

SDD:TAD/SPN
F.# 2015R00079

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2015 MAR 16 PM 3:31

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

-----X

UNITED STATES OF AMERICA

INDICTMENT

- against -

Cr. No. **CR 15 - 00116**

TAIROD NATHAN WEBSTER PUGH,

(T. 18, U.S.C., §§ 981(a)(1)(C) and (G),
1512(c)(1), 1512(c)(2), 2339(B)(a)(1),
2339B(d) and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 28, U.S.C., § 2461(c))

Defendant.

-----X

THE GRAND JURY CHARGES:

GARAUFIS, J.

COUNT ONE

REYES, M.J

(Attempt to Provide Material Support to
a Foreign Terrorist Organization)

1. On or about and between May 15, 2014 and January 12, 2015, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendant TAIROD NATHAN WEBSTER PUGH did knowingly and intentionally attempt to provide material support and resources, as defined in 18 U.S.C. § 2339A(b), including personnel, including PUGH himself, to a foreign terrorist organization, to wit: the Islamic State of Iraq and the Levant.

(Title 18, United States Code, Sections 2339B(a)(1), 2339B(d) and 3551 et seq.)

COUNT TWO
(Obstruction and Attempted Obstruction
of an Official Proceeding)

2. On or about and between January 10, 2015 and January 16, 2015, within the Eastern District of New York and elsewhere, the defendant TAIROD NATHAN WEBSTER PUGH did knowingly, intentionally and corruptly: (a) alter, destroy, mutilate and conceal one or more records, documents and objects, to wit: four USB thumb drives bearing the numbers 20071464R5, NMC850160, AR212W and 484R1, and the files and images contained thereon, and attempt to do so, with the intent to impair such items' integrity and availability for use in an official proceeding, to wit: a proceeding before a federal grand jury in the Eastern District of New York relating to the commission and possible commission of one or more terrorism offenses, including the offense charged in Count One (the "Grand Jury Terrorism Investigation"); and (b) obstruct, influence and impede an official proceeding, to wit: the Grand Jury Terrorism Investigation, and attempt to do so.

(Title 18, United States Code, Sections 1512(c)(1), 1512(c)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

3. The United States hereby gives notice to the defendant TAIROD NATHAN WEBSTER PUGH that, upon his conviction of either of the offenses charged in Counts One and Two, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and (G) and Title 28, United States Code, Section 2461(c), which require the forfeiture of: (a) any property, real or personal, constituting or derived from proceeds traceable to said offenses; and (b) all assets, foreign or domestic: (i) of any

individual, entity or organization engaged in planning or perpetrating any Federal crime of terrorism against the United States, citizens or residents of the United States, or their property, and all assets, foreign or domestic, affording any person a source of influence over any such entity or organization; (ii) acquired or maintained by any person with the intent and for the purpose of supporting, planning, conducting or concealing any Federal crime of terrorism against the United States, citizens or residents of the United States, or their property; (iii) derived from, involved in, or used or intended to be used to commit any Federal crime of terrorism against the United States, citizens or residents of the United States, or their property; or (iv) of any individual, entity or organization engaged in planning or perpetrating any act of international terrorism against any international organization or against any foreign Government, including but not limited to the following: (1) one HP Laptop Computer, Serial Number CND424B7YH; (2) one Apple iPod, Serial Number CCQJG45MF4K5; (3) one Samsung Galaxy S4 Mobile Telephone, IMEI Number DEC 256691488101320513; (4) one Pixel Mobile Telephone, IMEI Number 355333053364895; and (5) five USB thumb drives bearing the numbers 20071464R5, NMC850160, AR212W, 484R1 and SDCZ36002GBE1107VQYN, all recovered from the defendant on or about January 11, 2015.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

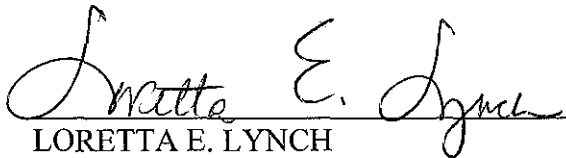
it is the intent of the United States, pursuant to Title 18, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Sections 981(a)(1)(C) and (G); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON



LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. #2015R00079
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

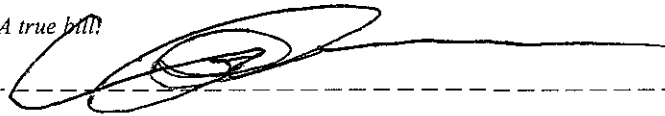
TAIROD NATHAN WEBSTER PUGH,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 981(a)(1)(C) and (G), 1512(c)(1), 1512(c)(2),
2339(B)(a)(1), 2339B(d) and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28,
U.S.C., § 2461(c))

A true bill!



