

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
CLERK OF THE COURT
ALFONSE M. D'AMATO COURTHOUSE
CENTRAL ISLIP, NY 11722

2011 APR 14 PM 1:14
CLERK OF THE DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SANTA ANA, CA
FILED

Clerk' Office

Ronald Reagan Federal Building and
United States Courthouse
411 West Fourth Street, Room 1-053
Santa Ana CA 92701

April 11, 2011

RE: USA v. Beata Priore
MJ 11-356-EDNY
SA CR 08-00180-CDCA

SACR 08 - 00180 DOC

Dear Clerk:

Enclosed please find a certified copy of our entire file in the above captioned Rule 5
Removal proceeding. Also enclosed is a certified copy of the docket sheet.

Please acknowledge receipt of same by mailing back to our office the enclosed copy of this
letter.

Respectfully,

Robert C. Heinemann

By: /s/ Tom Talbott
Deputy Clerk

APR 14 2011

Received on _____

Received by DODJIE LAGMAN

CLOSED

**U.S. District Court
Eastern District of New York (Central Islip)
CRIMINAL DOCKET FOR CASE #: 2:11-mj-00356-WDW-1
Internal Use Only**

Case title: USA v. Priore

Date Filed: 04/06/2011

Date Terminated: 04/08/2011

Assigned to: Magistrate Judge William
D. Wall

Defendant (1)

Beata Gizella Priore
TERMINATED: 04/08/2011

represented by **Tracey E. Gaffey**
Federal Defenders of New York
770 Federal Plaza
Central Islip, NY 11722
631-712-6500
Fax: 631-712-6505
Email: tracey_gaffey@fd.org
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

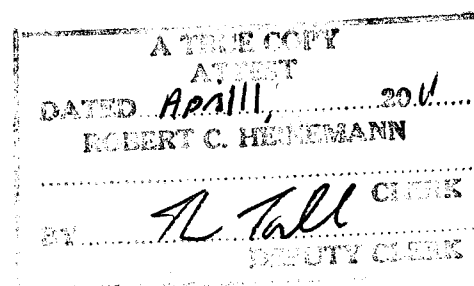
None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

18:371.F; 1343 and 2: Conspiracy to
defraud the United States of America;
Fraud.

Disposition

The defendant is released on a personal
recognizance bond continuing the
conditions set in the Central District of
California.

Plaintiff

USA

represented by **John Joseph Durham**
 United States Attorneys Office
 Long Island Courthouse
 610 Federal Plaza
 Central Islip, NY 11722
 631-715-7851
 Fax: 631-715-7922
 Email: john.durham2@usdoj.gov
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|------------|---|
| 04/06/2011 | ● | Arrest (Rule 40) of Beata Gizella Priore (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/06/2011 | ● <u>1</u> | RULE 40 AFFIDAVIT by USA as to Beata Gizella Priore by Affiant Dawn Mahoney (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/06/2011 | ● <u>2</u> | CJA 23 Financial Affidavit by Beata Gizella Priore (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/06/2011 | ● <u>3</u> | Minute Entry for proceedings held before Magistrate Judge William D. Wall:Initial Appearance in Rule 5(c)(3) Proceedings as to Beata Gizella Priore held on 4/6/2011 at 3:00 p.m. Appearance entered by Tracey E. Gaffey for Beata Gizella Priore. Arraignment as to Beata Gizella Priore, in custody. AUSA John Durham. The defendant waives identity hearing. Defendants motion for bail is denied and she is committed in custody to the Central District of California. A commitment order is executed. (Taped 310.) (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/06/2011 | ● <u>4</u> | WAIVER of Rule 5(c)(3) Hearing by Beata Gizella Priore (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/06/2011 | ● <u>5</u> | COMMITMENT TO ANOTHER DISTRICT as to Beata Gizella Priore. Defendant committed to Central District of California in custody. Ordered by Magistrate Judge William D. Wall on 4/6/2011. (Talbot, Thomas) (Entered: 04/07/2011) |
| 04/07/2011 | ● <u>6</u> | Letter MOTION for Bond to <i>Re-open bail Hearing</i> by Beata Gizella Priore. (Gaffey, Tracey) (Entered: 04/07/2011) |
| 04/07/2011 | ● | Incorrect Document Information filed. Docket entry 7, a letter motion for a bail hearing, filed on 4/7/11 by the court (on behalf of the defendant) has been deleted. It's a duplicate of document #6. (Talbot, Thomas) (Entered: 04/08/2011) |
| 04/07/2011 | ● <u>7</u> | Endorsed ORDER granting <u>6</u> Motion for Bond/ bail hearing as to Beata Gizella Priore (1). Ordered by Magistrate Judge William D. Wall on 4/7/2011. (Talbot, Thomas) (Entered: 04/08/2011) |
| | | |

| | | |
|------------|------------|--|
| 04/08/2011 | ● <u>8</u> | Minute Entry for proceedings held before Magistrate Judge William D. Wall: Bond Hearing as to Beata Gizella Priore held on 4/8/2011 at 11:30 a.m. Defendant present in custody with Federal Defender of NY, Inc. counsel Tracey Gaffey. AUSA John Durham. Defendant is released on a personal recognizance bond and will report to the Central District of California as necessary. (Tape 1144.) (Talbot, Thomas) (Entered: 04/08/2011) |
| 04/08/2011 | ● <u>9</u> | ORDER Setting Conditions of Release as to Beata Gizella Priore (1). Defendant released on a Personal Recognizance Bond. The conditions set in the Central District of California are continued. Ordered by Magistrate Judge William D. Wall on 4/8/2011. (Talbot, Thomas) (Entered: 04/08/2011) |
| 04/08/2011 | ● | (Court only) ***Location start as to Beata Gizella Priore, Procedural Interval start as to Beata Gizella Priore, Update Disposition Information: Beata Gizella Priore (1), The defendant is released on a personal recognizance bond continuing the conditions set in the Central District of California., ***Terminated defendant Beata Gizella Priore, pending deadlines, and motions., ***Case Terminated as to Beata Gizella Priore (Talbot, Thomas) (Entered: 04/08/2011) |

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.I

United States District Court
EASTERN DISTRICT OF NEW YORK

APR 08 2011

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS
OF RELEASE AND BOND

LONG ISLAND OFFICE

V.

