

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- v. -

: INFORMATION

WILLIAM POPKAVE,

: 17 Cr. ____ ()

Defendant. :

- - - - - x

COUNT ONE

The United States Attorney charges:

1. From in or about 2012 through in or about 2014, in the Southern District of New York and elsewhere, WILLIAM POPKAVE, the defendant, together with others known and unknown, unlawfully and knowingly did combine, conspire, confederate and agree together and with each other to commit mail fraud and honest services fraud in violation of Title 18, United States Code, Sections 1341 and 1346.

2. It was an object of the conspiracy that WILLIAM POPKAVE, the defendant, together with others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and to deprive the citizens of Rockland County of their right to the honest services of POPKAVE, for the purpose of executing such scheme and artifice, would and did place in a post office and authorized depository for mail matter, matters and things to be

sent and delivered by the Postal Service, and would and did deposit and cause to be deposited matters and things, to be sent and delivered by private and commercial interstate carriers, and would and did take and receive therefrom such matters and things and knowingly did cause to be delivered by mail and such carriers according to direction thereon, such matters and things, in violation of Title 18, United States Code, Sections 1341 and 1346.

(Title 18, United States Code, Section 1349.)

COUNT TWO

The United States Attorney further charges:

3. From at least in and about 2012, up to and including at least in and about 2014, in the Southern District of New York, WILLIAM POPKAVE, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and to deprive others of the intangible right to the honest services of POPKAVE, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting to do so, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things, to be sent and delivered by private and commercial interstate carriers, and did take and receive therefrom such matters and things and knowingly did cause to be

delivered by mail and such carriers according to direction thereon, such matters and things, and aided and abetted the same, to wit, POPKAVE caused, and aided and abetted others in causing, Rockland BOCES to mail checks to a co-conspirator not named herein (the "CC"), and to companies that the CC controlled, based upon false invoices that charged Rockland BOCES for work not actually performed.

(Title 18, United States Code, Sections 1341, 1346, and 2.)

COUNT THREE

The United States Attorney further charges:

4. From at least in and about 2009, up to and including at least in and about 2014, in the Southern District of New York, WILLIAM POPKAVE, the defendant, being an agent of a local government and agency thereof, which received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, Rockland BOCES, did embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to the use of another person other than the rightful owner and intentionally misapplied, property that was valued at \$5,000 and more, and was owned by, and was under the care, custody, and control of Rockland BOCES, to wit, POPKAVE, stole funds of Rockland BOCES for the benefit of the CC by

authorizing payment by Rockland BOCES to the CC's business for vehicle repair that was not actually performed.

(Title 18, United States Code, Sections 666(a)(1)(A).)

COUNT FOUR

The United States Attorney further charges:

5. From at least in and about 2009, up to and including at least in and about 2014, in the Southern District of New York, WILLIAM POPKAVE, the defendant, being an agent of a local government and agency thereof, which received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, to wit, Rockland BOCES, corruptly solicited and demanded for the benefit of persons, and accepted and agreed to accept, things of value from persons, intending to be influenced and rewarded in connection with business, transactions, and series of transactions of Rockland BOCES involving things of value of \$5,000 and more, to wit, POPKAVE, influenced and rewarded by the payment of bribes from the CC in the form of tens of thousands of dollars-worth of free vehicle repairs, authorized payment by Rockland BOCES to the CC's business for vehicle repair that was not actually performed.

(Title 18, United States Code, Section 666(a)(1)(B).)

COUNT FIVE

The United States Attorney further charges:

6. In or about late 2014, through in or about 2015, in the Southern District of New York, WILLIAM POPKAVE, the defendant, corruptly did obstruct, influence, and impede an official proceeding, and attempt to do so, to wit, POPKAVE, together with the CC, arranged a series of transactions to conceal POPKAVE's receipt of years of free vehicle repairs as part of a fraud and bribery scheme.

(Title 18, United States Code, Sections 1512(c)(2) and 2.)

FORFEITURE ALLEGATION

7. As a result of committing the offenses alleged in Counts One through Five of this Information, WILLIAM POPKAVE, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

8. 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 person;

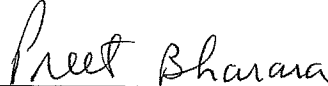
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



PREET BHARARA
United States Attorney