiture summary chart for Mr. Tucker).
175. Mr. Tucker controlled Zapt Electrical Sales, Inc., and its bank account. (Exhibit 36); (Exhibit 570) (bank account opening for Zapt with Mr. Tucker listed as Director/President).

176. Legendz spreadsheets attribute approximately \$1,477,561.53 in illegal proceeds to Mr. Tucker. (Exhibits 58-64).
177. Mr. Bounanno's Legendz records attribute approximately \$80,689.00 in illegal proceeds for the Legendz enterprise to Mr. Tucker. (Exhibits 68-108).
178. According to Legendz shipping records, Mr. Tucker sent approximately \$145,629.00 in illegal proceeds to the Legendz Sports enterprise. (Exhibit 198).
179. A bettor for Mr. Tucker and the Legendz Sports enterprise paid approximately \$70,000.00 in checks through Mr. Tucker to the Legendz for gambling losses. (Exhibits 709-724); (Tr. Feb. 20, 2015, Vol. VI, at 1406-1422) (testimony from Grant DeLoach about placing bets with Legendz through Mr. Tucker and paying his gambling losses with checks).
180. Mr. Deloach, a Legendz bettor for Mr. Tucker, wrote checks for illegal gambling losses, which were subsequently made payable to Zapt, Mr. Tucker's company, totaling approximately \$58,290.00. (Exhibits 725-735); (Tr. Feb. 20, 2015, Vol. VI, at 1417-1420).
181. Stephen Jancik, a Legendz bettor for Mr. Tucker, wrote checks for illegal gambling losses, which were subsequently made payable to Zapt, Mr. Tucker's company, totaling approximately \$56,000.00. (Exhibits 737-742); (Tr. Feb. 23, 2015, Vol. VII, at 1670-1674).
182. Clifford Poston, Jr., a Legendz bettor for Mr. Tucker, wrote checks totaling more than approximately \$100,000.00 for gambling losses with Legendz Sports. (Exhibits 743-744); (Tr. Feb. 20, 2015, Vol. VI, at 1364-1365).

183. Mr. Tucker generated approximately \$2,265,233.00 in illegal proceeds for the Legendz Sports enterprise. (Exhibits 545-553); (Exhibits 58-64); (Exhibits 68-108); (Exhibit 198); (Exhibits 709-724); (Exhibit C82) (sub-total amount shown in Exhibit C82 less the amounts attributable for the entries regarding Zapt Electrical TD Bank account, ProGoldMFR Lubricant, and Reunion Bank Account). This is not an extrapolated figure; it represents the sum of discrete transactions.
184. In total, Legendz's agents and associates generated approximately \$159,549,465.64 in illegal proceeds for Mr. King and the Legendz Sports enterprise. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 157-158); (see also ¶¶ 139 & 150) (Mr. Koralewski and Mr. Diebner's agent computation). This figure includes all extrapolated figures.
185. Without extrapolating, Legendz's agents and associates generated \$51,930,760.00 in illegal proceeds for Mr. King and the Legendz Sports enterprise.
186. With extrapolated figures, Legendz's agents and associates generated \$159,352,665.64 in illegal proceeds for Mr. King and the Legendz Sports enterprise.
187. In total, bank accounts associated with Legendz Sports and its entities, received deposits totaling approximately \$46,981,070.31. (Exhibit C89); (Tr. Apr. 26, 2016, Vol. I, at 159); (see also ¶ 81) (showing amount deposited into Investment Consulting Services' bank account); (¶ 47) showing amount deposited into Global Data Payment Services' bank account).

188. Money orders purchased by Bartice and Serena King totaled \$245,136.55. (Exhibit C31); (Exhibit 1105).
189. In total, the United States submits that Mr. King and the defendants convicted of RICO counts are subject to a money judgment in the amount of \$231,432,686.73, which includes the extrapolated figures. (Exhibit C89); (¶¶ 49-51) (discussing the deposits into Global Data Payment Systems' bank account).
190. In the alternative, without extrapolation, Legendz Sports' agents proceeds totals plus deposits into accounts held by Legendz entities yields a total of \$98,911,830.31 (\$99,156,966.86 including the money orders) for purposes of imposing a money judgment against Mr. King and the other forfeiture defendants.