Case No.: MJ 11-356

Beata Priore

Defendant

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released as follows, subject to the Standard Conditions of Bond on the reverse and:

- Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
- Upon Unsecured Bond executed by defendant in the amount of \$ _____, or
- Upon Secured Appearance Bond as provided herein.

Additional Conditions of Release

Upon finding that release under the standard conditions detailed on the reverse will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, IT IS FURTHER ORDERED that the defendant is subject to the following additional conditions of release:

- 1. The defendant must remain in and may not leave the following areas without Court permission: _____
- 2. The defendant shall avoid all contact and not associate with any of the following persons or entities: _____
- 3. The defendant shall avoid and not go to any of the following locations: _____
- 4. The defendant shall surrender any and all passports to the U.S. Pretrial Services Agency by _____ and shall not apply for any other passport.
- 5. Defendant is placed under the express supervision of the Pretrial Services Agency, subject to the Special Conditions on the reverse, if applicable, and
 - is subject to random visits by a Pretrial Services officer at defendant's home and/or place of work;
 - must report to that agency () in person _____ times per _____ and/or () by telephone _____ times per _____;
 - is subject to home detention with electronic monitoring with the following conditions: _____

must undergo random drug testing evaluation and/or treatment, for substance abuse alcoholism: mental health problems.
 must pay the cost of treatment and/or electronic monitoring by with personal funds and/or insurance.

6. Other Conditions: *Continued conditions set in Central Dist. of California*

APPEARANCE BOND

The undersigned defendant and sureties jointly and severally acknowledge that I/we and my/our personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ _____

The undersigned agree(s) that this obligation is secured with his/her/their interest in the following property ("Collateral") which he/she/they represent is/are free and clear of liens except as otherwise indicated:

- cash deposited in the Registry of the Court the sum of \$ _____;
- premises located at: _____ owned by _____
- I/We also agree to execute a confession of judgment in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before _____
- Other Conditions: _____

A TRUE COPY
 ATTEST
 DATED *April 11* 2011
 ROBERT C. HEINEMANN
 CLERK
 BY: *[Signature]*
 DEPUTY CLERK

Address: _____
 Surety
 Address: _____
 Surety
 Address: _____
 Surety

The Court has advised the defendant of the conditions of release per 18:3142(h)(1) and (h)(2). This bond is conditioned upon the appearance of the defendant and is subject to the Standard Conditions of Bond set forth on the reverse. If the defendant fails to appear as ordered or notified, or any other condition of this bond is not met, this bond shall be due forthwith.

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth on the reverse of this form.

Release of the Defendant is hereby ordered on *April 8, 2011* by *[Signature]* U.S. J.

DOCKET NUMBER: MJ 11-356

CRIMINAL CAUSE FOR Bail Hearing

BEFORE JUDGE: William D. Wall, U.S.M.J. DATE: 4/8/11 TIME 11:30 a.m. For 15 MINS

DEFENDANT'S NAME: Beata Priore DEFENDANTS #

x Present Not Present x Custody Not Custody/Surrender

DEFENSE COUNSEL: Tracey Gaffey

x Federal Defender CJA Retained

A.U.S.A.: John Durham PROBATION OFFICER _____

CASE MANAGER OR MAGISTRATE DEPUTY T.Talbott

COURT REPORTER: OR ESR OPERATOR FTR TAPE LOG 1144

INTERPRETER: _____ LANGUAGE: _____

- Arraignment
- Change of Plea Hearing (~Util-Plea Entered)
- In Chambers Conference
- Pre Trial Conference
- Initial Appearance
- Status Conference
- Telephone Conference
- Voir Dire Begun
- Jury Trial Death Penalty
- Bench Trial Held
- Other Evidentiary Hearing Contested
- Revocation of Probation non contested
- Revocation of Probation contested
- Sentencing non-evidentiary
- Sentencing Contested
- Revocation of Supervised Release evidentiary
- Revocation of Supervised Release non-evidentiary
- Voir Dire Held
- Sentence enhancement Phase
- Bench Trial Completed
- Jury selection
- Bench Trial Begun
- Motion Hearing Non Evidentiary
- Jury trial

TYPE OF HEARING _____

TEXT

Defendant is released on a personal recognizance bond and will report to the Central District of California as necessary.

A TRUE COPY
 ATTEST
 DATED April 11, 2011
 ROBERT C. HEINEMANN
 BY TL Wall CLERK
 DEPUTY CLERK

FILED

UNITED STATES DISTRICT COURT

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

District of _____

APR 06 2011

UNITED STATES OF AMERICA

COMMITMENT TO ANOTHER DISTRICT
LONG ISLAND OFFICE

v.

