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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPT
PLBH

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N F O R M A T I O N</u>
)	
v.)	Title 18, U.S.C., Sec. 371 -
)	Conspiracy to Commit Mail Fraud;
GREGORY JAMES MARINO,)	Title 26, U.S.C., Sec. 7201 -
)	Tax Evasion
)	
Defendant.)	
_____)	

The United States Attorney charges:

INTRODUCTORY ALLEGATIONS

At all relevant times herein:

1. The sports and celebrity memorabilia market in the United States is approximately one billion dollars per year. Industry experts estimate that upwards of 50% (and perhaps as much as 90%) of the items comprising this market are counterfeit. Typically, the individuals who traffic in this black market obtain memorabilia containing forged autographs of celebrities, which are then inaccurately certified as genuine.

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San Diego

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1 mass produced. On other occasions, the distributors utilize other
2 individuals who purport to examine the item and render an "expert"
3 opinion as to the signature's authenticity. Frequently, the
4 authenticators have forensic expertise and claim to (or actually)
5 have scientifically compared the signature on the memorabilia to
6 known examples of the celebrity's handwriting.

7 6. The role of the authenticator is extremely important to
8 the success of the criminal venture. It is the certificate of
9 authenticity which allows distributors to feign, or maintain,
10 ignorance of the fraudulent nature of the item they are selling.
11 On the few occasions when an unsuspecting buyer discovers the
12 fraud, the seller can claim that he relied on the accuracy of the
13 certificate of authenticity and was unaware of the counterfeit
14 nature of the celebrity's signature contained on the item.

15 7. On the other hand, the authenticators -- if confronted
16 by an angry buyer -- can always claim that they are not
17 responsible for the fraud and merely gave their best opinion as to
18 whether the signature was genuine. As a rule, the certificates of
19 authenticity expressly state that they merely represent the
20 authenticator's expert opinion and cannot be relied upon as a
21 warranty that the item of memorabilia is, in fact, genuine.

22 8. Eventually, the counterfeit item enters the stream of
23 legitimate commerce in this country. Once in the legitimate
24 stream of commerce, the item may be sold from a wide variety of
25 different locations. Among the differing venues are: (1) Internet
26 auction sites; (2) numerous mail order businesses and large
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1 retail stores that advertise in various trade publications; (3)
2 upscale franchise stores located in malls and airport concourses
3 around the country; (4) home shopping channels; (5) local shops
4 that specialize in baseball cards or other items of memorabilia;
5 (6) memorabilia shows; (7) movie theaters; and (8) local charity
6 auctions.

7 9. On some occasions, the ultimate retailer of the
8 counterfeit item may be unaware of its fraudulent nature.
9 However, if the retailer is aware -- or suspects due to the item's
10 price or appearance -- that the memorabilia is counterfeit, he may
11 attempt to disguise the illegal activity by obtaining several
12 genuine items of memorabilia that were actually signed by the
13 celebrity. If confronted by a customer, the seller can tell the
14 customer that the item must be genuine based on the seller's false
15 claim that it was personally obtained from the athlete.

16 10. In addition, unscrupulous retailers utilize pictures
17 taken with celebrities to promote the sale of counterfeit items
18 claiming that they were signed by a celebrity at the time of the
19 picture. On occasion, retailers will simply get a stock picture
20 of an athlete signing autographs in an attempt to convince the
21 unsuspecting buyer of the item's genuineness.

22 The Counterfeit Memorabilia Market

23 11. The market for genuine vintage memorabilia has changed
24 dramatically over the last decade. In the late 1980's, the market
25 consisted of a very limited supply of genuine articles (e.g.,
26 vintage balls, checks, old books, letters, and the rare cut).
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1 These items were almost exclusively traded among a select group of
2 collectors through a well-defined network. However, at present,
3 the market is absolutely flooded with tens of thousands of vintage
4 items (including bats, balls, jerseys, helmets, record albums,
5 pictures, magazines, pieces of paper, posters, lithographs, and
6 other items) that are counterfeit.

7 12. In fact, the current "public" market in vintage
8 memorabilia is largely comprised of forgeries. This market in
9 vintage memorabilia is directly attributable to the special skills
10 of a select group of forgers. Indeed, vintage cuts were almost
11 non-existent prior to these forgers beginning to produce the cuts
12 within the last decade. Today, there are literally thousands of
13 these counterfeit items in retail businesses across the country.

14 13. The black market is increasingly turning to the Internet
15 in order to facilitate the sale of counterfeit sports and
16 celebrity memorabilia. Attempting to cloak themselves in the
17 anonymity available in cyberspace, black marketeers brazenly offer
18 multiple, high-priced counterfeits from a variety of websites.

19 14. The current market of non-vintage memorabilia is also
20 characterized by the counterfeiting of the signatures of select
21 athletes and celebrities who command large sums in the open
22 market. In particular demand on the current black market are items
23 signed by Mark McGwire, Sammy Sosa, Ted Williams, Mohammed Ali,
24 John Elway, Joe Montana, Michael Jordan, Kobe Bryant, Mel Gibson
25 and Pamela Anderson Lee.

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1 15. Some of the most popular athletes have started to
2 introduce security procedures in an attempt to frustrate
3 counterfeiters. For example, Michael Jordan entered into an
4 exclusive contract with Upper Deck to sell his autographed items.
5 Therefore, it is likely that any retail item of sports memorabilia
6 purporting to be signed by Jordan is counterfeit -- except for
7 merchandise marketed through Upper Deck. For a number of years,
8 Michael Jordan's contract with Upper Deck has been an exclusive
9 contract that prevents him from selling his autographs to other
10 sources.

11 16. Similarly, Mark McGwire has refused to sign autographs
12 (for money) for approximately the last decade. As a result, a
13 McGwire signature purchased on the retail market is likely to be
14 a forgery.

15 Production, Bogus Authentication and distribution
16 of Counterfeit memorabilia

17 17. In September 1997, a Special Agent with the FBI assumed
18 the undercover role of John Freitas -- owner of Nihon Trading,
19 2181 El Camino Real, Suite 100, Oceanside. As part of his
20 undercover role, "Freitas" represented to individuals that he was
21 presently in the business of exporting sports memorabilia to
22 Pacific rim nations.

23 18. Over the last two years, utilizing "Freitas" and others,
24 the Government has been able to purchase fraudulent sports (and
25 celebrity) memorabilia from a number of different individuals.
26 These suppliers of fraudulent memorabilia include, Michael Bowler,
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1 Jon Hall, Carmen Lombardo, Jack Morgenstern, Michael Moses, and
2 David Tabb.

3 19. Most, if not all, of these suppliers have stated in
4 recorded conversations that the "Marino family" is considered to
5 be one of the major forgers of counterfeit memorabilia. The
6 suppliers have also indicated that Wayne Bray is one of the main
7 distributors (and authenticators) of counterfeit memorabilia
8 produced by the Marinos.

9 Interception of Wire Communications

10 20. In early 1999, the Federal District Court in the
11 Southern District of California, authorized the interception of
12 wire communications from phones located at: (1) Wayne Bray's
13 business, W.W. Sportscards, 133 North Pacific Street, Unit D, San
14 Marcos, California; (2) the home of Greg and Kathleen Marino, 395
15 Beaumont Glenn, number 257, Escondido, California; and (3) the
16 home of Angelo, Gloria and John Marino, 2422 Smokewood Place,
17 Escondido, California.

18 21. These intercepted conversations revealed that Wayne Bray
19 had been distributing millions of dollars worth of counterfeit
20 memorabilia over the last several years. In addition, the
21 interceptions (and related investigation) have confirmed that Bray
22 was obtaining the forged signatures of the various athletes and
23 celebrities from, among others, Angelo, Gloria, Greg, Kathleen and
24 John Marino.

25 22. These interceptions also indicated that Angelo and Greg
26 Marino were actively involved in the forging of the memorabilia,
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1 while Kathleen, Gloria and John Marino assisted in the
2 distribution of the counterfeit goods. They also suggested that
3 John Marino was responsible for procuring many of the raw
4 materials necessary to commit the forgeries, i.e., blank balls,
5 bats, aged paper and pens. In addition, the interceptions
6 demonstrated that the Marinos were supplying forged memorabilia to
7 approximately a dozen distributors apart from Wayne Bray.

8 23. The Marino family had been supplying counterfeit items
9 since approximately 1994. During that time, they presided over the
10 largest counterfeit sports and celebrity memorabilia operation in
11 the country. This operation accounted for the production of
12 unknown millions of dollars of counterfeit memorabilia.

13 24. The fraudulent memorabilia distributors utilizing Marino
14 counterfeits on occasion obtained product from smaller counterfeit
15 operations. In these operations, the forgers typically had a
16 repertoire of specific athletes and celebrities whom they could
17 counterfeit, but shared an overlapping distribution network. The
18 other counterfeiters included Michael Moses, David Tabb, and
19 Michael Lopez.

20 25. This network was comprised of various middlemen who
21 moved the counterfeits into the legitimate stream of commerce.
22 Typically, the middlemen would sell to memorabilia wholesalers or
23 retailers. However, on occasion, they would mass market (using
24 both mail order and the Internet) the counterfeit memorabilia
25 directly to the general public. In addition to Wayne Bray, the
26 middlemen included, Michael Bowler, Nathan Harrison, Sheldon

1 Jaffe, Michael Moses, Rino Ruberti, David Tabb, Michael Tapales
2 and Richard Weimer.

3 26. The middlemen would normally be charged with obtaining
4 certificates of authenticity for the counterfeit memorabilia prior
5 to selling the goods to the ultimate retailer. The retailers
6 included Bruce Gaston, Forrest Golembeske, Jon Hall, Lowell Katz,
7 Richard Laughlin, Carmen Lombardo and Anthony Marino.

8 COUNT ONE

9 27. Beginning at a time unknown to the Government and
10 continuing up to and including October 13, 1999, within the
11 Southern District of California, and elsewhere, defendant GREGORY
12 JAMES MARINO did knowingly and willfully combine, conspire and
13 agree with John Thomas Marino, Gloria Marino, Angelo Andrew
14 Marino, Kathleen Ann Marino all doing business as (hereinafter
15 referred to as d/b/a) "Front Page Art," Michael David Bowler
16 d/b/a/ "J&M Sportscards" and "JMC Distributors," Wayne Donald Bray
17 d/b/a "W.W. Sportscards" and "Sport and Celebrity Autograph
18 Authentication, SCAA," William Bruce Gaston d/b/a "La Jolla
19 Sportscards," Forrest Golembeske d/b/a "Frosty's Sports Cards" and
20 "Collectibles & Antiques," Jon Frederick Hall d/b/a "Del Mar
21 Sportscards," Nathan William Harrison d/b/a "LNN Enterprises,"
22 Sheldon Jaffe d/b/a "Shelly's Cards," Scott Lee Harris and Mary
23 Louise Harris both d/b/a/ "Universal Engineering and Development
24 Company," Lowell Katz d/b/a "The Beautiful and the Unusual,"
25 Richard John Laughlin d/b/a "Framed Images," Carmen "Chip"
26 Lombardo d/b/a "Home Field Advantage," Michael Lopez, Anthony

1 Marino d/b/a "Pro Sports, Ltd.," Richard J. Mitchell, Michael
2 Pierce Moses and Robyn Greene Moses d/b/a "Sports Management
3 Group," "Sports Alley," and "Universal Authentic Memorabilia,"
4 Rino David Ruberti and Karen Michelle Ruberti d/b/a "Sports Card
5 Kid," "Universal Authentic Memorabilia" and "Universal Engineering
6 and Development Company," David Joel Tabb d/b/a "Hollywood
7 Collectibles" and "Hollywood Dreams," Michael John Tapales d/b/a
8 "Prime Time Sportscards," Richard A. Weimer d/b/a "Rick's
9 Collectibles," and with numerous others, to utilize the United
10 States Postal Service and other common carriers to defraud
11 consumers and obtain money by means of false and fraudulent
12 pretenses, representations and promises; all in violation of
13 Title 18, United States Code, Sections 371 and 1341.

