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F.#2013R01652

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N F O R M A T I O N

- against -  
DARYAN WARNER,  
Defendant.

Cr. No. 13-584 (WFK)  
(T. 18, U.S.C., §§  
981(a)(1)(C), 982(a)(1),  
982(b), 1349, 1956(h), 2  
and 3551 et seq.; T. 21,  
U.S.C., § 853(p); T. 28,  
U.S.C., 2461(c); T. 31,  
U.S.C., §§ 5317(c)(1),  
5324(a)(3) and 5324(d)(2))

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THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION TO COUNTS ONE AND TWO

At all times relevant to Counts One and Two of this  
Information:

1. The Fédération Internationale de Football  
Association ("FIFA") was the international body governing  
organized soccer, commonly known outside the United States as  
football. FIFA was an entity registered under Swiss law and  
headquartered in Zurich, Switzerland. FIFA was composed of as  
many as 208 member associations, each representing organized  
soccer in a particular nation or territory, including the United  
States and four of its overseas territories: American Samoa,  
Guam, Puerto Rico and the United States Virgin Islands.

2. The World Cup, soccer's premier event, was a quadrennial international tournament organized by FIFA involving the senior men's teams of 32 nations.

3. In 2006, the World Cup was held in Germany (the "2006 World Cup"), and in 2010 the next World Cup was held in South Africa (the "2010 World Cup").

4. FIFA established rules governing, among other things, the sale and use of tickets to the 2006 World Cup and the 2010 World Cup. The FIFA Ticketing Office ("FTO") was the official sales agent with respect to the distribution of tickets for the 2006 World Cup and the 2010 World Cup. The FTO was operated by an event-management company engaged by FIFA.

5. From in or about and between 2005 and 2011, both dates being approximate and inclusive, the defendant DARYAN WARNER, together with others, participated in a scheme to obtain World Cup tickets from FIFA based on materially false and fraudulent pretenses, representations and promises, and to resell those tickets to others for a substantial profit.

#### The 2006 World Cup Tickets Scheme

6. In advance of the 2006 World Cup, the defendant DARYAN WARNER and Co-Conspirator #1, a ticket broker based in Florida whose identity is known to the United States Attorney, agreed to be partners for the purpose of obtaining tickets to the 2006 World Cup and reselling them at a substantial mark-up.

WARNER's role in the scheme was to purchase tickets from the FTO. After purchasing the tickets, WARNER would sell them to Co-Conspirator #1, who, in turn, would sell them to, among others, travel agencies, tour operators and other ticket brokers.

7. Prior to 2006, the FTO had advised the defendant DARYAN WARNER that it would not sell him tickets if WARNER intended to resell the tickets to or through Co-Conspirator #1.

8. It was part of the scheme that the defendant DARYAN WARNER attempted to purchase, and did purchase, tickets from the FTO. Because WARNER knew that the FTO would not sell the tickets to him for resale to Co-Conspirator #1, WARNER disguised and concealed his intention to resell the tickets to Co-Conspirator #1. For example, on one occasion, when asked by a representative of the FTO if WARNER was working with Co-Conspirator #1, WARNER lied and said he was not.

9. It was further part of the scheme that the defendant DARYAN WARNER sought to disguise and conceal his intention to resell tickets to the 2006 World Cup to Co-Conspirator #1 from an auditing firm that had been hired by FIFA to investigate irregularities in the resale of tickets to the 2006 World Cup.

10. Among other things, the defendant DARYAN WARNER, together with Co-Conspirator #1, agreed to provide, and did

provide, to the FTO and to the auditing firm documents that falsely represented that WARNER intended to resell tickets to the 2006 World Cup directly to certain travel agencies and tour operators not associated with Co-Conspirator #1.

11. As a result of the scheme, the defendant DARYAN WARNER and Co-Conspirator #1 made a substantial profit from the sale of the 2006 World Cup tickets that WARNER procured from the FTO based on false pretenses.

#### The 2010 World Cup Tickets Scheme

12. FIFA became aware that the defendant DARYAN WARNER had resold 2006 World Cup tickets obtained from the FTO to Co-Conspirator #1. As a result, WARNER understood and believed that the FTO would not sell him tickets for the 2010 World Cup. Further, WARNER understood and believed that the FTO would not sell such tickets to any other individual if the FTO knew the tickets would later be provided to WARNER for resale.

13. Nevertheless, the defendant DARYAN WARNER continued his scheme with Co-Conspirator #1 to obtain 2010 World Cup tickets and resell them at a substantial mark-up, as they did in 2006.

14. It was part of the scheme that, for the purpose of causing the FTO to provide him with tickets that he could resell at a substantial mark-up, the defendant DARYAN WARNER asked two of his family members, whose identities are known to

the United States Attorney (the "Two Family Members"), to obtain tickets from the FTO on his behalf. WARNER understood and believed that his Two Family Members, who, at the time, were FIFA officials entitled to purchase a certain allotment of tickets, obtained the tickets without disclosing to the FTO that they intended to provide the tickets to WARNER for resale.