Beata Priore

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

SACR 08-00180

MJ 11-356

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

- Indictment
- Information
- Complaint
- Other (specify)

charging a violation of *18* U.S.C. § *371, 1343 and 2.*

DISTRICT OF OFFENSE

Central Dist. of California

DESCRIPTION OF CHARGES:

*Conspiracy to commit Wire Fraud;
Wire Fraud.*

CURRENT BOND STATUS:

- Bail Fixed at _____ and conditions were not met
- Government moved for detention and defendant detained after hearing in District of Arrest
- Government moved for detention and defendant detained pending detention hearing in District of Offense
- Other (specify)

Representation: Retained Own Counsel Federal Defender Organization CJA Attorney None

Interpreter Required? No Yes Language: _____

DISTRICT OF _____

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

April 6, 2011

Date

William W. Tall

United States Judge or Magistrate

A TRUE COPY ATTEST
 DATED *April 11, 2011*
 ROBERT C. HEIN
R. Tall

RETURN

This commitment was received and executed as follows:

| | | |
|--------------------------------|---------------------|--------------------------|
| DATE COMMITMENT ORDER RECEIVED | PLACE OF COMMITMENT | DATE DEFENDANT COMMITTED |
|--------------------------------|---------------------|--------------------------|

| | | |
|------|-----------------------|---------------------|
| DATE | UNITED STATES MARSHAL | (BY) DEPUTY MARSHAL |
|------|-----------------------|---------------------|

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FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT

APR 06 2011

EASTERN

DISTRICT OF

NEW YORK

4-7-11 TC

LONG ISLAND OFFICE

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

V.

Beata Priore

CASE NUMBER: MS - 11 - 356

Defendant

CHARGING DISTRICTS
CASE NUMBER: _____

I understand that charges are pending in the Central District of California

alleging violation of 18:371; 1343; 2 (Wire Fraud) and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- identity hearing
- preliminary hearing
- identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

TRUE COPY
ATTEST
DATED April 11, 2011
ROBERT C. HEINEMANN
BY [Signature] CLERK
DEPUTY CLERK

April 6, 2011
Date

[Signature]
Defendant

[Signature]
Defense Counsel

So Ordered
William Well
USMS 4/6/11

DOCKET NUMBER: MJ 11-356

CRIMINAL CAUSE FOR Arraignment

BEFORE JUDGE: William D. Wall, U.S.M.J. **DATE:** 4/6/11 **TIME** 3:00 p.m. For 15 MINS

DEFENDANT'S NAME: Beata Priore **DEFENDANTS #**

x Present Not Present x Custody Not Custody/Surrender

DEFENSE COUNSEL: Tracey Gaffey

x Federal Defender CJA Retained

A.U.S.A.: John Durham **PROBATION OFFICER** _____

CASE MANAGER OR MAGISTRATE DEPUTY T.Talbott

COURT REPORTER: OR ESR OPERATOR FTR **TAPE LOG** 310

INTERPRETER: _____ **LANGUAGE:** _____

- Arraignment
- Change of Plea Hearing (~Util-Plea Entered)
- In Chambers Conference
- Pre Trial Conference
- Initial Appearance
- Status Conference
- Telephone Conference
- Voir Dire Begun
- Jury Trial Death Penalty
- Bench Trial Held
- Other Evidentiary Hearing Contested
- Revocation of Probation non contested
- Revocation of Probation contested
- Sentencing non-evidentiary
- Sentencing Contested
- Revocation of Supervised Release evidentiary
- Revocation of Supervised Release non-evidentiary
- Voir Dire Held
- Sentence enhancement Phase
- Bench Trial Completed
- Jury selection
- Bench Trial Begun
- Motion Hearing Non Evidentiary
- Jury trial

TEXT

The defendant waives identity hearing. Defendant's motion for bail is denied and she is committed in custody to the Central District of California. A committment order is executed.

A TRUE COPY
ATTEST
 DATED... April 11 2011...
ROBERT C. HEINEMANN
 BY... [Signature] **CLERK**
DEPUTY CLERK

Federal Defenders
OF NEW YORK, INC.

Eastern District
Long Island Federal Courthouse
460 Federal Plaza, Central Islip, NY 11722-4422
Tel: (631) 712-6500 Fax: (631) 712-6505

Leonard F. Joy
Executive Director

Long Island
Randi L. Chavis
Attorney-in-Charge

April 7, 2011

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

APR 07 2011
4/7/11 TT
LONG ISLAND OFFICE

Honorable William D. Wall
United States Magistrate Judge
Eastern District of New York
United States Courthouse Rm 824
Central Islip, NY 11722

**Re: United States v. Beata Gizella Priore
Removal Complaint 11 MJ 356**

Dear Judge Wall:

I represent Ms. Priore on the above-captioned case. This morning I received the enclosed e-mails from Ms. Priore's attorney in California, Joel Levine. As you can see, Ms. Priore is asking Mr. Levine for help in getting her passport for travel identification to California for the trial. The correspondence includes Ms. Priore's e-mail to Eastern District Pretrial Officer Donna Mackay asking for help in getting her passport. As per a March 31, 2011 e-mail, Mr. Levine tells Ms. Priore that she should not continue to try to get her passport because the bail order indicated that she could not apply for one - information Ms. Priore was previously unaware.

Mr. Levine has shown these e-mails to the AUSA on the California case, Larry Kole. After reviewing the e-mails, AUSA Kole, Mr. Levine and I jointly request that you re-open the bail hearing and contact Judge Carter. If you agree to re-open, Mr. Levine and AUSA Kole will lodge these e-mails with Judge Carter for his review also.