14 **THE METHODS OF THE CONSPIRACY**

15 28. As a part of the conspiracy, Angelo Marino would paint
16 original pictures of various sports figures, such as Dan Marino,
17 Joe Montana, Joe Namath, Mohammed Ali, Tiger Woods, and Cal
18 Ripkin, Jr.

19 29. As a further part of the conspiracy, Angelo Marino would
20 get some of the sports figures to sign a limited number of his
21 lithographs. He would then "pad" his profits by forging additional
22 signatures onto his lithographs.

23 30. As a further part of the conspiracy, John Marino began
24 purchasing photographs of sports and celebrities from various
25 companies specializing in selling these photographs. After
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1 obtaining the photographs, Greg Marino would forge the celebrity's
2 signature on the picture.

3 31. As a further part of the conspiracy, Greg Marino forged
4 the signatures of thousands of celebrities, including Mother
5 Theresa, Abraham Lincoln, Martin Luther King, Albert Einstein,
6 Marilyn Monroe, Elvis Presley, Babe Ruth, Lou Gehrig, Ty Cobb,
7 Sammy Sosa, Mark McGwire and Tony Gwynn.

8 32. As a further part of the conspiracy, John Marino would
9 offer to sell the fraudulent photographs and lithographs utilizing
10 the Marinos' company, Front Page Art.

11 33. As a further part of the conspiracy, Gloria Marino would
12 handle the financial arrangements involving the family's
13 counterfeiting activity. In addition, she would handle all
14 payments and distribute the money to the various family members.

15 34. As a further part of the conspiracy, Kathleen Marino
16 would assist the family by, among other things, taking orders for
17 counterfeit items and preparing blank items of memorabilia to
18 facilitate their forging by her husband, Greg Marino.

19 35. As a further part of the conspiracy, the Marinos divided
20 up their profits by giving one-third to Greg and Kathleen Marino,
21 one-third to Angelo and Gloria Marino, and one-third to John
22 Marino.

23 36. As a further part, and to conceal the existence, of the
24 conspiracy, the Marinos dealt primarily in cash, utilized nominees
25 to purchase assets, and failed to report their illegal income to
26 the Internal Revenue Service.

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1 he occasionally would rip pages out of library books that were
2 published decades ago.

3 42. As a further part of the conspiracy, the Marinos began
4 forging the signature of deceased athletes and celebrities on aged
5 pieces of paper ("cuts") that John Marino had obtained. In forging
6 these signatures, Greg Marino would utilize ink that was produced
7 during the celebrity's lifetime.

8 43. As a further part of the conspiracy, Greg Marino would
9 typically forge the various items of memorabilia in his parents
10 living or dining room.

11 44. As a further part of the conspiracy, the Marinos
12 maintained a "black book" containing thousands of examples (known
13 as "exemplars") of genuine celebrity signatures. Greg Marino would
14 utilize these exemplars, unless he had memorized the signature of
15 the particular celebrity he was forging.

16 45. As a further part of the conspiracy, Wayne Bray supplied
17 the Marinos with blank balls, bats, clothing, equipment, and other
18 items -- along with a list of celebrity signatures (or actual
19 celebrity exemplars) that he wished forged. After forging the
20 signatures of the celebrities, the Marinos gave the items back to
21 Bray for distribution.

22 46. As a further part of the conspiracy, Wayne Bray
23 manufactured a red "Haiti" baseball stamp to conceal the true age
24 of many of the baseballs on which Greg Marino was forging the
25 signature of deceased ballplayers.

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1 47. As a further part of the conspiracy, Stan Fitzgerald
2 instructed Wayne Bray to move the placement of the Haiti stamp in
3 order to allow the forgeries to be placed on the "sweet spot" of
4 the baseball.

5 48. As a further part of the conspiracy, Wayne Bray also
6 sold the Marinos' counterfeit memorabilia to various retailers
7 around the country. These retailers sold millions of dollars of
8 counterfeit memorabilia through dozens of outlets located across
9 the country. Some of these retailers also obtained counterfeit
10 memorabilia from Michael Lopez, Nathan Harrison, and David Tabb.

11 49. As a further part of the conspiracy, Michael Lopez
12 forged counterfeit memorabilia for, among others, The Hall of
13 Fame, B&J Collectibles, The Prince of Cards, and Plaques Gallery.

14 50. As a further part, and to conceal the existence, of the
15 conspiracy, Michael Lopez would regularly change his cell phone
16 numbers and rent or lease cars that he was using to conduct
17 illegal activity.

18 51. As a further part, and to conceal the existence, of the
19 conspiracy, Wayne Bray established Sport and Celebrity Autograph
20 Authentication ("SCAA") in order to disguise the sale of
21 counterfeit memorabilia. This company was set up by Bray for the
22 sole purpose of authenticating counterfeit memorabilia produced by
23 the Marinos.

24 52. As a further part, and to conceal the existence, of the
25 conspiracy, Wayne Bray also formed an authentication company with
26 a partner. In order to separate the authentication company from
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1 his sale of counterfeit memorabilia, the two partners agreed to
2 call the business, J. DiMaggio Company. They decided to utilize
3 this name in order to capitalize on the notoriety surrounding the
4 name "J. DiMaggio." Once again, this business was set up for the
5 sole purpose of authenticating counterfeit memorabilia.

6 53. As a further part, and to conceal the existence, of the
7 conspiracy, other coconspirators began utilizing both SCAA and J.
8 DiMaggio Company to authenticate their forgeries. Typically,
9 Wayne Bray would check the forgeries to ensure that they were
10 high-quality. In addition, he would want to ensure that the
11 forgers placed the right signature on a celebrity photograph and
12 did not use a photo or item of memorabilia produced after the
13 death of the celebrity. On the other hand, his partner would
14 frequently issue certificates without even doing a cursory
15 examination.

16 54. As a further part, and to conceal the existence, of the
17 conspiracy, the coconspirators also obtained certificates of
18 authenticity from Forensic Document Services ("FDS"), Authentic
19 Autographs Unlimited ("AAU"), Donald Frangipani and others to
20 disguise the fact that the memorabilia they were selling was
21 counterfeit.

22 55. As a further part, and to conceal the existence, of the
23 conspiracy, the Marinos had nominees purchase cashier's checks in
24 order to conceal the origin of their illegal profits.
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1 56. As a further part, and to conceal the existence, of the
2 conspiracy, the Marinos failed to declare, and secreted in their
3 residence, hundreds of thousands of dollars in cash.

4 57. As a further part of the conspiracy, the Marinos sold
5 their counterfeit memorabilia to Jon Hall. Hall utilized his
6 business, Del Mar Sportscards, to sell the counterfeit memorabilia
7 to the general public.

8 58. As a further part of the conspiracy, Jon Hall also sold
9 the counterfeit memorabilia to Carmen "Chip" Lombardo. Lombardo
10 would then usually resell the counterfeit memorabilia over the
11 Internet utilizing his company, Home Field Advantage.

12 59. As a further part of the conspiracy, Jon Hall introduced
13 one of his suppliers, Rino Ruberti, to John Marino. Eventually,
14 Ruberti became one of the major purchasers of counterfeit
15 memorabilia produced by the Marinos.

16 60. As a further part, and to conceal the existence, of the
17 conspiracy, Rino Ruberti and Michael Moses set up the mail order
18 business, Universal Authentic Memorabilia ("UAM"). This company
19 distributed millions of dollars of counterfeit memorabilia.

20 61. As a further part of the conspiracy, UAM advertised in
21 the various memorabilia trade journals. During the life of the
22 business, it sold only counterfeit memorabilia.

23 62. As a further part of the conspiracy, Michael Moses would
24 personally forge the signatures of certain celebrities who were
25 not deceased. Rino Ruberti would then obtain most of the rest of
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1 their counterfeit memorabilia from the Marinos. Occasionally,
2 Moses would trade counterfeit memorabilia with David Tabb.

3 63. As a further part of the conspiracy, Michael Moses and
4 Rino Ruberti employed individuals to take orders and make
5 deliveries of counterfeit memorabilia for UAM.

6 64. As a further part of the conspiracy, Michael Moses and
7 Rino Ruberti would utilize their wives, Robyn Moses and Karen
8 Ruberti to assist with running UAM. In addition, they utilized
9 Scott and Mary Louise Harris (who were Karen Ruberti's parents) to
10 assist in running the business and in laundering their illegal
11 proceeds.

12 65. As a further part of the conspiracy, David Tabb
13 exchanged forgeries he produced with Michael Moses. Over the last
14 four years, Tabb sold millions of dollars of counterfeits through
15 movie theaters, sports bars and the Internet.

16 66. As a further part, and to conceal the existence, of the
17 conspiracy, David Tabb would destroy his books and records
18 documenting his illegal activity.

19 67. As a further part of the conspiracy, Rino Ruberti sold
20 counterfeit memorabilia to, among others, Wall of Fame, A&J
21 Collectibles, Whiz Kid, and Grand Slam Memorabilia.

22 68. As a further part, and to conceal the existence, of the
23 conspiracy, Rino Ruberti and Michael Moses utilized Scott and Mary
24 Louise Harris to: (1) obtain a merchant credit card account; (2)
25 obtain a business bank account; (3) ship packages; and (4) deliver
26 orders of counterfeit memorabilia.

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1 81. As a further part of the conspiracy, the Marinos sold
2 hundreds of thousands of dollars of counterfeit memorabilia
3 directly to a couple of retail outlets. These retailers sold the
4 counterfeit memorabilia both over the Internet and directly out of
5 their stores.

6 82. As a further part of the conspiracy, Lowell Katz sold
7 counterfeit memorabilia (produced by the Marinos) over the
8 Internet.

9 83. As a further part, and to conceal the existence, of the
10 conspiracy, John Marino, Gloria Marino, Angelo Marino, and Greg
11 Marino would deliver counterfeit memorabilia to their customers in
12 parking lots and other public places.

13 84. As a further part of the conspiracy, the Marinos, Rino
14 Ruberti, Wayne Bray, Ricky Mitchell, and Nathan Harrison would
15 discuss ways to conceal and hide their illegal operations from law
16 enforcement. Among other things, they agreed to "a code of
17 silence" if questioned regarding their counterfeiting activities.

18 85. As a further part, and to conceal the existence, of the
19 conspiracy, the conspirators frequently talked in "code" when
20 using the telephone.

21 OVERT ACTS

22 In furtherance of said conspiracy and to effect the objects
23 thereof, the following overt acts, among others, were committed
24 within the Southern District of California and elsewhere:
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1 1. In or about 1994, in San Marcos, California, Wayne Bray
2 agreed to supply Stan Fitzgerald with counterfeit memorabilia that
3 Fitzgerald could sell through his business.