15. After receiving the tickets from his Two Family Members, the defendant DARYAN WARNER, along with Co-Conspirator #1, resold the tickets at a substantial mark-up. WARNER and Co-Conspirator #1 made a substantial profit from the sale of tickets to the 2010 World Cup.

COUNT ONE  
(Wire Fraud Conspiracy)

16. The allegations contained in paragraphs 1 through 15 are realleged and incorporated as if set forth fully in this paragraph.

17. In or about and between 2005 and 2011, both dates being approximate and inclusive, within the Southern District of Florida and elsewhere, the defendant DARYAN WARNER, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud FIFA, and to obtain money and property from FIFA, by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice did transmit and cause to be

transmitted in interstate and foreign commerce, writings, signs, signals, pictures and sounds, to wit: interstate and international emails and wire transfers, contrary to Title 18, United States Code, Section 1343.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT TWO  
(Money Laundering Conspiracy)

18. The allegations contained in paragraphs 1 through 17 are realleged and incorporated as if fully set forth in this paragraph.

19. In or about and between 2005 and 2011, both dates being approximate and inclusive, within the Southern District of Florida and elsewhere, the defendant DARYAN WARNER, together with others, did knowingly and intentionally conspire to transport, transmit and transfer monetary instruments and funds, to wit: wire transfers, from a place in the United States to and through a place outside the United States and to a place in the United States from and through a place outside the United States, with intent to promote the carrying on of specified unlawful activity, to wit: wire fraud, contrary to Title 18,

United States Code, Section 1343, all contrary to Title 18,  
United States Code, Section 1956(a)(2)(A).

(Title 18, United States Code, Sections 1956(h) and  
3551 et seq.)

### INTRODUCTION TO COUNT THREE

At all times relevant to Count Three of this  
Information, the currency reporting requirements provided as  
follows:

#### Structuring and Currency Reporting Requirements

20. Transactions in currency were defined as  
transactions involving the physical transfer of money, as  
defined in Title 31, Code of Federal Regulations, Section  
1010.100(bbb).

21. Domestic financial institutions were required to  
file a Currency Transaction Report (FinCEN Form 104, hereinafter  
referred to as a "CTR") with the United States Department of the  
Treasury for each transaction in currency, such as a deposit,  
withdrawal, exchange of currency or other payment or transfer  
by, through or to such financial institution, in excess of  
\$10,000, as required by Title 31, United States Code, Section  
5313 and Title 31, Code of Federal Regulations, Section  
1010.311.

22. CTRs were filed on forms that required, among  
other things, the identity of the individual who conducted the

transaction (Part One of the CTR) and the individual or organization for whom the transaction was completed (Part Two of the CTR).

23. CTRs were required to be filed to assist the United States in criminal, tax and regulatory investigations and proceedings, as stated in Title 31, United States Code, Section 5311.

24. "Structuring" a financial transaction was defined in Title 31, Code of Federal Regulations, Section 1010.100(xx), as conducting, or attempting to conduct, one or more transactions in currency, in any amount, at one or more financial institutions, on one or more days, in any manner, for the purpose of evading the currency reporting requirements, including, without limitation, by breaking down a sum of currency exceeding \$10,000 into smaller sums, including sums at or below \$10,000, and conducting a currency transaction or a series of currency transactions at or below \$10,000.

COUNT THREE  
(Structuring)

25. The allegations contained in paragraphs 20 through 24 are realleged and incorporated as if fully set forth in this paragraph.

26. In or about and between July 2011 and December 2011, both dates being approximate and inclusive, within the



Eastern District of New York and elsewhere, the defendant DARYAN WARNER, together with others, for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations prescribed thereunder, did knowingly and intentionally structure, assist in structuring and attempt to structure one or more transactions with one or more domestic financial institutions, by (a) breaking down sums of currency exceeding \$10,000 into smaller sums, including sums at or below \$10,000, and depositing the smaller sums of currency into accounts with one or more domestic financial institutions, and (b) conducting a series of currency transactions, including transactions at or below \$10,000, at one or more domestic financial institutions, all as part of a pattern of illegal activity involving more than \$100,000 in a twelve-month period.

(Title 31, United States Code, Sections 5324(a)(3) and 5324(d)(2); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT ONE

27. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any and all

property, real or personal, which constitutes or is derived from proceeds traceable to a violation of such offense.

28. 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 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

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

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT TWO

29. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offense to forfeit any and all property, real or personal, involved in such offense, or any property traceable to such offense.

30. 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 21, United States Code, Section 853(p), as incorporated by Title 18,

United States Code, Section 982(b), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT THREE

31. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 31, United States Code, Section 5317(c)(1), which requires any person convicted of such offense to forfeit any property, real or personal, involved in such offense and any property traceable to such property.

32. 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;

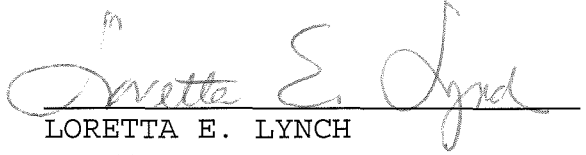
(b) has been transferred or sold to, or deposited with, a third party;

(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 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 31, United States Code, Section 5317(c)(1);  
Title 21, United States Code, Section 853(p))

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