#### CONCLUSIONS OF LAW

191. A criminal sentence is a package of sanctions that a district court uses to effectuate its sentencing intent. *Pepper v. United States*, 562 U.S. 476, 507 (2011). Criminal forfeiture may be a component of a sentence imposed on a defendant who has been convicted in a criminal case. *Libretti v. United States*, 516 U.S. 29, 38-39 (1995); see also *United States v. Wittig*, 575 F.3d 1085, 1096 (10th Cir. 2009) (“forfeiture is a component of sentencing”).
192. Criminal forfeiture is mandatory and is designed to ensure that a defendant does not profit from his crimes. *United States v. McGinty*, 610 F.3d 1242, 1246-47 (10th Cir. 2010).



193. Because criminal forfeiture is mandatory, the primary issue before a sentencing court is not whether to issue a forfeiture order, but rather the size and scope of the order. United States v. Maxwell, 189 F. Supp. 2d 395, 399 n.2 (E.D. Va. 2002).
194. Forfeiture “serves the additional nonpunitive goal of ensuring that persons do not profit from their illegal acts.” United States v. Ursery, 518 U.S. 267, 291 (1996).
195. A court must not enter a judgment of forfeiture in a criminal proceeding unless the indictment or information contains notice to the defendant that the government will seek the forfeiture of property as part of any sentence in accordance with the applicable statute. The notice should not be designated as a count of the indictment or information. The indictment or information need not identify the property subject to forfeiture or specify the amount of any forfeiture money judgment that the government seeks. Fed. R. Crim. P. 32.2(a).
196. The Government need only provide a general notice to the defendant that it will seek forfeiture following a criminal conviction.
197. The Government does not need to provide specific notice that a defendant may be subject to a money judgment or that the Government will seek forfeiture of specific property. United States v. Navarro-Ordas, 770 F.2d 959, 969 n. 19 (11th Cir. 1985); United States v. Smith, 656 F.3d 821, 827 (8th Cir. 2011); United States v. Tedder, Case No. 02-CR-0105, 2003 WL 23204849, at \*2 (W.D. Wis. July 28, 2003) (unpublished); United States v. Kalish, Case No. 06 Cr 656, 2009 WL 130215, at \*9 (S.D. N.Y. Jan. 13, 2009) (unpublished); United States v.

Odom, 2007 WL 2433957, at \*4 (S.D. Miss. 2007) (unpublished) (following Navarro-Ordas and Tedder).

198. The purpose of Rule 32.2(a) is to provide notice to the defendant that the United States will seek forfeiture after a conviction. United States v. Adams, --- F.Supp.3d ---, 2016 WL 526414, \*5 (N.D. W.Va. Feb. 5, 2016).
199. The essential purpose of notice is to inform the defendant that the United States seeks forfeiture so the defendant can marshal evidence in his defense. United States v. Silvious, 512 F.3d 364, 370 (7th Cir. 2008).
200. The United States has no obligation to include in an indictment any amount of money sought or any specific property sought for forfeiture. United States v. Poulin, 690 F.Supp.2d 415, 422-23 (E.D. Va. 2010).
201. An indictment which contains language tracking the applicable forfeiture statute satisfies Rule 32.2(a). United States v. Peters, 257 F.R.D. 377, 382 (W.D. N.Y. 2009).
202. After the United States has provided its general notice that it will seek forfeiture following a conviction, the applicable forfeiture statute governs whether the United States may seek a money judgment, specific property, or substitute property. Poulin, 690 F.Supp.2d at 420; United States v. Bangiyev, 2015 WL 6672539, at \*2-4 (E.D. Va. Oct. 28, 2015).
203. Because criminal forfeiture imposed on a RICO defendant is in personam, the forfeiture constitutes “a sanction against the individual defendant rather than a judgment against the property itself,” and the forfeiture order, therefore, may take

the form of a money judgment against the defendant for the amount of the illegal proceeds—even if the defendant no longer possesses the illegal proceeds. United States v. Robilotto, 828 F.2d 940, 948-49 (2d Cir. 1987).