4 2. In or about 1994, in Corona, California, Michael Lopez
5 began forging memorabilia that Wayne Bray would sell to Stan
6 Fitzgerald.

7 3. In or about 1995, in Escondido, California, Greg Marino
8 began forging memorabilia that Wayne Bray would sell to Stan
9 Fitzgerald.

10 4. In or about 1996, in Escondido, California, Greg Marino
11 began forging memorabilia that Carmen Lombardo would resell to
12 others.

13 5. In or about 1996, in Escondido, California, Greg Marino
14 began forging memorabilia that Sheldon Jaffe would resell to
15 others.

16 6. In or about 1996, in San Marcos, California, Wayne Bray
17 began supplying Nathan Harrison with counterfeit memorabilia that
18 Harrison could resell to others.

19 7. In or about July 1996, in Laguna Niguel, California,
20 Laith Neesan utilized All-Sports Memorabilia to distribute
21 hundreds of thousands of dollars of counterfeit memorabilia.

22 8. Between July 1996 and January 1997, in Escondido,
23 California, John Marino provided counterfeit memorabilia to
24 Michael Tapales for delivery to Laith Neesan and Michael Moses.

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1 9. In or about 1997, in Escondido, California, the Marinos
2 began selling their counterfeit memorabilia directly to Nathan
3 Harrison.

4 10. In or about 1996 to January 1997, in San Juan
5 Capistrano, California, Richard Laughlin sold approximately
6 \$50,000 in counterfeit memorabilia to Wayne Allen Deloney,
7 including jerseys allegedly signed by Michael Jordan, Larry Bird,
8 and Magic Johnson.

9 11. In or about early 1996, in Orange, California, David
10 Tabb was distributing counterfeit sports memorabilia out of the
11 National Sport Bar and Grill.

12 12. In or about 1997, in Tustin, California, Sheldon Jaffe
13 began purchasing numerous orders of counterfeit memorabilia from
14 Wayne Bray.

15 13. On or about July 15, 1997, in Orange, California, David
16 Tabb incorporated Collect Your Dreams, Inc.

17 14. On or about August 7, 1997, in Orange, California, David
18 Tabb filed a fictitious business statement for Hollywood Dreams.

19 15. On or about September 15, 1997, in Oceanside California,
20 David Tabb utilized Hollywood Dreams to sell 21 items of
21 counterfeit memorabilia (including two Michael Jordan basketballs,
22 one Joe DiMaggio baseball and one Mickey Mantle baseball) to a
23 government undercover agent.

24 16. On or about November 6, 1997, in Oceanside, California,
25 David Tabb utilized Hollywood Dreams to sell ten counterfeit
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1 Michael Jordan basketballs and ten counterfeit Tony Gwynn
2 baseballs to a government undercover agent.

3 17. On or about December 3, 1997, in Santa Ana, California,
4 David Tabb utilized Hollywood Dreams to sell four counterfeit
5 Michael Jordan basketballs to a government undercover agent in the
6 parking lot of an REI store.

7 18. During 1997 and 1998, in Southern California and
8 Arizona, David Tabb utilized Hollywood Dreams to sell counterfeit
9 memorabilia in the lobby of AMC theaters.

10 19. During 1997, in Long Beach, California, Lowell Katz
11 began obtaining counterfeit memorabilia from Wayne Bray.

12 20. During the period 1997 through 1999, in San Marcos,
13 California, Nathan Harrison distributed hundreds of thousands of
14 dollars of counterfeit memorabilia (utilizing his business, LNN
15 Enterprises) to a variety of customers across the country.

16 21. During the period 1997 through 1999, in San Marcos,
17 California, Lowell Katz (utilizing his business, The Beautiful and
18 the Unusual) distributed hundreds of thousands of dollars of
19 counterfeit memorabilia to customers located across the country.

20 22. During 1998, in Apple Valley, California, Anthony Marino
21 began distributing counterfeit memorabilia that he purchased from
22 Barry Goldberg.

23 23. During the period 1998 through October 13, 1999, in
24 Oceanside, California, Michael Bowler distributed counterfeit
25 memorabilia that was produced by the Marinos as a full-time
26 business.

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1 numerous items of counterfeit memorabilia (including 12 Michael
2 Jordan basketballs) to a government undercover agent.

3 32. On or about June 4, 1998, in San Marcos, California,
4 Rino Ruberti dropped off several boxes of counterfeit memorabilia
5 at W.W. Sportscards so that Wayne Bray could supply him with
6 fraudulent certificates of authenticity.

7 33. On or about June 8, 1998, in San Marcos, California,
8 Richard Laughlin picked up several items of counterfeit
9 memorabilia from Wayne Bray.

10 34. On or about June 8, 1998, in San Marcos, California,
11 Richard Laughlin sold a counterfeit Tony Gwynn jersey to the owner
12 of The Hot Corner.

13 35. On or about June 9, 1998, in San Marcos, California,
14 Rino Ruberti picked up several boxes of counterfeit memorabilia
15 (along with fraudulent certificates of authenticity supplied by
16 Wayne Bray and James DiMaggio) from W.W. Sportscards.

17 36. On or about June 9, 1998, in San Marcos, California,
18 Rino Ruberti picked up counterfeit memorabilia from the Marinos in
19 the parking lot of a Petco store.

20 37. On or about June 16, 1998, in San Marcos, California,
21 Rino Ruberti picked up several boxes of counterfeit memorabilia
22 (along with fraudulent certificates of authenticity supplied by
23 Wayne Bray and James DiMaggio) from W.W. Sportscards.

24 38. On or about June 16, 1998, in Vista, California, Rino
25 Ruberti placed four wooden baseball bats in Angelo Marino's white
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1 Cadillac which was located in the parking lot of a Shell gas
2 station.

3 39. On or about July 20, 1998, in Del Mar, California,
4 Carmen Lombardo agreed to sell approximately \$5,020 worth of
5 counterfeit sports memorabilia (including ten Michael Jordan
6 basketballs) to a government undercover agent.

7 40. On or about July 21, 1998, in Oceanside, California,
8 Carmen Lombardo sold the following counterfeit memorabilia to a
9 government undercover agent: (1) ten Michael Jordan basketballs;
10 (2) two Michael Jordan magazines; (3) four dollar bills containing
11 Babe Ruth's forged signature; (4) four dollar bills with Lou
12 Gehrig's forged signature; (5) ten Ted Williams photographs; (6)
13 ten Joe DiMaggio photographs; and (7) ten Mickey Mantle
14 photographs.

15 41. On or about July 22, 1998, in the parking lot of the
16 Benihana Restaurant in Anaheim, California, David Tabb, in
17 exchange for \$10,000, sold a government undercover agent numerous
18 items of counterfeit memorabilia, including a large number of Mark
19 McGwire, Mickey Mantle, and Joe DiMaggio items.

20 42. Between August 1998 and April 1999, in Southern
21 California, David Tabb sold hundreds of items of counterfeit
22 memorabilia to a government undercover agent, including over 100
23 Mark McGwire and Sammy Sosa balls, bats and photographs. These
24 items were sold to the agent during the historic home run race
25 between McGwire and Sosa.

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1 43. Between August 1998 and May 1999, in San Clemente,
2 California, Scott Harris received numerous UPS shipments
3 containing blank memorabilia from, among others, Photo File, The
4 Movie Market, Anaconda - Kaye Sports, Major League Images, JRS
5 Collectibles, Rawlings, and National Sports Distributors.

6 44. On or about September 16, 1998, in Oceanside,
7 California, Scott Harris delivered an order of counterfeit
8 memorabilia which included 12 Mark McGwire and 12 Sammy Sosa
9 baseballs, 20 Mark McGwire and 20 Sammy Sosa photographs, and 20
10 photographs of both McGwire and Sosa.

11 45. On or about October 1, 1998, in Oceanside, California
12 Michael Moses delivered a large order of counterfeit memorabilia,
13 including pictures, bats and balls containing what purported to be
14 Mark McGwire's signature.

15 46. On or about October 30, 1998, in San Juan Capistrano,
16 California, Richard Laughlin ordered numerous items of counterfeit
17 memorabilia from Nathan Harrison.

18 47. On or about November 1, 1998, in Escondido, California,
19 Nathan Harrison provided Greg Marino with blank memorabilia so
20 that he could fill outstanding orders from his customers, Richard
21 Laughlin and Sheldon Jaffe.

22 48. On or about November 2, 1998, in Escondido, California,
23 Greg Marino forged the signature of numerous celebrities on the
24 blank memorabilia dropped off by Nathan Harrison.

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1 49. On or about November 3, 1998, in Escondido, California,
2 Nathan Harrison picked-up his memorabilia (now containing forged
3 signatures) from Greg Marino.

4 50. On or about November 4, 1998, in Tustin, California,
5 Nathan Harrison delivered Sheldon Jaffe's order of counterfeit
6 memorabilia.

7 51. On or about November 4, 1998, in San Juan Capistrano,
8 California, Nathan Harrison delivered Richard Laughlin's order of
9 counterfeit memorabilia.

10 52. On or about November 4, 1998, in Del Mar, California,
11 Jon Hall gave a government undercover agent an order of
12 counterfeit memorabilia (including 50 photographs and 20 posters)
13 that the agent had previously purchased from Carmen Lombardo.

14 53. On or about November 4, 1998, in Del Mar, California,
15 Jon Hall told a government undercover agent that he could supply
16 the agent with counterfeit memorabilia at a cheaper price because
17 he obtained his items directly from John Marino.

18 54. On or about November 4, 1998, in Del Mar, California,
19 Jon Hall agreed to sell a government undercover agent ten cuts (at
20 \$125 each) and ten pieces of currency (at \$200 each) that
21 purported to be signed by Babe Ruth.

22 55. On or about November 5, 1998, in San Clemente,
23 California, Michael Moses agreed to sell to a government
24 undercover agent over 300 pieces of counterfeit memorabilia,
25 including eight Babe Ruth cuts and a large amount of baseball
26 memorabilia allegedly signed by Mark McGwire and Sammy Sosa.

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1 56. On or about November 6, 1998, in San Clemente,
2 California, Mary Louise and Scott Harris assisted Michael Moses in
3 delivering the above-referenced order of counterfeit sports
4 memorabilia.

5 57. On or about November 6, 1998, in Oceanside, California,
6 Michael Moses delivered to a government undercover agent the order
7 of counterfeit memorabilia in exchange for \$6,000 in cash and a
8 \$900 check made out to Robyn Moses.

9 58. On or about November 24, 1998, in Del Mar, California,
10 Jon Hall agreed to sell a government undercover agent an
11 additional 60 baseballs (at \$40 each) which were to contain
12 signatures purporting to be Joe DiMaggio's.

13 59. On or about November 24, 1998, in Del Mar, California,
14 Jon Hall instructed a government undercover agent that the agent
15 had to pay for the memorabilia with cash as he was not willing to
16 accept checks for these items.

17 60. On or about December 2, 1998, in Del Mar, California,
18 Jon Hall, in exchange for \$5,700 in cash, sold a government
19 undercover agent 60 counterfeit Joe DiMaggio baseballs, ten
20 counterfeit Babe Ruth cuts and ten pieces of currency (also
21 containing forgeries of Babe Ruth's signature).