A TRUE COPY
ATTEST
DATED April 11, 2011
ROBERT C. HEINEMANN
BY [Signature] CLERK
DEPUTY CLERK

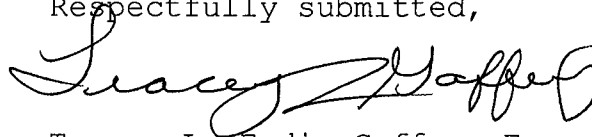
6

Honorable William D. Wall
United States Magistrate Judge
Eastern District of New York

April 7, 2011
Page Two

**Re: United States v. Beata Gizella Priore
Removal Complaint 11 MJ 356**

Respectfully submitted,



Tracey L. Eadie Gaffey, Esq.
Assistant Federal Defender

cc: John J. Durham, Esq.
Assistant United States Attorney
Eastern District of New York
w/enclosure

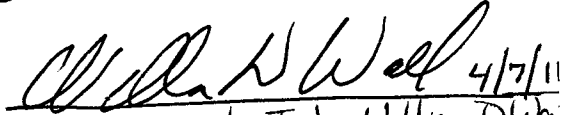
Joel Levine, Esq.

Larry Kole, Esq.
Assistant United States Attorney
Central District of New York

Donna Mackey, PSA
Pre-Trial Services
Eastern District of New York
w/enclosures

George M. Walker, Chief
U.S. Pretrial Services Officer
Central District of California

*Motion Granted,
A bail hearing will
be held on 4/8/11 at 11:30a.m.*



U.S. Magistrate Judge William D. Wall 4/7/11

Joel Levine

From: "Joel Levine" <jlesquire@cox.net>
To: <priore@maxfoundation.us>
Sent: Thursday, March 31, 2011 2:19 PM
Subject: Re: Beata Priore

I have no idea what you need. The first message you sent said the pretrial officer would contact me. He or she never has.

Joel

----- Original Message -----

From: priore@maxfoundation.us
To: Joel Levine
Sent: Thursday, March 31, 2011 1:47 PM
Subject: RE: Beata Priore

Release for me to have mypassport has tp come from you.. I need permission to have it by the court.. I need to have the passport as ID for trave; I was detained 1hr n 45 min at the airport the last time because my driver licence from my maiden name does not match anything,, Beatrix g. Montay..

Please send to US dept of State a release of my renewal to by fax 202 663 2654 Patricia Dinkens-Greene office of legal affairs, tel: 202 663 3500 I spoke to her she is waiting for it. all is pai for: Appreciate clearing this up quickly...reference # CA/PPT/L/LA:PDG-PRIORE, Beata Gizella Will also send travel info soon as I hear from you...

Kindly,
Beata

Beata G. Priore, MD, ND, MMsc.
Max Foundation, Chairman,
516 674 4455
516 908 7738 Fax

We are an organization, where all proceedings will be used for project funding.
Disclaimer: Not a United States Securities Dealer, Broker or US Investment Adviser. This electronic transmission and or attached documents have not been verified or authenticated & are not to be considered a solicitation for any purpose. As here describing an offer from people, not private involvement, not a solicitation just request for information, acknowledge this disclaimer and warnings herein. By reading beyond this point, you agree, acknowledge and accept that this is a privileged, proprietary and confidential private communication. Please notify us if you got this email by error.

----- Original Message -----

Subject: Re: Beata Priore
From: "Joel Levine" <jlesquire@cox.net>
Date: Wed, March 30, 2011 4:45 pm
To: <priore@maxfoundation.us>

I have not received anything on a passport release, and do not know what you are referring to.

Joel

----- Original Message -----

From: priore@maxfoundation.us
To: Joel Levine
Sent: Wednesday, March 30, 2011 12:30 PM
Subject: RE: Beata Priore

Thank You Joel, November is good.. Hope it is good for you too..

Please also send my passport release to Patricia, do to it has been paid for and picture has been taken and paid for as well. Otherwise file will be destroyed and no real ID for my name for travel will be in existence. and who knows if I will be able to afford the price again. Plus it cost a lot more when you start from scratch...

Appreciate
blessings
Beata

----- Original Message -----

Subject: Re: Beata Priore
From: "Joel Levine" <jlesquire@cox.net>
Date: Tue, March 29, 2011 6:44 pm
To: <priore@maxfoundation.us>

I just received a call that the prosecutor agrees to postpone the trial until November. We are now in the process of submitting paperwork to the court to get approval, which will take a couple of days. So do not worry about travel for the moment. Also, given these new events, I will hold off filing the motions until closer to trial. The only thing which might change things is if the Court turns us down on the delay, which I do not expect.

Joel

----- Original Message -----

From: priore@maxfoundation.us
To: Joel Levine Esq
Cc: donna_mackey@nyert.uscourts.gov
Sent: Tuesday, March 29, 2011 2:50 PM
Subject: Beata Priore

Dear Donna,
Joel Levine my attorney would like to get an email from you with the docs from the passport place..also you sent him a closed envelope, was that pertaining to the passport.

Dear Joel,
I need to have the passport as ID for travel to California.. I have no intentions of going anywhere else but it is the any form of ID I have that matches ll my banking atm cards and SSI checks. I was detained 1hr n 45 min at the airport the last time because my driver licence from my maiden name does not match anything,, Beatrix g. Montay.. Please send to US dept of State a release of my renewal to by fax 202 663 2654 Patricia Dinkens-Greene office of legal affairs, tel: 202 663 3500 I

spoke to her she is waiting for it. all is pai for: Appreciate clearing this up quickly...reference # CA/PPT/L/LA:PDG-PRIORE, Beata Gizella

Will also send travel info soon as I hear from you...