204. A forfeiture money judgment may be entered against a defendant convicted of money laundering. United States v. Huber, 404 F.3d 1047, 1056 (8th Cir. 2005).
205. A forfeiture money judgment may be entered against a defendant convicted of illegal gambling operation under 18 U.S.C. § 1955(d). See United States v. Newman, 659 F.3d 1235, 1239-1246 (9th Cir. 2011) (discussing the rationale for entering a personal money judgment against the defendant based on 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2641(c)).
206. Where the criminal convictions involve a continuing scheme to defraud or a conspiracy, the amount involved in the entire scheme is forfeitable. United States v. Hasson, 333 F.3d 1264, 1279 (11th Cir. 2003); United States v. Boesen, 473 F. Supp. 2d 932, 952 (S.D. Iowa 2007).
207. For defendants convicted of money laundering, a forfeiture money judgment may be imposed representing the value of all of the property involved in the money laundering offense. United States v. Huber, 404 F.3d 1047, 1056 (8th Cir. 2005); United States v. Bermudez, 413 F.3d 304, 306-307 (2d Cir. 2005); United States v. Schlesinger, 396 F. Supp. 2d 267, 272-273 (E.D.N.Y. 2005).
208. All co-conspirators are jointly and severally liable for the amount of the forfeiture regardless of how much or how little they benefitted from the conspiracy. United States v. Spano, 421 F.3d 599, 603 (7th Cir. 2005).

209. The United States is not required to show that the defendants shared the proceeds or the offense among themselves, or to establish how much was distributed to a particular defendant. United States v. Corrado, 227 F.3d 543, 554-55 (6th Cir. 2000).
210. The Court may enter an order of forfeiture comprised of a money judgment and forfeiture of specific assets. United States v. McGinty, 610 F.3d 1242, 1248 (10th Cir. 2010).
211. RICO conspirators are jointly and severally liable for the proceeds of the entire conspiracy, irrespective of their lack of personal involvement in some parts of the offense. United States v. Marcello, 2009 WL 931039, \*2 (N.D. Ill. Apr. 6, 2009).
212. Criminal forfeiture is not limited to the amount of money still in a defendant's possession at the time he is sentenced, or by the availability of substitute assets. United States v. Vampire Nation, 451 F.3d 189, 201-02 (3d Cir. 2006).
213. Forfeiture is mandatory even if a defendant lacks the present ability to satisfy the judgment. United States v. Blackman, 746 F.3d 137, 143 (4th Cir. 2014).
214. Forfeiture is calculated on the basis of the total proceeds of a crime, not the percentage of those proceeds remaining in a defendant's possession at the time of the sentencing hearing. United States v. Blackman, 746 F.3d 137, 144 (4th Cir. 2014).
215. Calculating the amount subject to forfeiture does not require "mathematical exactitude;" rather, the Court may make "reasonable extrapolations" from the facts. United States v. Prather, 456 Fed. Appx. 622, 626 (8th Cir. 2012); see also

United States v. Roberts, 660 F.3d 149, 166 (2d Cir. 2011) (holding that since forfeiture is punitive, not restitutive, the calculation of the forfeiture money judgment need not be exact); United States v. Treacy, 639 F.3d 32, 48 (2d Cir. 2011) (A court need not establish the forfeiture figure with precision but may make a reasonable estimate, given the available information).

216. The district court must order a defendant to forfeit the proceeds of his crime whether he has retained those proceeds or not. United States v. Blackman, 746 F.3d 137, 144 (4th Cir. 2014).
217. The RICO forfeiture provision is broadly drafted and has “long been liberally construed” to reach all proceeds derived from the racketeering activity. United States v. Fruchter, 411 F.3d 377, 384 (2d Cir. 2005).
218. The Government’s burden of proof in a RICO forfeiture is by the preponderance of the evidence. United States v. Fruchter, 411 F.3d 377, 384 (2d Cir. 2005); United States v. Bangiyev, --- F.Supp.3d ---, \*3 (E.D. Va. Oct. 28, 2015); see United States v. Smith, 770 F.3d 628, 637 (7th Cir. 2014) (holding that criminal forfeiture is punishment and therefore is part of the sentencing process, so the Government’s burden on forfeiture is preponderance of the evidence and the rules of evidence do not apply); see also United States v. Layne, 192 F.3d 556, 575 (6th Cir. 1999) (holding that the United States must show by a preponderance of the evidence that the property is forfeitable); but see United States v. Hosseini, 504 F. Supp. 2d 376, 380 (N.D. Ill. 2007) (discussing the burden of proof in a RICO

forfeiture and pointing out that the Third Circuit is alone in holding that the burden of proof for a RICO forfeiture is beyond a reasonable doubt).