22 61. On or about December 4, 1998, in Del Mar, California,
23 Jon Hall sold a government undercover agent four photographs of
24 Mickey Mantle and Roger Maris, four photographs of DiMaggio,
25 Mantle and Williams and five bats -- all containing signatures
26 forged by Greg Marino.

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1 62. On or about December 6, 1998, in San Clemente,
2 California, Michael Moses arranged to sell several hundred
3 additional pieces of counterfeit memorabilia to a government
4 undercover agent, including a large number of items allegedly
5 signed by Mark McGwire and Sammy Sosa (and baseball bats
6 purportedly signed by all three triple crown winners -- Carl
7 Yastremski, Ted Williams and Frank Robinson -- and one purportedly
8 signed by members of the 3,000 hit club).

9 63. On or about December 18, 1998, in Del Mar, California,
10 Jon Hall agreed to sell a government undercover agent: (1) ten
11 Babe Ruth cut signatures; (2) ten Elvis Presley cut signatures;
12 (3) ten Marilyn Monroe cut signatures; (4) five Bruce Lee cut
13 signatures; (5) five John Wayne cut signatures; and (6) one signed
14 Beatles photograph.

15 64. On or about January 9, 1999, in San Juan Capistrano,
16 California, Richard Laughlin called Wayne Bray to discuss picking
17 up one of his orders of counterfeit memorabilia.

18 65. On or about January 11, 1999, in Long Beach, California,
19 Lowell Katz called Wayne Bray, in San Marcos, California, to
20 complain that Bray had forgotten to have DiMaggio's signature
21 forged on 12 of the 144 DiMaggio baseballs which he had recently
22 been sent.

23 66. On or about January 18, 1999, in San Juan Capistrano,
24 Richard Laughlin called Wayne Bray to discuss the fraudulent
25 certification of counterfeit memorabilia.

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1 Bray did not want to affect the Marinos' ability to make a living.
2 John Marino then responded that everybody knew Bray was the
3 "Godfather of [the] memorabilia business."

4 73. On or about January 28, 1999, in Del Mar, California,
5 Jon Hall admitted that he was going to order some Mitchell & Ness
6 replica jerseys and have the signatures of deceased ball players
7 placed thereon.

8 74. On or about February 3, 1999, in Del Mar, California,
9 Carmen Lombardo offered to sell a government undercover agent 25
10 counterfeit Michael Jordan photographs and one counterfeit Michael
11 Jordan basketball for \$605.

12 75. On or about February 5, 1999, in Oceanside, California,
13 Michael Bowler sold four dozen counterfeit Mark McGwire baseballs
14 (forged by Greg Marino) to a government undercover agent for
15 \$2,400 in cash.

16 76. On or about February 10, 1999, in Escondido, California,
17 Kathleen Marino told Wayne Bray that the Marinos' "black book" was
18 missing. Bray told Kathleen Marino that he had a 7,000 page back-
19 up -- that contained authentic signatures of thousands of athletes
20 and celebrities.

21 77. On or about February 10, 1999, in Escondido, California,
22 John Marino told Greg Marino that they found the black book in the
23 garage. Prior to concluding the conversation, the brothers
24 discussed a particular signature -- and John commented that the
25 "B" looked like an "S", but that the signature "passes."
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1 78. On or about February 10, 1999, in Escondido, California,
2 Kathleen Marino told Phil Scheinman of Smokey's Sportscards, 3734
3 Las Vegas Blvd., Las Vegas, Nevada, to send the \$4,000 check to
4 Gloria Marino.

5 79. On or about February 10, 1999, in Long Beach,
6 California, Lowell Katz called Wayne Bray, in San Marcos,
7 California, and inquired about obtaining some Ty Cobb and Lou
8 Gehrig counterfeit cuts.

9 80. On or about February 11, 1999, in Long Beach,
10 California, Lowell Katz called Wayne Bray, in San Marcos,
11 California, and discussed with him methods of producing fraudulent
12 certificates of authenticity.

13 81. On or about February 11, 1999, in Escondido, California,
14 John Marino received a call from Barry Delit, one of the Marinos'
15 customers in Pottstown, Pennsylvania. In this conversation, Delit
16 ordered five or ten Beatles 8 x 10s, two DiMaggio baseballs, two
17 Ted Williams bats, and a variety of cuts. During this call, Delit
18 noted that the names on some of the cuts were good, but some of
19 them were just bad. In particular, he stated that the first
20 Einsteins were bad, but the second Einsteins were good.

21 82. On or about February 11, 1999, in Del Mar, California,
22 Carmen Lombardo confirmed an order with a government undercover
23 agent for two dozen counterfeit Mark McGwire baseballs at a cost
24 of \$55 per ball.

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1 83. On or about February 12, 1999, in Escondido, California,
2 Nathan Harrison picked up a large order of counterfeit memorabilia
3 from Greg Marino.

4 84. On or about February 12, 1999, in Del Mar, California,
5 Jon Hall agreed to sell a government undercover agent two Ted
6 Williams, two Mickey Mantle and two Joe DiMaggio replica jerseys.

7 85. On or about February 16, 1999, in Escondido, California,
8 Michael Tapales obtained (at the AM/PM Mini-Mart off I-15)
9 numerous items of counterfeit memorabilia from John Marino that
10 included: (1) five 500 Home Run bats; (2) one 1998 all star bat;
11 (3) one New York Yankee's "greats" bat; and (4) one New York 1998
12 team bat.

13 86. On or about February 16, 1999, in Escondido, California,
14 John Marino instructed Michael Tapales that he would have to deal
15 directly with Wayne Bray if he wanted certificates of authenticity
16 for the counterfeit 500 Home Run bats.

17 87. On or about February 16, 1999, in Escondido, California,
18 Michael Tapales, called Wayne Bray from a pay phone located in the
19 Southeast corner of the AM/PM parking lot. During this call,
20 Tapales left a message indicating that he was interested in
21 finding out the prices for authentications.

22 88. On or about February 17, 1999, in San Marcos,
23 California, Wayne Bray supplied Michael Tapales with certificates
24 that fraudulently authenticated the counterfeit 500 Home Run bats
25 forged by the Marinos.

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1 89. On or about February 17, 1999, in San Marcos,
2 California, Nathan Harrison called Greg Marino and set up an
3 appointment so that Marino could deliver an order of counterfeit
4 memorabilia.

5 90. On or about February 18, 1999, in Escondido, California,
6 Michael Tapales obtained (at the AM/PM Mini-Mart off I-15)
7 numerous items of counterfeit memorabilia from John Marino that
8 included: (1) ten Babe Ruth cuts; (2) three Thurman Munson
9 baseballs; (3) three Joe DiMaggio/Mickey Mantle/Ted Williams
10 baseballs; (4) two Mickey Mantle/Roger Maris baseballs; (5) one
11 Triple Crown baseball; (6) one Cy Young cut; (7) one Walter
12 Johnson cut; (8) two Elvis Presley cuts; (9) one Marilyn Monroe
13 cut; and (10) two John Wayne cuts.

14 91. On or about February 18, 1999, in Escondido, California,
15 John Marino received a call from his brother, Greg Marino. In
16 this conversation, John told Greg that he was having trouble
17 "dipping" [the process of shellacking old baseballs which was the
18 way that signatures were preserved in the past].

19 92. On or about February 18, 1999, in Escondido, California,
20 John Marino called his mother, Gloria Marino. In this
21 conversation, John told his mother that he had done [dipped] five
22 balls, but none of them looked good. John said that he would send
23 two balls and see which one they liked better. He then added that
24 Sissy was touching the balls and knocking them over -- and they
25 were bad enough already.

1 97. On or about February 24, 1999, in San Juan Capistrano,
2 Richard Laughlin called Wayne Bray and inquired as to his source
3 for obtaining blank photographs -- that could later have
4 signatures forged thereon.

5 98. On or about February 25, 1999, in Oceanside, California,
6 Rino Ruberti transferred numerous boxes of blank memorabilia from
7 his Astro van into John Marino's Jeep Grand Cherokee.

8 99. On or about February 25, 1999, in Escondido, California,
9 John Marino delivered the blank memorabilia to Greg Marino at the
10 Marino family residence.

11 100. On or about February 25, 1999, in Escondido, California,
12 Greg Marino forged celebrity signatures on the memorabilia that
13 was delivered by John Marino.

14 101. On or about February 25, 1999, in San Marcos,
15 California, John and Gloria Marino delivered the memorabilia (now
16 containing forged signatures) to Rino Ruberti in the parking lot
17 of a Petco store.

18 102. On or about February 25, 1999, in Escondido, California,
19 Angelo Marino told John Marino that the lithos were in a box, and
20 easy to look through and sign.

21 103. On or about February 25, 1999, John and Gloria Marino
22 left the Marino family residence located at 2422 Smokewood Place,
23 Escondido, California in a white Cadillac. They drove to an
24 abandoned gas station at 1227 Vista Way, Vista, California. At
25 this location, they met Rino Ruberti who was driving his Astro
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1 van. At the abandoned gas station they exchanged boxes and bags
2 containing sports memorabilia with Ruberti.

3 104. On or about February 25, 1999, in Escondido, California,
4 Gloria Marino told Angelo Marino that Jerry Rice's signature was
5 signed on the wrong side of the ball.

6 105. On or about February 25, 1999, in San Marcos,
7 California, Lowell Katz requested that Wayne Bray certify a poor
8 quality counterfeit Joe DiMaggio bat that he was sending to one of
9 his customers.

10 106. On or about February 28, 1999, in Oceanside, California,
11 Michael Bowler called John Marino and discussed whether Bowler was
12 making a lot of money selling counterfeit memorabilia over the
13 Internet.

14 107. On or about March 1, 1999, in Oceanside, California,
15 Michael Bowler called John Marino and discussed the need to be
16 very careful when selling counterfeit items over the Internet.

17 108. On or about March 1, 1999, in Escondido, California,
18 Greg Marino called Wayne Bray. In the call, Bray indicated that
19 he wanted to talk with the Marinos about a government
20 investigation into fraudulent sports memorabilia being offered for
21 sale over the Internet.

22 109. On or about March 1, 1999, in Escondido, California,
23 John Marino called his brother to discuss the possible government
24 investigation into their counterfeiting activities. John and Greg
25 Marino then discussed problems and Greg noted that [James]
26 DiMaggio would authenticate anything when he needed money. Greg
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1 also stated that they should have never let DiMaggio in -- and
2 that was a "big, stupid thing by Wayne." In this same
3 conversation, John and Greg Marino also agreed that the
4 authorities were most likely "not gonna look at the guy who's
5 sellin' 'em or doin' 'em [counterfeits]. It's the guy
6 authenticatin' 'em" that was most likely to be the focus of law
7 enforcement efforts. The two brothers then asserted that the
8 authenticators were the true crooks "'cause everybody
9 authenticates shit."

10 110. On or about March 2, 1999, in Escondido, California,
11 John Marino called Greg Marino. In this conversation, Greg
12 discussed with John the need to have an "Appalachia" meeting.
13 Greg also told John that they were "going out Appalachia."
14 According to Greg, Appalachia referred to a meeting in which all
15 the Mafia bosses from all over the world traveled to one place in
16 upstate New York [where they could discuss business]. It was
17 during this meeting, Greg explained, that the FBI discovered the
18 existence of the Mafia.