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Tiana A. Demas, Samuel P. Nitze, Assistant U.S. Attorneys 718-254-6116/6465

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA

AMENDED
JUDGMENT INCLUDING SENTENCE
UNDER THE SENTENCING REFORM ACT

vs

GENNADY KLOTSMAN

Bucket # CR 98-1069
And CR 02-1313

Defendant's attorney:
Alexie Schacht

-----x

The defendant pled guilty to count #1 of an information in CR 98-1069
and count #1 in CR 02-1313.

Accordingly, the defendant is ADJUDGED guilty of such counts, which
involves the following offenses:

<u>TITLE & SECTION</u>	<u>NATURE & OFFENSE</u>	<u>COUNT NUMBER</u>
18 U.S.C.sec. 1962(c) & 1963(a).	Racketeering.	#1 in 98-1069
18 U.S.C.,sec. 1001.		#1 in 02-1313

The defendant is sentenced as provided in pages 2 through 6.
of this judgment.

The sentence is imposed pursuant to the Sentencing Reform Act of 1984, and upon
motion of the government for a downward departure, pursuant to 5K 1.1.
Open counts are dismissed upon motion of the government.

X The mandatory special assessment is included in the portion of this
Judgment that imposes a fine.
It is ordered that the defendant shall pay to the United States a special
assessment of \$, which shall be due immediately.

It is ordered that the defendant shall notify the United States
Attorney for this district within 30 days of any change of residence
or mailing address until all fines, restitution, costs, and special
assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec # [REDACTED]

December 16, 2002

Defendant's address:
Undomiciled

Date of Imposition of sentence

I. LEO GLASSER

I. LEO GLASSER, U.S.D.J.
Name & Title of Judicial Officer

A TRUE COPY ATTEST
DATED: January 21 2003

ROBERT C. HEISEMANN
Clerk

By: Louise Schellat
DEPUTY CLERK

CASE NUMBER: CR 98-1069 and CR 02-1313

IMPRISONMENT

Upon motion of the government for a downward departure, the defendant is hereby committed to the custody of the United States Bureau of Prisons, to be imprisoned for a term of (71) seventy one months on CR 98-1069 and on CR 02-1313, he is sentenced to imprisonment for (5) Five months, to run concurrent with the 98-1069 RICCO indictment and (1) one month under 3147, consecutive to 71 and 5, for a total of (72) seventy two months.

The court recommends

that the defendant be designated to F.P.I. Allenwood, and a drug treatment program.

X The defendant is remanded to the custody of the U. S. Marshal

The defendant shall surrender to the United States Marshal for this District:

As notified by the Marshal.

The defendant shall surrender for service of sentence to institution designated by the Bureau of Prisons:
on

___ as notified by the United States Marshal.

___ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

United States Marshal

By _____

Defendant: GENNADY KLOTSMAN

Page 3 of 6.

CASE NUMBER # CR 98-1069 and CR 02-1313.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for THREE YEARS on both CR 98-1069 and CR 02-1313, which will run concurrent.

While on supervised release, the defendant shall not commit another Federal, State or local crime and shall comply with the standard conditions that have been adopted by this Court (set forth on the following page) If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

___The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

DEFENDANT: GENNADY KLOTSMAN

Case Number: CR 98-1069 and CR 02-1313 Page 4 of 6

FINE WITH SPECIAL ASSESSMENT

The defendant shall pay to the United States the sum of \$100,200.00 consisting of a fine of \$100,000.00 and a special assessment of \$200.00.

Defendant: GENNADY KLOTSMAN

RESTITUTION

Page 5 of 6.

CASE NUMBER # CR 98-1069 and CR 02-1313

The defendant shall make restitution payable to the Clerk of the Court,
in the amount of FORTY MILLION (\$40,000,000.00) DOLLARS.

Case Number: CR 98-1069 and CR 02-1313

Page 6 of 6.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, State or local crime;
- 2) The defendant shall not leave the judicial district without the Permission of the court or probation officer;
- 3) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) The defendant shall support his or her dependents and meet other family responsibilities;
- 6) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) The defendant shall not frequent places where controlled substances are illegally sold, use, distributed, or administered;
- 10) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.