219. The Court's forfeiture determination may be based on evidence already in the record and on any additional evidence or information submitted by the parties. Fed. R. Crim. P. 32.2(b)(1)(B); see United States v. Sabhnani, 599 F.3d 215, 262-63 (2d Cir. 2010) (holding that, during the forfeiture proceeding, the Court may rely testimony from the criminal trial); United States v. Capoccia, 503 F.3d 103, 109 (2d Cir. 2007) (holding that the court may rely on evidence admitted in the criminal trial and that it is not necessary for the Government to reintroduce evidence in the forfeiture proceeding); see also United States v. Adegboye, 2011 WL 5025531, \*2 (W.D. Okla. Oct. 21, 2011) (finding that the Government may satisfy its burden during the forfeiture proceeding by relying on evidence admitted during the criminal trial and any new evidence presented during the forfeiture proceeding).
220. Because forfeiture is part of sentencing, the Rules of Evidence do not apply in the forfeiture phase of the trial and the evidence need only be "reliable." United States v. Ali, 619 F.3d 713, 720 (7th Cir. 2010); United States v. Jafari, 85 F.Supp.3d 679, 684-85 (W.D. N.Y. 2015).
221. Rule 32.2(b)(1) allows the court to consider "evidence or information," making it clear that the court may consider hearsay which is consistent with forfeiture being part of the sentencing process where hearsay is admissible. United States v. Capoccia, 503 F.3d 103, 109 (2d Cir. 2007).

222. Since forfeiture is a component of sentencing, the Fourth Amendment exclusionary rule does not bar the introduction of suppressed evidence in the forfeiture proceeding. See United States v. Wittig, 575 F.3d 1085, 1096 (10th Cir. 2009) (“forfeiture is a component of sentencing”); United States v. Ryan, 236 F.3d 1268, 1270-72 (10th Cir. 2001) (holding that the Fourth Amendment exclusionary rule does not bar the introduction of suppressed evidence during sentencing proceedings); United States v. Acosta, 303 F.3d 78, 84-85 (1st Cir. 2002) (same; collecting circuit cases).
223. The United States must show a nexus between the property and the offense for which the defendant is convicted. United States v. Messino, 382 F.3d 704, 714 (7th Cir. 2004).
224. It is not necessary for the United States to allege every aspect of a conspiracy as a substantive offense to be able to forfeit the proceeds of the entire conspiracy. United States v. Capoccia, 402 Fed. Appx. 639, 640 (2d Cir. 2010), cert. denied 563 U.S. 930 (2011).
225. Proceeds of a crime are always forfeitable in a criminal case, and it is not necessary for the United States to show that the money ever legally belonged to the defendant. United States v. Evanson, 2008 WL 3107332, \*3 (D. Utah Aug. 4, 2008), citing United States v. Grossman, 501 F.3d 846, 849 (7th Cir. 2007).
226. Forfeiture must be imposed when the relevant prerequisites are satisfied, and a district court may not withhold forfeiture on the basis of equitable considerations. United States v. Monsanto, 491 U.S. 600, 607 (1989); Blackman, 746 F.3d at 143;

United States v. Newman, 659 F.3d 1235, 1240 (9th Cir. 2011); United States v. McGinty, 610 F.3d 1242, 1245-46 (10th Cir. 2010).

227. While all illegal proceeds are forfeitable, a court may limit a forfeiture so as not to violate the Eighth Amendment's prohibitions against excessive fines and unusual punishment. Corrado, 227 F.3d at 552.
228. A forfeiture is unconstitutionally excessive "if it is grossly disproportional to the gravity of a defendant's offense." United States v. Bajakajian, 524 U.S. 321, 334 (1998).
229. To the extent the Court considers whether the forfeiture would deprive the defendant of his livelihood, this "is different from considering as a discrete [Bajakajian] factor a defendant's present personal circumstances, including age, health, and financial situation." United States v. Viloski, --- F.3d ---, \*4 (2d Cir. 2016) (emphasis in original).
230. When making an Eighth Amendment proportionality determination, courts should not consider a defendant's personal circumstances—such as age, health, or present financial condition, except insofar as they are relevant to determining whether a forfeiture would deprive a defendant of his livelihood. Viloski, --- F.3d at \*7.
231. A defendant's willful participation in a conspiracy, even if less egregious than other codefendants, is enough to support forfeiture—despite the fact that he may have only received a small portion of the proceeds. United States v. Viloski, --- F.3d at \*5.