Kindly,

Beata

Beata G. Priore, MD, ND, MMsc.
Max Foundation, Chairman,

Beata G. Priore, MD, ND, MMsc.
Max Foundation, Chairman,
516 674 4455
516 908 7738 Fax

Joel Levine

From: <priore@maxfoundation.us>
To: "Joel Levine" <jlesquire@cox.net>
Sent: Thursday, March 31, 2011 7:10 PM
Subject: RE: Passport
OK,if there is nothing you an do, thank you.

Beata G. Priore, MD, ND, MMsc.
Max Foundation, Chairman,
516 674 4455
516 908 7738 Fax

We are an organization, where all proceedings will be used for project funding.
Disclaimer: Not a United States Securities Dealer, Broker or US Investment Adviser. This electronic transmission and or attached documents have not been verified or authenticated & are not to be considered a solicitation for any purpose. As here describing an offer from people, not private involvement, not a solicitation just request for information, acknowledge this disclaimer and warnings herein. By reading beyond this point, you agree, acknowledge and accept that this is a privileged, proprietary and confidential private communication. Please notify us if you got this email by error.

----- Original Message -----

Subject: Passport
From: "Joel Levine" <jlesquire@cox.net>
Date: Thu, March 31, 2011 8:12 pm
To: "Beata Priore" <priore@maxfoundation.us>

After we spoke I researched your case file and discovered an order from the Court regarding your bail, which I am attaching to this email. In paragraph 4, the Court has ordered that any passport that you had at the time be surrendered, and that no additional passport be applied for. Apparently, you did not know this when you applied for the passport recently, I would strongly suggest that you discontinue your efforts to get the passport in view of this order, which could result in a contempt of court order, which could result in your being arrested and sent to jail. The driver's license is the better solution.

Joel Levine

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

APR 06 2011

11-0356M

JJD

UNITED STATES DISTRICT COURT LONG ISLAND OFFICE
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

REMOVAL TO THE CENTRAL
DISTRICT OF CALIFORNIA

- against -

(Fed. R. Crim. P. 5(c))

BEATA GIZELLA PRIORE,

Defendant.

-----X

EASTERN DISTRICT OF NEW YORK, SS:

DAWN MAHONEY, being duly sworn, deposes and says that she is a Deputy United States Marshal with the United States Marshals Service, duly appointed according to law and acting as such.

Upon information and belief, on March 23, 2011, an arrest warrant was issued by the United States District Court for the Central District of California, commanding the arrest of the defendant BEATA GIZELLA PRIORE for a violation of pretrial release, pursuant to Title 18, United States Code, Section 3148.

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

1. On July 3, 2008, the defendant BEATA GIZELLA PRIORE, who resides in Glen Head, New York, was indicted in the Central District of California on charges of conspiracy to commit wire fraud and wire fraud, in violation of 18 U.S.C. §§ 371, 1343 and 2. A copy of the indictment is attached hereto as bit 1.

A TRUE COPY
 ATTEST
 DATED *April 11, 2011*
 ROBERT C. HEINEMANN
 BY *[Signature]* CLERK
 DEPUTY CLERK

The defendant is scheduled to begin trial in that matter on April 26, 2011.

2. On March 23, 2011, an arrest warrant was issued by the United States District Court for the Central District of California, commanding the arrest of BEATA GIZELLA PRIORE for a violation of pretrial release. A copy of the petition for the arrest warrant and a copy of the arrest warrant from the Central District of California are attached hereto as Exhibit 2 and incorporated by reference.

3. On April 6, 2011, members of the United States Marshals Service executed the above-referenced arrest warrant at the defendant BEATA GIZELLA PRIORE's residence in Glen Head, New York. Following her arrest, the defendant admitted her identity and that she had a pending case in the Central District of California.

WHEREFORE, it is requested that the defendant BEATA GIZELLA PRIORE be removed to the Central District of California so that she may be dealt with according to law.



DAWN MAHONEY
Deputy United States Marshal
United States Marshals Service

Sworn to before me this
6th day of April, 2011



HONORABLE WILLIAM D. WALL
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT 1

1 3. Defendant IRENE PEMKOVA was a resident of Las Vegas, Nevada.

2 4. Special agents of the Federal Bureau of Investigation (FBI)
3 conducted an undercover investigation into fraudulent high yield
4 investment schemes. The undercover investigation specifically targeted
5 those persons who fraudulently offered substantial returns on
6 investments with low or no risk of loss.

7 5. As part of the undercover investigation, the FBI established
8 an undercover entity (UCE) in Newport Beach, California that purported
9 to be a financial advisory firm. FBI undercover agents (UCAs) posed
10 either as partners of the UCE seeking to invest their own funds or as
11 wealthy clients of the UCE seeking to invest substantial monies.

12 6. A "High Yield Investment Program" (HYIP) is a general term
13 given to fraud schemes that are known by various specific names,
14 including "Prime Bank Guarantees," "Prime Bank Debenture Programs,"
15 "Medium Term Note Trading Programs," and "Roll Programs." Such programs
16 do not exist as legitimate investment vehicles. In these schemes, the
17 fraud perpetrator claims to have privileged access to secret financial
18 trading programs, which are falsely represented to be sanctioned by the
19 U.S. Federal Reserve Bank, the U.S. Treasury Department, the World Bank,
20 or some other entity involved in international monetary transactions or
21 policy. Claims are typically made that a privileged few are invited to
22 participate in the trading of some form of bank security such as bank
23 guarantees, notes, stocks, or debentures, which can be bought at a
24 discount and sold at a premium. It is often claimed that there are only
25 a few "traders" or "commitment holders" in the world who are authorized
26 to resell these bank securities between the top 25 or 50 banks in the
27 world, often falsely referred to as "Prime Banks." By conducting
28 multiple "trades" in rapid succession, they claim to be able to produce

1 extraordinary rates of returns, far beyond any normal investment. It is
2 often further claimed that one of the primary reasons these trading
3 programs exist is to generate funds for humanitarian purposes and that a
4 portion of the investor's profits must be used to provide humanitarian
5 relief and aid somewhere.