19 111. On or about March 2, 1999, in Escondido, California,
20 John Marino called Greg Marino and discussed making a list of all
21 the people with whom they were dealing so that they could see how
22 everybody felt about their "guys" at the Appalachia meeting. Greg
23 also told John that they needed to have Rino [Ruberti] at the
24 meeting because he was their main connection to L.A. In addition,
25 they also noted that they had to discuss the need to "tighten up"

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1 how they did business over the phone. In particular, they agreed
2 to automatically hang up when someone messes up.

3 112. On or about March 3, 1999, in Escondido, California,
4 Richard Laughlin dropped off numerous items of blank memorabilia
5 at the Marino family residence.

6 113. On or about March 4, 1999, in Escondido, California,
7 Greg Marino called John Marino and indicated that he was working
8 on Wayne [Bray's] order before working on Rino [Ruberti's] order.
9 Greg stated that Gloria [Marino] would prep the order and that he
10 [John Marino] should help.

11 114. On or about March 4, 1999, in Oceanside, California,
12 Michael Bowler showed a government undercover agent his inventory
13 of counterfeit memorabilia.

14 115. On or about March 5, 1999, in Vista, California, Richard
15 Mitchell called Greg Marino to verify that the Appalachia meeting
16 was going to be held at Coco's restaurant in Oceanside. Mitchell
17 also stated that he had six pieces. Greg responded that they
18 should not discuss business over the phone anymore.

19 116. On or about March 5, 1999, in Oceanside, California,
20 Wayne Bray, Greg Marino, John Marino, Rino Ruberti, Richard
21 Mitchell and Nathan Harrison met at Coco's restaurant. During
22 this meeting, the conspirators agreed to take a 30-day break due
23 to concerns regarding detection by law enforcement. They also
24 agreed to get a lawyer -- so that if anyone was contacted the
25 lawyer would make sure that nobody would talk [to the
26 authorities].

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1 117. On or about March 5, 1999, in Oceanside, California,
2 John and Greg Marino called Angelo Marino to tell him about the
3 Appalachia meeting. They stated that the meeting went well, but
4 that they might have been surveilled.

5 118. On or about March 6, 1999, in Escondido, California,
6 Gloria Marino requested that Greg Marino bring his pens when he
7 came over.

8 119. On or about March 7, 1999, in San Juan Capistrano,
9 California, Richard Laughlin called John Marino to find out if his
10 order of memorabilia was finished.

11 120. On or about March 8, 1999, in Oceanside, California,
12 Michael Moses delivered to a government undercover agent an order
13 of counterfeit memorabilia that included the five 500 Home Run
14 bats that had been counterfeited by Greg Marino and authenticated
15 by Wayne Bray.

16 121. On or about March 8, 1999, in Del Mar, California, Jon
17 Hall discussed selling two counterfeit Babe Ruth baseballs to a
18 government undercover agent.

19 122. On or about March 9, 1999, in Del Mar, California, Jon
20 Hall sold the counterfeit Babe Ruth baseballs to a government
21 undercover agent for \$900 each.

22 123. On or about March 9, 1999, in Del Mar, California, Jon
23 Hall agreed to sell a government undercover agent two baseballs
24 with Ronald Reagan's signature.

25 124. On or about March 9, 1999, in Escondido, California,
26 John Marino told Richard Laughlin that he would try to complete
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1 his order this morning. At that time, Marino also told Laughlin
2 that he was unable to handle any additional orders from Laughlin.

3 125. On or about March 10, 1999, in Escondido, California,
4 Richard Laughlin picked up his order of counterfeit memorabilia
5 (now containing forged signatures) from the Marinos.

6 126. On or about March 11, 1999, in Escondido, California,
7 Greg Marino informed John Marino that they would get to Wayne's
8 stuff, but Nate [Harrison] would have to wait.

9 127. On or about March 11, 1999, in Escondido, California,
10 Gloria Marino stated over the phone that the Marinos' garage was
11 full because they were preparing numerous Joe DiMaggio orders.
12 The other party then commented that everyone would just have to
13 believe that DiMaggio signed all those things before he died, to
14 which, Gloria Marino replied that the other person should shut her
15 mouth on the phone. The other party retorted that they were not
16 talking on a cellular phone and she was getting nauseous of
17 everyone talking in code all the time. Prior to concluding the
18 conversation, Gloria Marino discussed building the Marinos' new
19 house with \$100,000 in cash that she had secreted in the house.

20 128. On or about April 6, 1999, in Del Mar, California, Jon
21 Hall obtained fraudulent certificates of authenticity for the
22 counterfeit Ronald Reagan baseballs from Rino Ruberti.

23 129. On or about April 8, 1999, in Oceanside, California,
24 Michael Bowler sold a government undercover agent an assortment of
25 counterfeit memorabilia (produced by Greg Marino) for \$3,750 in
26 cash.

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1 130. On or about April 12, 1999, in Oceanside, California,
2 Jon Hall sold the counterfeit Ronald Reagan baseballs (along with
3 the fraudulent certificates of authenticity) to a government
4 undercover agent for approximately \$75 a piece.

5 131. On or about April 14, 1999, in Laguna Niguel,
6 California, Robyn Moses assisted Michael Moses in delivering
7 hundreds of items of counterfeit memorabilia to a government
8 undercover agent.

9 132. On or about April 18, 1999, in Escondido, California,
10 Gloria Marino told Greg Marino that John had everything "prepped."

11 133. On or about April 20, 1999, in Escondido, California,
12 Gloria Marino stated over the phone that Bray's order would have
13 been finished, but they had to do something else for Rino Ruberti.
14 Gloria Marino also indicated that she was making over \$10,000 per
15 week. The other party noted that Gloria was making money hand over
16 fist.

17 134. On or about April 20, 1999, in Oceanside, California,
18 Rino Ruberti gave John Marino numerous items of blank memorabilia
19 and picked up numerous items of forged memorabilia.

20 135. On or about April 21, 1999, in Oceanside, California,
21 Michael Bowler called John Marino and discussed the forging of
22 signatures on celebrity photographs.

23 136. On or about April 21, 1999, in Escondido, California,
24 Gloria Marino provided Wayne Bray with a new price list indicating
25 that the Marinos were charging higher prices for athletes who had
26 died [these athletes typically commanded higher prices in the
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1 market place because they were not available to sign any more
2 autographs].

3 137. On or about April 21, 1999, in Escondido, California,
4 Gloria Marino called John Marino. In this conversation, Gloria
5 told John that Wayne [Bray] was shocked at the price changes.
6 Gloria went on to note that she explained to Bray how the team
7 stuff was a lot of work and that if Stan [Fitzgerald] didn't want
8 to pay these prices that was fine. Gloria Marino added that Bray
9 thought it would be only \$7 a ball (rather than \$10). Bray also
10 wanted to pay less for ball players who had only recently died.
11 Gloria responded, "Yeah, but they're dead" and refused to charge
12 less than \$15. Gloria also noted that Rino [Ruberti] had been
13 paying these prices all along.

14 138. On or about April 23, 1999, in Escondido, California,
15 Gloria Marino received a call from Richard Weimer. In this
16 conversation, Gloria Marino told Weimer she heard that Richard was
17 complaining about the new prices. Weimer replied, "Why would I
18 cry. I don't need 100, 200 Jerseys done. He [Bray] made a
19 million dollars, I didn't make no million dollars . . . Who knows,
20 he said he is going to pay me. I think he is going to up Stan
21 \$100 across the board." Gloria told Weimer that Stan probably
22 made ten million dollars.

23 139. On or about April 23, 1999, in Escondido, California,
24 Greg Marino told John Marino to bring the black book over, and
25 indicated that he worked five hours yesterday for \$3,000 (and that
26 John would get 10%).

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1 140. On or about April 24, 1999, in Escondido, California,
2 Gloria Marino told Greg Marino that Richard Laughlin could go to
3 a rival forger, Michael Lopez, if he was unsatisfied with their
4 work.

5 141. On or about April 28, 1999, in Orange, California, David
6 Tabb sold a government undercover agent numerous items of
7 counterfeit memorabilia for \$3,600 in cash.

8 142. On or about April 29, 1999, in Oceanside, California,
9 Michael Bowler sold a government undercover agent 18 counterfeit
10 Joe DiMaggio photographs and one counterfeit Babe Ruth baseball
11 for \$1,375.

12 143. On or about April 29, 1999, in Oceanside, California,
13 Michael Bowler admitted to a government undercover agent that he
14 does not report cash deals on his tax returns.

15 144. On or about April 30, 1999, in San Marcos, California,
16 Lowell Katz purchased from Wayne Bray 13 counterfeit cuts and 13
17 blank certificates of authenticity for \$1,000.

18 145. On or about May 6, 1999, in Del Mar, California, Jon
19 Hall agreed to sell a government undercover agent five counterfeit
20 Mickey Mantle and Joe DiMaggio replica jerseys (made by Mitchell
21 & Ness), 20 Junior Seau photos, two Elvis Presley cuts, and two
22 more Ronald Reagan baseballs.

23 146. On or about May 7, 1999, in Oceanside, California,
24 Michael Bowler agreed to sell to a government undercover agent --
25 four counterfeit Babe Ruth cuts, four counterfeit Babe Ruth
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1 autographed dollar bills, and counterfeit photographs of Marilyn
2 Monroe, The Three Stooges and the Beatles.

3 147. On or about May 10, 1999, in Laguna Beach, California,
4 Michael Moses accepted an order from a government undercover agent
5 for approximately \$1,100 worth of counterfeit memorabilia.

6 148. On or about May 18, 1999, in Escondido, California, Greg
7 Marino was forging the signatures of various athletes on baseballs
8 and basketballs. At the time, John Marino was assisting by
9 preparing the items of memorabilia to be forged by his brother.

10 149. On or about May 18, 1999, in Escondido, California,
11 Wayne Bray gave Gloria Marino \$2,270 in exchange for forging
12 signatures on: (1) two Hank Aaron jerseys (with all modern-era
13 baseball players who hit 500 home runs); (2) eight Robyn Yount
14 jerseys; (3) three George Brett jerseys; (4) 23 Mickey Mantle
15 jerseys; (5) 22 Joe DiMaggio jerseys; (6) ten Ted Williams
16 jerseys; (7) 44 Joe DiMaggio batting helmets; and (8) four NY
17 Yankee batting helmets (with all current members of the Yankees
18 World Championship squad).

19 150. On or about May 19, 1999, in San Marcos, California,
20 Richard Weimer and Wayne Bray discussed how Weimer has to disguise
21 a Babe Ruth forgery by sanding the Rawlings label off the ball.

22 151. On or about May 20, 1999, in San Marcos, California,
23 Wayne Bray received a package bearing the return address: STM
24 (973) 228-5257, Broadway Square, 759 Bloomfield Avenue, Suite 394,
25 Caldwell, New Jersey. This package contained: three Hank Aaron
26 Braves jerseys (with a note instructing Bray to add the signatures
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1 of the other 500 home run club members to the Hank Aaron forgery
2 on the jerseys); and eight Hank Aaron model bats (without
3 signature).

4 152. On or about May 20, 1999, in Newport Coast, California,
5 Michael Moses mailed an order (placed by a government undercover
6 agent on May 10, 1999) of counterfeit memorabilia to Hawaii.

7 153. On or about May 25, 1999, in Rancho Bernardo,
8 California, Richard Mitchell asked Wayne Bray to get him some
9 counterfeit vintage baseballs for his customers in Las Vegas.

