

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA,	:	16-CR-00441 (NGG)
	:	
	:	
-against-	:	United States Courthouse
	:	Brooklyn, New York
	:	
	:	Friday, August 4, 2017
FABIO GASPERINI,	:	9:30 a.m.
	:	
Defendant.	:	

----- X

TRANSCRIPT OF CRIMINAL CAUSE FOR TRIAL
BEFORE THE HONORABLE NICHOLAS G. GARAUFI
UNITED STATES SENIOR DISTRICT JUDGE, and a jury

A P P E A R A N C E S:

For the Government: BRIDGET M. ROHDE, ESQ.
Acting United States Attorney
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
BY: SARITHA KOMATIREDDY, ESQ.
MELODY WELLS, ESQ.
Assistant United States Attorneys

For the Defendant: LAW OFFICE OF SIMONE BERTOLLINI
450 Seventh Avenue
Suite 1408
New York, New York 10123
BY: SIMONE BERTOLLINI, ESQ

Court Reporter: Stacy A. Mace, RMR, CRR
Official Court Reporter
E-mail: SMaceRPR@gmail.com

Proceedings recorded by computerized stenography. Transcript produced by Computer-aided Transcription.

1 All right, Mr. Foreperson, has the jury reached a
2 verdict?

3 THE FOREPERSON: Yes, we have.

4 THE COURT: All right, please hand the verdict sheet
5 to the clerk.

6 (Pause in the proceedings.)

7 THE COURT: All right, please return the verdict
8 sheet to the foreperson and please remain standing, sir.

9 Will the defendant please rise?

10 All right, the clerk will publish the verdict.

11 THE COURTROOM DEPUTY: As to Count One, computer
12 intrusion in furtherance of fraud 18 USC Section 1030(a)(4).

13 As to Count One, how do you find defendant, guilty
14 or not guilty?

15 THE FOREPERSON: Not guilty.

16 THE COURTROOM DEPUTY: Count Two, computer intrusion
17 and obtaining information, 18 USC Sections 1030(a)(2),
18 1030(c)(2)(B).

19 As to Count Two, how do you find the defendant,
20 guilty or not guilty?

21 THE FOREPERSON: Not guilty.

22 THE COURTROOM DEPUTY: Count Three, wire fraud --

23 THE COURT: Whoa, whoa, (2)(A).

24 THE COURTROOM DEPUTY: I'm sorry, (2)(A).

25 As to the lesser included offense in Count Two, do

1 you find the defendant guilty or not guilty?

2 THE FOREPERSON: Guilty.

3 THE COURT: Count Three, wire fraud conspiracy.

4 18 USC Section 1349.

5 As to Count Three, how do you find the defendant,
6 guilty or not guilty?

7 THE FOREPERSON: Not guilty.

8 THE COURTROOM DEPUTY: Count Four, wire fraud 18 USC
9 Section 1343.

10 As to Count Four, how do you find the defendant,
11 guilty or not guilty?

12 THE FOREPERSON: Not guilty.

13 THE COURTROOM DEPUTY: Count Five, money laundering
14 conspiracy 18 USC Section 1956(h).

15 As to Count Five, how do you find the defendant,
16 guilty or not guilty?

17 THE FOREPERSON: Not guilty.

18 THE COURT: Let's get the verdict sheet. All right,
19 you may be seated.

20 All right, please inquire.

21 THE COURTROOM DEPUTY: All right, ladies and
22 gentlemen of the jury, having heard the verdict as given by
23 your foreperson, Juror Number One, is that your verdict?

24 JUROR NUMBER ONE: Yes.

25 THE COURTROOM DEPUTY: Juror Number Two?

1 JUROR NUMBER TWO: Yes.
2 THE COURTROOM DEPUTY: Juror Number Three?
3 JUROR NUMBER THREE: Yes.
4 THE COURTROOM DEPUTY: Juror Number Four?
5 JUROR NUMBER FOUR: Yes.
6 THE COURTROOM DEPUTY: Juror Number Five?
7 JUROR NUMBER FIVE: Yes.
8 THE COURTROOM DEPUTY: Juror Number Six?
9 JUROR NUMBER SIX: Yes.
10 THE COURTROOM DEPUTY: Juror Number Seven?
11 JUROR NUMBER SEVEN: Yes.
12 THE COURTROOM DEPUTY: Juror Number Eight?
13 JUROR NUMBER EIGHT: Yes.
14 THE COURTROOM DEPUTY: Juror Number Nine?
15 JUROR NUMBER NINE: Yes.
16 THE COURTROOM DEPUTY: Juror Number Ten?
17 JUROR NUMBER TEN: Yes.
18 THE COURTROOM DEPUTY: Juror Number Eleven?
19 JUROR NUMBER ELEVEN: Yes.
20 THE COURTROOM DEPUTY: And Juror Number Twelve?
21 JUROR NUMBER TWELVE: Yes.
22 THE COURTROOM DEPUTY: Jury polled, Your Honor.
23 THE COURT: Thank you.
24 Members of the jury, this completes your service as
25 jurors and you are now discharged as a jury.