6 7. The perpetrators of HYIPs claim that a high degree of secrecy
7 is required of the unsuspecting investor in order to participate in the
8 program, and require the execution of various documents which have no
9 meaning in legitimate financial transactions. Typically, the investor
10 first is directed to provide a "Letter of Intent," a "Non-Solicitation
11 Agreement," a "Confidentiality Agreement," a "Non-Circumvention Letter,"
12 a "Bank Proof of Funds," a "Client Information Summary," and a copy of
13 the investor's passport. The investor is typically told that he must go
14 through "compliance," which will purportedly be done by the FBI, Central
15 Intelligence Agency, Federal Reserve Bank or some other government
16 "compliance officer." The investor is also told that his funds must be
17 verified on a "bank to bank" basis to make sure that they do exist and
18 that the funds must be "good, clean, clear funds of non-criminal
19 origin." The investor typically is assured that his funds are
20 absolutely safe and never at risk in any way. The scheme is designed to
21 gradually progress to its ultimate goal of gaining control of all or a
22 portion of the investor's funds.

23 B. OBJECT OF THE CONSPIRACY

24 8. Beginning on or about November 29, 2006, and continuing to on
25 or about March 7, 2007, in Orange County, within the Central District of
26 California and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA,
27 together with others known and unknown to the Grand Jury, knowingly
28 combined, conspired, and agreed with each other to commit the following

1 offense against the United States: wire fraud, in violation of Title 18,
2 United States Code, Section 1343, in connection with the promotion of
3 fraudulent high yield investment schemes promising extremely high
4 returns at little or no risk to principal.

5 C. MANNER AND MEANS OF THE CONSPIRACY

6 The manner and means by which the defendants and their co-
7 conspirators sought to accomplish the conspiracy included, among other
8 things, the following:

9 9. Defendants made fraudulent representations and promises to the
10 UCA about defendants' ability to place the UCA's client-investor into a
11 select, secret HYIP.

12 10. Defendants fraudulently represented they had successfully
13 closed previous deals in which extraordinary rates of return were
14 realized by other investors.

15 11. Defendants fraudulently represented that they had access to a
16 HYIP that would yield a 300% to 650% return in 30 to 45 days at no risk.

17 12. Defendants, for the purpose of promoting their fraudulent
18 investment program, made telephone calls to the UCA in Orange County,
19 California, and sent email transmissions to the UCA in Orange County,
20 California.

21 D. OVERT ACTS

22 13. In furtherance of the conspiracy, and to accomplish its object
23 of the conspiracy, defendants ONCIU, PRIORE, and PEMKOVA, together with
24 others known and unknown to the Grand Jury, committed and willfully
25 caused others to commit the following over acts, among others, in the
26 Central District of California and elsewhere:

27 Overt Act No. 1: On or about November 29, 2006, defendant
28 PEMKOVA had a telephone conversation with the UCA.

1 Overt Act No. 2: On or about November 29, 2006, during a
2 phone conversation with the UCA, defendant PEMKOVA stated, among other
3 things, that:

4 a. The UCA could expect a call from a "Dr. Priore" in Europe
5 who was working with the bank involved in the program; and

6 b. Defendant PEMKOVA had other clients in the program, which
7 was a "working program," and who had already been paid.

8 Overt Act No. 3: On or about November 29, 2006, defendant
9 PEMKOVA sent an email to the UCA.

10 Overt Act No. 4: On or about November 29, 2006, during a
11 telephone conversation with the UCA, defendant PEMKOVA stated, among
12 other things, that:

13 a. D&G was a humanitarian foundation under the Central
14 Intelligence Agency (CIA) umbrella;

15 b. Defendant ONCIU was a former, highly placed CIA officer
16 and a director of D&G; and

17 c. A humanitarian project was required for entry into the
18 program.

19 Overt Act No. 5: On or about November 29, 2006, defendant
20 PEMKOVA sent the UCA an email that stated, among other things, that the
21 UCA could expect a call from defendant PRIORE the next day and that
22 defendant PEMKOVA would arrange a phone conference with defendant ONCIU.

23 Overt Act No. 6: On or about November 30, 2006, during a
24 phone conversation with the UCA, defendant PRIORE stated, among other
25 things, that:

26 a. Defendant PRIORE was calling from the trading group in
27 Frankfurt;

28 b. The investment program was run by the TSI Consulting

1 Group in Frankfurt;

2 c. The program yields returns that are 6.5 times the
3 original investment in 30 to 45 days;

4 d. The investment is "pretty much risk free";

5 e. Defendant PRIORE had been in the business of high-
6 yielding investments for seven years and has seen people make these
7 kinds of returns in the past; and

8 f. The program required a minimum investment of \$1 million;

9 Overt Act No. 7: On or about November 30, 2006, defendant
10 PRIORE sent the UCA an email.

11 Overt Act No. 8: On or about December 1, 2006, defendant
12 PRIORE sent the UCA an email.

13 Overt Act No. 9: On or about December 1, 2006, defendant
14 PRIORE sent the UCA an email.

15 Overt Act No. 10: On or about December 4, 2006, during a
16 telephone conference call with the UCA (the "12/4/06 Conference Call"),
17 defendant ONCIU stated, among other things, that:

18 a. Defendant Onciu usually doesn't do transactions of less
19 than \$100 million;

20 b. Making a return of 100% per month is not abnormal;

21 c. Defendant Onciu's role in this transaction is to provide
22 the humanitarian element required for these transactions;

23 d. The program is highly confidential and the government
24 does not want people talking about such investment programs; and

25 e. Defendant Onciu would reduce his fees if it would
26 influence the UCA to invest in the program.