10 154. On or about May 25, 1999, in Escondido, California,
11 Wayne Bray gave Gloria Marino three Hank Aaron jerseys and eight
12 bats along with 125 unsigned photographs, 29 unsigned George Brett
13 jerseys and a list of 48 cuts (previously requested by Stan
14 Fitzgerald). When dropping off the items, Bray instructed Gloria
15 to add the other members of the 500 home run club to the Hank
16 Aaron bats and jerseys. Prior to leaving, Gloria Marino handed
17 Bray a typed price list indicating how much the Marinos would
18 charge for future forgeries.

19 155. On or about May 25, 1999, in San Marcos, California,
20 Nathan Harrison discussed supplying Wayne Bray with some
21 counterfeit Jimmy Hendrix cuts.

22 156. On or about May 27, 1999, in Escondido, California,
23 Wayne Bray gave Gloria Marino \$4,500 in exchange for the Marinos
24 forging signatures on the items he dropped off two days
25 previously.

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1 157. On or about May 27, 1999, Wayne Bray, in San Marcos,
2 California called Stan Fitzgerald in Caldwell, New Jersey. In the
3 call, Fitzgerald hounded Bray for memorabilia and told him that he
4 was getting 300 calls a day and had 20,000 customers [that needed
5 their orders filled]. Fitzgerald also discussed a large order of
6 signatures, including 40 Babe Ruth, 24 Lou Gehrig, 12 Roberto
7 Clemente and ten Satchel Paige.

8 158. On or about May 28, 1999, in San Marcos, California,
9 Wayne Bray shipped two packages to Stan Fitzgerald, (973) 228-
10 5257, 14 Washburn Place, Caldwell, New Jersey. The packages
11 contained many items that Fitzgerald had been pressuring Bray to
12 deliver, including: (1) the eight Hank Aaron model bats
13 (previously sent to Bray by Fitzgerald) which now contained
14 forgeries of all the modern-era 500 home run hitters; (2) the
15 three Hank Aaron Atlanta jerseys (previously sent to Bray by
16 Fitzgerald) which now contained forgeries of all the modern-era
17 500 home run hitters; (3) the 29 George Brett jerseys (previously
18 sent to Bray by Fitzgerald) which now contained forgeries of
19 Brett's signature; and (4) 105 photographs of various athletes and
20 celebrities (containing forged signatures). Also included in the
21 May 28, 1999 shipment from San Marcos, California, was a
22 photograph of Timothy Dalton (as James Bond) upon which the
23 Marinos mistakenly forged Pierce Brosnan's signature. Along with
24 the photograph was a note which stated:

25 Stan, this is the kind of shit I have to deal with using
26 Greg. I ate twelve Dalton photos plus the autographs
27 cause the asshole signed Pierce Brosnans [sic] name on
28 them. I continually get no refunds from them - they're

1 assholes - I already talked to you a little on the phone
2 but I have a guy thats [sic] better than Greg at the
3 Hollywood sigs. I start using him next week tell me
4 what you think. I'll continue using them only for you
5 to get you your vintage as well as Mantle - Joe - Ted -
6 and other guys that only Greg does.

7 The note was signed WB.

8 159. On or about May 28, 1999, in Rancho Bernardo,
9 California, Richard Mitchell ordered 100 blank SCAA certificates
10 so that he could fraudulently authenticate counterfeit
11 memorabilia.

12 160. On or about June 1999, Sheldon Jaffe sold counterfeit
13 memorabilia through Bricol Enterprises, 334 East Lake Road, Palm
14 Harbor, Florida.

15 161. On or about June 1, 1999, in Rancho Bernardo,
16 California, Richard Mitchell offered to sell a counterfeit Babe
17 Ruth bat for \$6,000.

18 162. On or about June 1, 1999, in Orange, California, David
19 Tabb directed a government undercover agent to utilize multiple
20 checks when paying for an order of counterfeit memorabilia over
21 \$10,000 in order to avoid reporting the amount to the IRS.

22 163. On or June 1, 1999, in Tustin, California, Sheldon Jaffe
23 discussed with Wayne Bray his fear that someone had alerted law
24 enforcement to their illegal activity. Bray did not inform Jaffe
25 that his fears were correct.

26 164. On or about June 2, 1999, in Escondido, California,
27 Wayne Bray gave Greg Marino unsigned memorabilia that was part of
28 an outstanding order from Stan Fitzgerald that encompassed, 32
 jerseys, five baseball gloves, five vintage baseballs, six MASH

1 cast (partially signed) photographs, one blank cut and 196
2 pictures (including six pictures of Mickey Mantle, Roger Maris and
3 Yogi Berra, 12 pictures of Roger Maris, 24 pictures of Joe
4 DiMaggio and Ted Williams, 40 pictures of Ted Williams, 25
5 pictures of Derek Jeter, 12 pictures of Nolan Ryan, six pictures
6 of Johnny Bench, six pictures of Rocky Marciano, six pictures of
7 Jack Dempsey, 25 pictures of Frank Sinatra, 12 picture of Mel
8 Gibson, six pictures of George Burns, five pictures of the Friends
9 cast, five pictures of the Seinfeld cast, and six pictures of the
10 Beatles).

11 165. On or about June 2, 1999, in Escondido, California, Greg
12 Marino (while Wayne Bray was at the Marino residence) forged two
13 Jimmie Foxx, one Babe Ruth, one Lou Gehrig and one Ty Cobb
14 signature on the five vintage baseballs supplied by Bray. Marino
15 also forged Larry Linville's signature to the six MASH cast
16 photographs and Gary Cooper's signature on the blank cut.

17 166. On or about June 2, 1999, in Escondido, California,
18 Wayne Bray also gave Greg Marino unsigned merchandise that was
19 part of an outstanding order from Barry Goldberg which included
20 ten Ted Williams jerseys, 22 Mickey Mantle jerseys, two Ted
21 Williams gloves, two Mickey Mantle gloves and one Willie Mays
22 glove.

23 167. On or about June 3, 1999, in Escondido, California,
24 Wayne Bray picked up the remaining items that he had dropped off
25 at the Marino residence the previous day. At that time, Gloria
26 Marino gave Bray a receipt for Fitzgerald's order (drafted by John
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1 Marino) and a receipt for Goldberg's order (drafted by Gloria).

2 In return for these items, Bray gave Gloria Marino \$5,828 in cash.

3 168. On or about June 4, 1999, in San Marcos, California,
4 Wayne Bray shipped three packages to Stan Fitzgerald in Caldwell,
5 New Jersey. These packages contained a variety of celebrity
6 memorabilia forged by Greg Marino, including photographs
7 containing counterfeit signatures of Frank Sinatra, George Burns,
8 the Beatles, Roger Maris, Mickey Mantle, Jack Dempsey, Rocky
9 Marciano, Joe DiMaggio and Ted Williams.

10 169. On or about June 5, 1999, in Rancho Bernardo,
11 California, Richard Mitchell ordered 20 dozen blank balls to take
12 to Greg [Marino] for forging.

13 170. On or about June 6, 1999, in San Marcos, California,
14 Wayne Bray called Stan Fitzgerald in Caldwell, New Jersey. During
15 this call, Bray asked whether Fitzgerald had received his package.
16 Fitzgerald replied, "Yeah. I read that note in there." Bray
17 responded, "You did read the note?" Fitzgerald answered, "Uh huh."

18 Bray then went on to discuss how "his friends" in L.A. made the
19 same mistake with Dalton's photo [i.e., forging Pierce Brosnan's
20 signature]. Prior to the end of the conversation, Fitzgerald and
21 Bray discussed outstanding items and the recent price increase [by
22 the Marinos].

23 171. On or about June 10, 1999, in San Marcos, California,
24 Wayne Bray received a shipment from Stan Fitzgerald containing:
25 (1) two Mickey Mantle jerseys bearing what purported to be his
26 signature; (2) two Ted Williams jerseys bearing what purported to

1 be his signature; (3) SCAA certificates purporting to authenticate
2 the signatures on the jerseys; and (4) 72 blank photographs of
3 Mickey Mantle.

4 172. On or about June 11, 1999, in San Marcos, California,
5 Richard Mitchell purchased from Wayne Bray 20 dozen blank balls
6 and a counterfeit baseball containing a forgery of Jimmie Foxx'
7 signature.

8 173. On or about June 11, 1999, in San Marcos, California,
9 Richard Mitchell forged the signatures of Ted Williams, Roger
10 Maris and Pamela Anderson onto photographs of these celebrities.

11 174. On or about June 15, 1999, in Escondido, California,
12 Richard Mitchell had Greg Marino forge signatures on the 20 dozen
13 blank baseballs he purchased from Bray.

14 175. On or about June 15, 1999, in Long Beach, California,
15 Lowell Katz called Wayne Bray, in San Marcos, California, and
16 ordered: (1) two counterfeit Lou Gehrig cuts; (2) two counterfeit
17 Ty Cobb cuts; and (3) two counterfeit Jimmy Hendrix cuts.

18 176. On or about June 16, 1999, in Escondido, California,
19 John Marino gave Richard Weimer \$42,000 in cash and instructed him
20 to purchase cashier's checks. Marino told Weimer that they wanted
21 to purchase a boat, but did not want to be associated with the
22 cash.

23 177. On or about June 16, 1999, in San Marcos, California,
24 Nathan Harrison stated to Wayne Bray that he was trying to lay low
25 in order to avoid detection by law enforcement.

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1 178. On or about June 18, 1999, in San Marcos, California,
2 Wayne Bray delivered a large assortment of blank memorabilia (as
3 part of orders from Fitzgerald and Goldberg) to the Marino
4 residence at 2422 Smokewood Place. The memorabilia included: (1)
5 24 Hank Aaron model bats; (2) 24 Ted Williams models bats; (3) 11
6 Mickey Mantle model bats; (4) 25 of the 72 unsigned Mickey Mantle
7 photographs previously sent to Bray by Stan Fitzgerald; and (5)
8 the two Mantle and two Williams signed jerseys (lacking the
9 signatures of the other members of the 500 home run club) supplied
10 by Fitzgerald.

11 179. On or about June 21, 1999, in Caldwell, New Jersey, Stan
12 Fitzgerald sent Wayne Bray, in San Marcos, California, five signed
13 Batman and Robin photographs (purporting to be signed by George
14 Clooney and Chris O'Donnell) along with a note instructing Bray
15 that O'Donnell was spelled with two l's, not one.

16 180. On or about June 21, 1999, in Caldwell, New Jersey, Stan
17 Fitzgerald sent Wayne Bray, in San Marcos, California, three
18 signed photographs of Jennifer Capriati (with certificates of
19 authenticity from J. DiMaggio Company) along with a note from
20 Fitzgerald informing Bray that the signature was wrong, because
21 the photograph was really of Martina Hingis.

22 181. On or about June 21, 1999, in Rancho Bernardo,
23 California, Richard Mitchell ordered ten dozen blank baseballs,
24 plus five dozen 1998 World Series baseballs from Wayne Bray.

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1 182. On or about June 22, 1999, in San Marcos, California,
2 Richard Weimer purchased 66 blank certificates of authenticity
3 from Wayne Bray.

4 183. On or about June 22, 1999, in Escondido, California,
5 Wayne Bray picked up and paid for some of the memorabilia that he
6 had dropped off with the Marinos on the 18th. In return, Gloria
7 Marino gave Bray a written receipt.