232. A sentencing court has no discretion to withhold forfeiture or adjust the amount; the court's role is "merely to ascertain if the requisite nexus exists." United States v. DeFries, 909 F. Supp. 13, 15 (D. D.C. 1995), reversed on other grounds, 129 F.3d 1293 (D.C. Cir. 1997).
233. Federal Rule of Criminal Procedure 32.2 makes clear that when the proceeds of the criminal activity are money, the United States may seek a money judgment as a form of criminal forfeiture. Newman, 659 F.3d at 1242.
234. For purposes of criminal forfeiture, the proceeds of the crime reflect the total sum obtained by the conspiracy as a whole. Newman, 659 F.3d at 1244.
235. The United States is entitled to forfeit gross proceeds in RICO cases; no deductions are given for taxes paid on a salary that is subject to forfeiture. DeFries, 129 F.3d at 1315; see also United States v. Maricle, 2010 WL 1253077, \*2-3 (E.D. Ky, Mar. 25, 2010) (holding that a defendant convicted under RICO must forfeit the gross revenues without deduction for any costs incurred).
236. A defendant's conviction under the RICO statute subjects all his interests in the enterprise to forfeiture regardless of whether those assets were themselves "tainted" by use in connection with the racketeering activity. United States v. Anderson, 782 F.2d 908, 918 (11th Cir. 1986) (emphasis in original and internal quotations omitted).
237. Defendants found guilty of RICO must forfeit "any property constituting, or derived from, any proceeds which the person obtained directly or indirectly, from

racketeering activity.” United States v. Totaro, 345 F.3d 989, 993 (8th Cir. 2003); 18 U.S.C. § 1963(a)(3).

238. RICO co-conspirators are properly held jointly and severally liable for the proceeds of the enterprise, and the United States is not required to prove the specific portion of proceeds for which each defendant is responsible. Corrado at 553; United States v. Simmons, 154 F.3d 765, 769-70 (8th Cir. 1998); United States v. Caporale, 806 F.2d 1487, 1507 (11th Cir. 1986); see also Pinkerton v. United States, 328 U.S. 640, 646-47 (1946) (addressing claims in a RICO case, the Court held “so long as the partnership in crime continues, the partners act for each other in carrying it forward. It is settled that an ‘overt act of one partner may be the act of all without any new agreement specifically directed to that act.’”).
239. Under 18 U.S.C. § 1955(d), any property, including money, used in connection with the operation of an illegal gambling business may be seized and forfeited to the United States.
240. The penalty set forth in 18 U.S.C. § 1955(d) applies to anyone who “conducts, finances, manages, supervises, directs, or owns all or part of an illegal gambling business ....” 18 U.S.C. § 1955(a).
241. The forfeiture penalty applies to property used in an illegal gambling business by a principal of that business. Capriotti v. United States, 1989 WL 100913, at \*2 (E.D. Pa. 1989).
242. When RICO violations are intertwined with illegal gambling in violation of 18 U.S.C. § 1955, and the United States seeks forfeiture of gambling proceeds, it is

unlikely that requiring the forfeiture of all of the illegally gotten gains could ever implicate Eighth Amendment concerns of disproportionality. United States v. Rudaj, 2006 WL 1876664, at \*8 (S.D. N.Y. 2006); see also United States v. Powell, 2 Fed.Appx. 290, at \*2 (4th Cir. 2001) (unpublished) (“The forfeiture of proceeds relieves the defendant of his illegal gain, and therefore cannot be excessive.”); United States v. Alexander, 32 F.3d 1231, 1236 (8th Cir. 1994) (“Forfeiture of proceeds cannot be considered punishment, and thus, subject to the excessive fines clause, as it simply parts the owner from the fruits of the criminal activity.”).