27 Overt Act No. 11: On or about December 4, 2006, defendant
28 PEMKOVA participated in the 12/4/06 Conference Call.

1 Overt Act No. 12: On or about December 5, 2006, during a
2 phone conversation with the UCA, defendant PRIORE stated, among other
3 things, that a client of hers invested \$1 million in the program and
4 made a return of \$6.5 million.

5 Overt Act No. 13: On or about January 6, 2007, defendant
6 PRIORE met with the UCA.

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COUNTS TWO THROUGH SIX

(18 U.S.C. §§ 1343 and 2)

14. Paragraphs 1 through 13 are realleged and incorporated herein by reference, as if set forth in full.

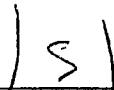
15. Beginning on or about November 29, 2006, and continuing to on or about March 7, 2007 in Orange County, within the Central District of California, and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, together with others known and unknown to the Grand Jury, knowingly and with intent to defraud, devised, participated in, and executed a scheme to defraud as to material matters, and to obtain money and property by means of material false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

16. On or about the dates set forth below, within the Central District of California and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, for the purpose of executing the above-described scheme to defraud, transmitted, willfully caused the transmission, and aided and abetted the transmission of, the following items by means of wire and radio communication in interstate and foreign commerce:

| COUNT | DATE | WIRE TRANSMISSION |
|-------|----------|---|
| 2 | 11/29/06 | Email from defendant PEMKOVA, sent from <u>amartyk@yahoo.com</u> through a server in Las Vegas, Nevada to the UCA in Newport Beach, California |
| 3 | 11/29/06 | Email from defendant PEMKOVA, sent from <u>amartyk@yahoo.com</u> through a server in Las Vegas, Nevada to the UCA in Newport Beach, California |
| 4 | 11/30/06 | Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California |
| 5 | 12/01/06 | Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California |

| COUNT | DATE | WIRE TRANSMISSION |
|-------|----------|---|
| 6 | 12/01/06 | Email from defendant PRIORE, sent from <u>drbpriore@maxfoundation.us</u> , sent through a server in Arizona to the UCA in Newport Beach, California |

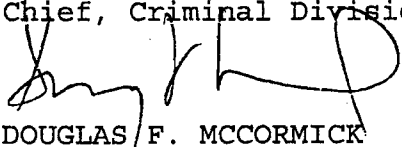
A TRUE BILL



FOREPERSON

THOMAS P. O'BRIEN
United States Attorney

CHRISTINE C. EWELL
Assistant United States Attorney
Chief, Criminal Division


DOUGLAS F. MCCORMICK
Assistant United States Attorney
Acting Chief, Santa Ana Office

IVY A. WANG
Assistant United States Attorney

EXHIBIT 2

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

| | |
|--|---------------------------------------|
| United States of America, | CASE NUMBER: 8:08CR00180-DOC-2 |
| Plaintiff(s) v. Priore, Beata Gizella Defendant(s). | WARRANT FOR ARREST |

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest Beata Gizella Priore
and bring him/her forthwith to the nearest Magistrate Judge to answer a(n): Complaint Indictment
 Information Order of Court Violation Petition Violation Notice
charging him/her with: (ENTER DESCRIPTION OF OFFENSE BELOW)
Violation of Pretrial Release

in violation of Title 18 United States Code, Section(s) 3148

| | |
|--|---|
| Terry Nafisi NAME OF ISSUING OFFICER Clerk of Court TITLE OF ISSUING OFFICER NANCY CASTRO SIGNATURE OF DEPUTY CLERK | MAR 23 2011 Santa Ana, CA DATE AND LOCATION OF ISSUANCE By: DAVID O. CARTER NAME OF JUDICIAL OFFICER |
|--|---|



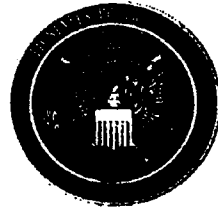
RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED DEFENDANT AT (LOCATION):

| | |
|--|--------------------------------|
| DATE RECEIVED | NAME OF ARRESTING OFFICER |
| DATE OF ARREST | TITLE |
| DESCRIPTIVE INFORMATION FOR DEFENDANT CONTAINED ON PAGE TWO | SIGNATURE OF ARRESTING OFFICER |

United States Pretrial Services

United States District Court
Central District of California



George M. Walker
Chief U.S. Pretrial Services Officer

Jill F. McClain
Deputy Chief U.S. Pretrial Services Officer

March 22, 2011

The Honorable David O. Carter
United States District Judge
Ronald Reagan Federal Building
and U.S. Courthouse
411 West 4th Street, Room 9D
Santa Ana, CA 92701-4596

Re: Priore, Beata Gizella
Dkt No.: 8:08CR00180-DOC-2

Dear Judge Carter:

The purpose of this letter is to advise Your Honor of an apparent bail violation by the above-referenced defendant. Pretrial Services respectfully recommends that a warrant be issued for the defendant's arrest.

On July 3, 2008, the defendant was indicted on the following charges: 18 USC § 371: Conspiracy; 18 U.S.C. § 1343: Wire Fraud; 18 U.S.C. § 2: Aiding and Abetting/Causing an Act to be Done.