8 184. On or about June 23, 1999, in San Marcos, California,
9 Wayne Bray opened a UPS shipment from Stan Fitzgerald in Caldwell,
10 New Jersey. The shipment contained approximately 248 unsigned
11 photographs, including: (1) 25 Frank Sinatra; (2) 12 Jerry Garcia;
12 (3) 12 Bonanza cast; (4) 12 Goodfellas cast; (5) 12 Marlon Brando;
13 and (6) 101 Derek Jeter.

14 185. On or about June 23, 1999, in Del Mar, California, Jon
15 Hall shipped two Ted Williams jerseys and counterfeit cuts of
16 Harry Truman, Woodrow Wilson, Teddy Roosevelt, Abraham Lincoln,
17 Thomas Jefferson, and George Washington to a government undercover
18 agent in Hawaii.

19 186. On or about June 24, 1999, in San Marcos, California,
20 Wayne Bray shipped three boxes for Stan Fitzgerald, (973) 228-
21 5257, 14 Washburn Place, Caldwell, New Jersey. These boxes
22 contained a three page invoice charging Fitzgerald \$23,929 for a
23 variety of forgeries placed on memorabilia previously sent by
24 Fitzgerald to Bray, including two Mickey Mantle and two Ted
25 Williams jerseys (which now contained forgeries of all the modern-
26 era members of the 500 home run club), 25 of the 72 Mickey Mantle
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1 photographs (which now contained forgeries of Mantle's signature),
2 six of the 12 Jerry Garcia photographs (which now contained
3 forgeries of Garcia's signature), and six of the 12 Bonanza cast
4 photographs (which now contained forgeries of the signatures of
5 Lorne Greene, Dan Blocker, Michael Landon, and Pernell Roberts).

6 187. On or about June 24, 1999, in Long Beach, California,
7 Lowell Katz called Wayne Bray, in San Marcos, California, and
8 added two counterfeit Babe Ruth cuts to an outstanding order.

9 188. On or about June 25, 1999, in Long Beach, California,
10 Lowell Katz received from Wayne Bray a UPS shipment containing:
11 (1) two Babe Ruth cuts; (2) two Ty Cobb cuts; (3) two Lou Gehrig
12 cuts; (4) two Jimmy Hendrix cuts; and (5) eight blank SCAA
13 certificates of authenticity.

14 189. On or about June 26, 1999, in San Marcos, California,
15 Richard Mitchell forged ten Babe Ruth and one Ty Cobb cut.

16 190. On or about June 28, 1999, in Long Beach, California,
17 Lowell Katz called Wayne Bray, in San Marcos, California, and told
18 Bray that he received the package. In addition, Katz ordered an
19 additional three dozen counterfeit DiMaggio balls, as well as,
20 three counterfeit DiMaggio bats.

21 191. On or about June 30, 1999, in Tustin, California,
22 Sheldon Jaffe called Wayne Bray and indicated that he was
23 interested in purchasing some vintage baseballs with forged
24 signatures of deceased baseball players.

25 192. On or about June 30, 1999, in Escondido, California,
26 Wayne Bray dropped off at the Marino residence, numerous unsigned
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1 pieces of memorabilia, including 204 vintage baseballs and the
2 numerous photographs sent to him by Stan Fitzgerald the previous
3 week.

4 193. On or about June 30, 1999, in Escondido, California,
5 Greg Marino forged (in Wayne Bray's presence) ten vintage
6 baseballs. Prior to leaving the Marino residence, he was given
7 some of the Mickey Mantle, Ted Williams and 500 Home Run Club bats
8 that he had left with the Marinos on June 18, 1999.

9 194. On or about June 30, 1999, in Escondido, California,
10 Gloria Marino instructed Wayne Bray to write three separate checks
11 (two to Gloria Marino and one to Front Page Art) to pay for his
12 most recent order.

13 195. On or about July 5, 1999, in Escondido, California,
14 Wayne Bray picked up the 248 photographs and the 204 vintage
15 balls (which now contained forged celebrity signatures) that he
16 had dropped off on June 30, 1999. Once again, Gloria Marino gave
17 Bray a receipt. The receipt indicated that they were charging
18 \$15.00 for all deceased celebrities (referred to as "Premium"),
19 but only \$7.00 for living celebrities (referred to as "Regular").

20 196. On or about July 5, 1999, in San Marcos, California,
21 Rino Ruberti sold Wayne Bray five stolen Upper Deck special
22 edition cards (which Ruberti admitted were stolen). Ruberti told
23 Bray that he had over \$100,000 worth of stolen Upper Deck
24 merchandise.

25 197. On or about July 6, 1999, in San Clemente, California,
26 Sheldon Jaffe: (1) purchased (for \$1,800) from Wayne Bray a
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1 counterfeit Ty Cobb cut and counterfeit baseballs signed by Mel
2 Ott, Jimmie Foxx and Ty Cobb; (2) gave Bray four vintage baseballs
3 with instructions to have them returned with the signatures of Ty
4 Cobb, Jimmie Foxx and Mickey Mantle (all deceased ball players);
5 and (3) ordered 14 additional counterfeit cuts (Lou Gehrig, Babe
6 Ruth and Ty Cobb) and two more counterfeit balls signed by Foxx
7 and Ruth.

8 198. On or about July 7, 1999, in Escondido, California, Greg
9 Marino forged Cobb's, Foxx's, and Mantle's signature on the four
10 vintage balls provided by Jaffe. Marino also forged Ruth's,
11 Gehrig's and Cobb's signature on the 14 cuts.

12 199. On or about July 7, 1999, in San Marcos, California,
13 Wayne Bray shipped to Sheldon Jaffe, via overnight mail, one
14 counterfeit Babe Ruth baseball that had been previously forged by
15 Greg Marino.

16 200. On or about July 7, 1999, in Escondido, California,
17 Wayne Bray, Kathleen Marino and Gloria Marino observed Greg Marino
18 forge several vintage baseballs and several cuts, including two
19 of Abraham Lincoln.

20 201. On or about July 7, 1999, Stan Fitzgerald, in Caldwell,
21 New Jersey, sent a fax to Wayne Bray in San Marcos, California
22 ordering 3,576 autographed baseballs (almost all of deceased
23 players). The order, included 360 Roger Maris, 360 Roy Campanella,
24 240 Satchel Paige, 240 Thurman Munson, 240 Lefty Gomez and 180
25 Cool Papa Bell baseballs.

1 Bullock photo because there are two l's in Bullock's name). The
2 Sandra Bullock photograph also came with a certificate of
3 authenticity (with Donna Fitzgerald's name) from Stan's Sports
4 Memorabilia.

5 208. On or about July 12, 1999, in Rosemead, California,
6 Michael Lopez stated that he was going to give Greg Marino a "run
7 for his money" doing vintage forgeries. Lopez also admitted that
8 he had perfected forgeries of Joe DiMaggio and Babe Ruth, but was
9 still working on Mickey Mantle.

10 209. On or about July 13, 1999, in Del Mar, California, Jon
11 Hall sold a government undercover agent a Joe DiMaggio bat
12 containing a forgery of DiMaggio's signature and one counterfeit
13 Jordan basketball.

14 210. On or about July 13, 1999, in Oceanside, California,
15 Carmen Lombardo sold a government undercover agent 50 counterfeit
16 Michael Jordan photographs and one counterfeit Michael Jordan
17 jersey.

18 211. On or about July 13, 1999, in Orange, California, David
19 Tabb instructed a government undercover agent to lie to State
20 Investigators regarding counterfeit memorabilia.

21 212. On or about July 14, 1999, in Oceanside, California,
22 Michael Bowler sold a government undercover agent several dozen
23 counterfeit photographs, one counterfeit DiMaggio mini-bat, and
24 eight counterfeit baseball caps.

25 213. On or about July 15, 1999, in San Marcos, California,
26 Richard Laughlin met Wayne Bray at W.W. Sportscards and inquired
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1 whether it was safe to talk in Bray's office. Bray indicated that
2 it was no problem. That same day, Laughlin purchased 13
3 counterfeit photographs from Wayne Bray.

4 214. On or about July 15, 1999, in San Marcos, California,
5 Rino Ruberti gave Wayne Bray six handwritten pages detailing the
6 memorabilia that he had fraudulently authenticated utilizing
7 Bray's SCAA certificates, including 15 counterfeit Babe Ruth cuts,
8 two counterfeit Albert Einstein cuts, and eight baseballs with
9 forgeries of Ronald Reagan's signature.

10 215. On or about July 15, 1999, in San Marcos, California,
11 Wayne Bray received a package (containing an \$1,800 check) sent
12 from Sheldon's Cards, 2046 Yaqi, Tustin, California.

13 216. On or about July 15, 1999, in San Marcos, California,
14 Michael Lopez forged one Joe Montana cut, one Joe DiMaggio
15 photograph, one Dan Marino on a Miami Dolphin jacket, 11 Dan
16 Marino lithographs and five Joe Montana lithographs.

17 217. On or about July 21, 1999, in Newport Coast, California,
18 Michael Moses mailed an order (placed by a government undercover
19 agent on July 13, 1999) of counterfeit photographs to Oceanside,
20 California. The order included: (1) 15 Joe DiMaggio; (2) 19 Sammy
21 Sosa; (3) six Star Wars cast; (4) nine Sammy Sosa and Mark
22 McGwire; (5) four Xena the Warrior Princess; (6) six Ted Williams;
23 (7) three Walter Matthau and Jack Lemmon; and (8) five Catherine
24 Zeta Jones.

25 218. On or about July 23, 1999, in Atlanta, Georgia, Forrest
26 Golembeske discussed purchasing counterfeit baseballs (including
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1 Babe Ruth, Ty Cobb, Christy Mathewson and Lou Gehrig) from Wayne
2 Bray.

3 219. On or about July 26, 1999, in Newport Coast, California,
4 Michael Moses admitted to a government undercover agent that his
5 contact was having problems obtaining counterfeit vintage items.

6 220. On or about July 26, 1999, in San Marcos, California,
7 Wayne Bray opened a UPS shipment from Stan's Sports Memorabilia
8 that contained: (1) 60 baseballs with Joe DiMaggio's purported
9 signature; (2) 12 Nolan Ryan model bats (without autographs); (3)
10 a single blank John Lennon photograph; and (4) 20 blank moon shot
11 photographs (with a hand written note stating that the individuals
12 in the photo were Armstrog [sic], Aldren and Collins). The note
13 also directed Bray to "upgrade the J.D. balls to J.D. + Mantle
14 combo's."

15 221. On or about July 26, 1999, in San Marcos, California,
16 Wayne Bray called Stan Fitzgerald at (973) 228-5257. During this
17 call, Fitzgerald instructed Bray not to "even say the [Marinos]
18 names on the phone."

19 222. On or about July 26, 1999, in San Marcos, California,
20 Wayne Bray told Gloria Marino that he was thinking about switching
21 Stan Fitzgerald's account to Rino Ruberti.

22 223. On or about July 27, 1999, in San Marcos, California,
23 Wayne Bray told Stan Fitzgerald that he was going to "take care
24 of" the Joe DiMaggio baseballs which he had just received from
25 Fitzgerald.

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1 224. On or about July 27, 1999, in Tustin, California,
2 Sheldon Jaffe selected four unsigned vintage balls and directed
3 Wayne Bray to have the balls forged with Babe Ruth's, Lou
4 Gehrig's, Mel Ott's and Jimmie Foxx's signatures.