243. Forfeiture under 18 U.S.C. § 982(a)(1) in a money-laundering case allows the United States to obtain a money judgment representing the value of all property involved in the offense, including the money or other property being laundered and any property used to facilitate the laundering offense. Huber, 404 F.3d at 1056.
244. Forfeiture extends to any commingled funds that are part of a money-laundering transaction. Huber, 404 F.3d at 1061, n. 11.
245. Forfeiture under 18 U.S.C. § 982(a)(1), which applies to criminal convictions for money laundering, extends to the appreciated value of any property traceable to proceeds of the criminal conviction. United States v. Hill, 46 Fed. Appx. 838, 839 (6th Cir. 2002); United States v. Rafferty, 2007 WL 3231830, \*2 (S.D. Fl. Oct. 30, 2007).

246. Once proceeds are illegally obtained, original illegality is not cured by subsequent, legitimate use of the illegally obtained proceeds. United States v. Huber, 243 F.Supp.2d 996, 1003 (D. N.D. 2003).
247. The fact that a defendant may have incurred legitimate expenses in acquiring untainted funds that were forfeitable as part of a money laundering offense does not mean that he is entitled to any reduction in the forfeiture. Huber, 404 F.3d at 1058-59.
248. Defendants found guilty of money laundering must forfeit “any property, real or personal, involved in [the] offense, or any property traceable to such property.” 18 U.S.C. § 982(a)(1).
249. Defendants found guilty, under 18 U.S.C. § 1955, for operating an illegal gambling business must forfeit any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of operating an illegal gambling business. 18 U.S.C. § 981(a)(1)(C).
250. The requisite nexus in this case is established, and the property subject to forfeiture, if the property was: “involved in” the underlying offense; is “traceable to” property that was involved in the offense; constitutes “proceeds” of the offense; or is “derived from” proceeds of the offense. United States v. Nicolò, 597 F. Supp. 2d 342, 346 (W.D.N.Y. 2009).
251. “Conspiracies are, by their nature, shrouded in secrecy .... Consequently, the law does not demand mathematical exactitude in calculating the proceeds subject to forfeiture.” United States v. Roberts, 660 F.3d 149, 166 (2d Cir. 2011).

252. The United States is not entitled to double counting of proceeds for purposes of forfeiture. United States v. McKay, 506 F.Supp.2d 1206, 1214 (S.D. Florida 2007).
253. The United States is not precluded from seeking a higher money judgment amount after conviction when the indictment prefaced the forfeiture amount with “including but not limited to.” United States v. Marcello, 2009 WL 931039, at \*1 (N.D. Ill. Apr. 6, 2009); see also United States v. Segal, 495 F.3d 826, 838-39 (7th Cir. 2007) (RICO case).
254. The United States may seek more than the forfeiture money judgment amount listed in the indictment because it prefaced the amount with “at least.” United States v. Poulin, 690 F.Supp.2d 415, 423 (E.D. Va. 2010); see also United States v. Rupley, 706 F.Supp. 751, 753 (D. Nev. 1989) (“[t]he Government should not be foreclosed from seeking forfeiture of all property subject to the penalty, simply because it listed some items with particularity.”).
255. The Court may impose or modify forfeiture during sentencing or before the entry of a final judgment. Fed. R. Crim. P. 32.2(b)(1)(A); see United States v. Annabi, 746 F.3d 83, at 86 (2nd Cir. 2014) (affirming the imposition of forfeiture before the entry of a final judgment, despite the Government’s failure to invoke an applicable forfeiture statute in the indictment and the district court’s failure to order forfeiture at sentencing).

## CONCLUSION

WHEREFORE, the United States respectfully requests that the Court find that the United States has shown the requisite nexus demonstrating the forfeitability of the property involved in the criminal conduct and has set forth an appropriate amount for the money judgment to impose against the defendants.

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**Certificate of Service**

I hereby certify that on the 30th day of June, 2016, I electronically transmitted the foregoing document to the Clerk of Court using the Electronic Case Filing (ECF) System for filing and transmittal of a notice of electronic filing to all ECF registrants in the case, including but not limited to the following counsel for the Forfeiture Defendants:

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