On July 22, 2008, the defendant made her initial appearance in the Eastern District of New York (EDNY) before Magistrate Judge Arlene R. Lindsay. Bond was set which consisted of a \$100,000 Unsecured Bond, executed by the defendant. The following release conditions were ordered: The defendant must remain and may not leave the following areas without Court permission: Eastern District of New York, Central District of California and the District of Connecticut; the defendant shall surrender any and all passports to PSA and shall not apply for any other passports; the defendant is placed under the express supervision of PSA, subject to the Special Conditions on the reverse, if applicable, and must report to that agency by telephone one time per month; and shall appear in the Central District of California on August 4, 2008.

On August 4, 2008, the defendant appeared for Post-Indictment Arraignment. The Court ordered the bond set in the Eastern District of New York to remain.

The defendant is currently scheduled for trial to begin on April 26, 2011, before Your Honor.

HQ & Supervision Unit

U.S. Courthouse
312 North Spring Street, Room 754
Los Angeles, CA 90012-4708
213-894-4726 / FAX 213-894-0231

Investigation Unit

Edward R. Roybal Federal Building
255 East Temple Street, Room 1178
Los Angeles, CA 90012-3326
213-894-5568 / FAX 213-894-8892

Santa Ana Branch

Ronald Reagan Federal Building
411 West Fourth Street, Room 4070
Santa Ana, CA 92701-4596
714-338-4550 / FAX 714-338-4570

Riverside Branch

George E. Brown, Jr. Courthouse
3470 Twelfth Street, Room 161
Riverside, CA 92501
951-328-4490 / FAX 951-328-4489

Page 2 (The Honorable David O. Carter)

Re: Priore, Beata Gizella

It should be noted the defendant resides in New York and Pretrial Services in the Eastern District of New York has been providing courtesy supervision throughout the pendency of this case.

On March 18, 2011, Pretrial Services in this district was notified by the Pretrial Services Officer in EDNY that the defendant applied for a passport on February 22, 2011. The U.S. State Department advised EDNY the defendant submitted an application on the previously noted date for an expedited U.S. passport. In her application, the defendant noted she is requesting a passport to travel to China, Belgium, and various other countries in April, 2011.

The Pretrial Services Officer in EDNY advised the defendant has not requested any such permission through their office to apply for a passport nor foreign travel. Additionally, the defendant has not reported any plans to travel abroad. Pretrial Services was further advised the defendant reported earning minimal income. It is of the opinion of the Pretrial Services Officer in EDNY that the defendant may have intentions to flee the United States.

It should also be noted the defendant has previously requested the Court's permission to travel to Orlando, Florida in August, 2009. At that time, she provided advanced notification and followed the appropriate procedures. Pretrial Services believes this indicates the defendant is aware of her restriction and the proper procedure to obtain travel permission.

In light of the information noted above, Pretrial Services is concerned the defendant may be attempting to flee the United States. The defendant has not notified PSA of any intentions to travel nor apply for a passport. With disregard for her conditions of release, the defendant applied for an expedited passport with the State Department. Absent notification from the State Department, Pretrial Services would not have become aware of this. For these reasons, Pretrial Services respectfully requests a warrant be issued for the defendant's arrest.

Respectfully,

George M. Walker, Chief
U.S. Pretrial Services Officer



Matthew Markowski
U.S. Pretrial Services Officer
(714) 338-4560

Teresa Loza, USSPSO
(714) 338-4559

Approved: David O. Carter Not Approved: _____

HQ & Supervision Unit

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Investigation Unit

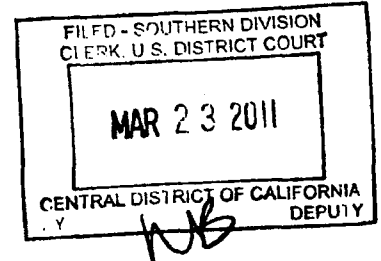
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United States Pretrial Services
for
CENTRAL DISTRICT OF CALIFORNIA

U.S.A. vs. Priore, Beata Gizella

Docket No. 8:08CR00180-DOC-2

PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE

COMES NOW GEORGE M. WALKER, CHIEF UNITED STATES PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Beata Gizella Priore, who was placed under pretrial release supervision by the Honorable Marc L. Goldman, sitting in the court at Santa Ana, California, on the 4th day of August, 2008 under the following conditions:

1. The defendant must remain and may not leave the following areas without Court permission: Eastern District of New York, Central District of California and the District of Connecticut.
2. The defendant shall surrender any and all passports to PSA and shall not apply for any other passports
3. The defendant is placed under the express supervision of PSA, subject to the Special Conditions on the reverse, if applicable, and must report to that agency by telephone one time per month
4. Shall appear in the CDC on August 4, 2008.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

1. On February 22, 2011, the defendant applied for an expedited United States passport.

PRAYING THAT THE COURT WILL ORDER issuance of a Bench Warrant addressed to any United States Marshal or any other authorized officer within the United States of America, requiring the detention and return of Beata Gizella Priore before the United States District Court at Santa Ana, California, to show cause why her bond should not be revoked.

ORDER OF THE COURT

Considered and ordered this 23 day of March 2011, and ordered filed and made a part of the records in the above case.

David O. Carter
The Honorable David O. Carter
United States District Judge

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on March 22, 2011

Matthew Markowski
Matthew Markowski
U.S. Pretrial Services Officer
Tel. (714) 338-4560

Teresa Loza
Teresa Loza, Supervising
U.S. Pretrial Services Officer
Tel. (714) 338-4559

Place: Santa Ana, California
Date: March 22, 2011