5 225. On or about July 27, 1999, in Rosemead, California,
6 Michael Lopez admitted that he was in the counterfeiting business
7 "way before a lot of other people" but had to lay "low because
8 everybody was on [his] trail." He also stated that he was now
9 "ready to fuck' play again" but that he doesn't want anyone to
10 know or see him anymore. Lopez also admitted to selling over
11 2,500 counterfeit team helmets to the television networks for
12 \$750,000.

13 226. On or about July 28, 1999, in Escondido, California,
14 Wayne Bray dropped off various items of memorabilia, including 60
15 Joe DiMaggio baseballs (with instructions for the Marinos that
16 Fitzgerald wanted Mickey Mantle's signature added to the balls).

17 227. On or about July 28, 1999, in Escondido, California,
18 Greg Marino (in the presence of Gloria and Kathleen Marino) forged
19 25 vintage baseballs, five vintage softballs, a pair of boxing
20 gloves, and one vintage Babe Ruth photograph.

21 228. On or about July 29, 1999, in San Marcos, California,
22 Michael Lopez forged signatures on a number of lithographs,
23 including those of Michael Jordan and Joe Montana. He also
24 instructed Wayne Bray that he wanted to be paid in cash for his
25 counterfeits.

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1 229. On or about July and August 1999, in Oceanside,
2 California, Michael Bowler and Carmen Lombardo formed a company
3 to fraudulently authenticate counterfeit memorabilia produced by
4 the Marinos.

5 230. On or about July 30, 1999, in San Clemente, California,
6 Rino Ruberti received 300 blank SCAA certificates, one SCAA
7 authentication stamp, two blank Ty Cobb photographs and a note
8 from Stan Fitzgerald (directing that the photos be matched up with
9 cut autographs and sent to his framer).

10 231. On or about August 2, 1999, in San Marcos, California,
11 Wayne Bray received a package from Stan Fitzgerald that contained
12 36 unautographed Hank Aaron jerseys (along with two copies of a
13 note on Stan's Sports Memorabilia letterhead directing Bray to
14 "authenticate" the 36 Hank Aaron 500 home run club jerseys).

15 232. On or about August 2, 1999, in Escondido, California,
16 Wayne Bray dropped off blank memorabilia with the Marinos. In
17 addition, Bray picked up the rest of the items that he had dropped
18 off on July 28th. These items, including the 60 Joe DiMaggio
19 baseballs which now also contained forgeries of Mickey Mantle's
20 signature and the 12 Nolan Ryan model bats which now contained
21 forgeries of Ryan's signature.

22 233. On or about August 2, 1999, in Escondido, California,
23 Gloria Marino directed Wayne Bray to split the Marinos' payment
24 up into two checks and \$5,600 in cash totaling \$10,570. At that
25 same time, she also directed Bray not to sell counterfeit
26 memorabilia directly to Michael Tapales.

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1 234. On or about August 2, 1999, in Fullerton, California,
2 Forrest Golembeske indicated that he was still interested in
3 purchasing counterfeit vintage baseballs from Wayne Bray.

4 235. On or about August 3, 1999, in San Clemente, California,
5 Wayne Bray received an order from Stan Fitzgerald that involved
6 hundreds of cuts, including 12 James Deans, 15 Marilyn Monroes,
7 six Martin Luther Kings, six George Gershwins, three Spencer
8 Traceys, four Ernest Hemingways, ten Humphrey Bogarts, six Jackie
9 Robinsons, ten Elvis Presleys, 15 John Lennons, ten Groucho
10 Marxes, three Bruce Lees, ten Janis Joplins and 45 Babe Ruths.

11 236. On or about August 3, 1999, Rino Ruberti gave Wayne Bray
12 nine handwritten pages detailing counterfeit memorabilia that he
13 had fraudulently authenticated with Bray's SCAA certificates,
14 including 21 photographs of Mother Theresa, ten photographs of
15 Bill Clinton, 22 baseballs and photographs of Michael Landon, 20
16 photographs of Neil Armstrong, numerous individual photographs of
17 Richard Nixon, Gerald Ford, Jimmy Carter, Ronald Reagan and George
18 Bush, and three photographs containing all five living Presidents
19 on one picture.

20 237. On or about August 3, 1999, in San Marcos, California,
21 Michael Lopez forged three basketballs with the signatures of the
22 entire Lakers basketball team, three basketballs with both Michael
23 Jordan's and Larry Bird's signatures, four footballs with assorted
24 quarterback signatures, and approximately 43 Joe Montana
25 lithographs.

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1 238. On or about August 3, 1999, in San Marcos, California,
2 Michael Lopez assisted in shipping the six basketballs, four
3 footballs and 43 lithographs to Hawaii. That same day, Lopez
4 inquired whether Stan Fitzgerald would be interested in purchasing
5 100 fraudulent pro football jerseys for \$180 a piece.

6 239. On or about August 4, 1999, in Rosemead, California,
7 Michael Lopez stated that he had just picked up 40 Jordan jerseys.

8 240. On or about August 4, 1999, in San Clemente, California,
9 Rino Ruberti discussed utilizing Michael Lopez, as an alternate
10 supply of counterfeit memorabilia destined for Stan Fitzgerald.

11 241. On or about August 4, 1999, in San Clemente, California,
12 Rino Ruberti received a fax of an order from Stan Fitzgerald that
13 included 360 Roger Maris baseballs, 240 Satchel Paige baseballs,
14 240 Thurmon Munson baseballs, 50 John Wayne photographs, six Gilda
15 Radner photographs and 25 Seinfeld cast photographs.

16 242. On or about August 5, 1999, in Las Vegas, Nevada,
17 Richard Weimer sold a number of items of counterfeit memorabilia
18 to Smokey's Sports Memorabilia.

19 243. On or about August 5, 1999, in Escondido, California,
20 Rino Ruberti paid the Marinos \$25,000 for filling his counterfeit
21 memorabilia orders.

22 244. On or about August 6, 1999, in Fullerton, California,
23 Forrest Golembeske inquired as to the price for a counterfeit Ty
24 Cobb baseball. On that same date, Golembeske requested that Wayne
25 Bray obtain counterfeit signatures on some vintage items that he
26 possessed.

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1 245. On or about August 6, 1999, in Long Beach, California,
2 Lowell Katz ordered numerous items of counterfeit memorabilia from
3 Nathan Harrison.

4 246. On or about August 6, 1999, in Rancho Bernardo,
5 California, Richard Mitchell ordered a counterfeit baseball
6 containing a forgery of Ty Cobb's signature, Mel Ott's and Jimmie
7 Foxx's signatures.

8 247. On or about August 9, 1999, in Tustin, California,
9 Sheldon Jaffe called Wayne Bray and ordered more counterfeit
10 baseballs.

11 248. On or about August 9, 1999, in San Clemente, California,
12 Rino Ruberti received a fax of an order from Stan Fitzgerald that
13 included 50 photographs of Hillary Clinton and 24 photographs of
14 Jackie Kennedy Onasis.

15 249. On or about August 9, 1999, in Fullerton, California,
16 Forrest Golembeske sent to Wayne Bray a package containing several
17 unsigned vintage items, including: (1) a 1937 magazine with Babe
18 Ruth on the cover (without autograph); (2) a vintage baseball
19 magazine with Ty Cobb on the cover (without autograph); and (3)
20 a book on baseball written by George Herman "Babe" Ruth (without
21 autograph).

22 250. On or about August 10, 1999, in Escondido, California,
23 Richard Weimer ordered 75 blank certificates of authenticity from
24 Wayne Bray.

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1 251. On or about August 10, 1999, in Rosemead, California,
2 Michael Lopez told Wayne Bray that he had already sold all of his
3 recently purchased Michael Jordan jerseys.

4 252. On or about August 10, 1999, in Santa Ana, California,
5 David Tabb in exchange for \$3,000 shipped to a government
6 undercover agent approximately 300 8x10 photographs with forged
7 signatures, including 46 Tiger Woods, 44 Ken Griffey, Jr., 32
8 Mickey Mantle, 40 Cal Ripkin, Jr., 34 Michael Jordan, and 24 Tony
9 Gwynn.

10 253. On or about August 11, 1999, in San Marcos, California,
11 Richard Weimer shipped Jackie Robinson and Babe Ruth counterfeit
12 baseballs to a customer in Illinois.

13 254. On or about August 11, 1999, in Fullerton, California,
14 Forrest Golembeske received one vintage baseball with a forgery
15 of Ty Cobb's signature (along with a note telling Golembeske that
16 Bray was working on the other stuff).

17 255. On or about August 12, 1999, in Escondido, California,
18 Greg Marino forged Ty Cobb's and Babe Ruth's signatures on the
19 unsigned items sent to Bray by Golembeske.

20 256. On or about August 12, 1999, in Escondido, California,
21 Greg Marino (in the presence of Wayne Bray and John Marino) forged
22 two Babe Ruth signatures and one Ty Cobb signature.

23 257. On or about August 13, 1999, in Long Beach, California,
24 Lowell Katz called Wayne Bray, in San Marcos, California, and
25 discussed purchasing some additional counterfeit cuts.

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1 264. On or about August 20, 1999, in Tustin, California,
2 Sheldon Jaffe requested that Wayne Bray send him a vintage
3 baseball bearing Greg Marino's forgery of Mel Ott's signature.

4 265. On or about September 2, 1999, Stan Fitzgerald left a
5 voice mail for Wayne Bray in San Marcos, California, in which he
6 stated that he had done \$200,000 in business with Rino Ruberti
7 during the last month.

8 266. On or about September 3, 1999, in Newport Coast,
9 California, Michael Moses told a government undercover agent that
10 two of his customers were each ordering \$12,000 in counterfeit
11 memorabilia per week.

12 267. On or about September 19, 1999, in Caldwell, New Jersey,
13 Stan Fitzgerald stated that he had purchased approximately
14 \$289,000 [in counterfeit memorabilia] from Rino [Ruberti] during
15 the last couple of weeks.

16 268. On or about September 20, 1999, in Tustin, California,
17 Sheldon Jaffe told Wayne Bray that he would pay him the additional
18 \$1,890 that he still owed him for the counterfeit memorabilia he
19 had purchased.

20 269. On or about September 21, 1999, in Rancho Bernardo,
21 California, Richard Mitchell ordered 100 blank SCAA certificates
22 of authenticity from Wayne Bray.

23 270. On or about September 21, 1999, in Escondido,
24 California, Nathan Harrison picked up an order of counterfeit
25 memorabilia from the Marino family residence.

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1 271. On or about September 21, 1999, in La Jolla, California,
2 Bruce Gaston was distributing counterfeit memorabilia (including
3 Mantle and DiMaggio Mitchell & Ness replica jerseys) containing
4 Greg Marino forgeries.

5 272. On or about September 22, 1999, in La Jolla, California,
6 Bruce Gaston ordered a vintage baseball with a counterfeit
7 signature of Mel Ott from Wayne Bray.

8 273. On or about September 24, 1999, in La Jolla, California,
9 Bruce Gaston received a UPS package containing the counterfeit Mel
10 Ott ball.

11 274. On or about September 24, 1999, in San Marcos,
12 California, Wayne Bray faxed a bill to Sheldon Jaffe's residence
13 in Tustin, California.

14 275. On or about September 27, 1999, in Orange, California,
15 David Tabb agreed to sell to a government undercover agent
16 numerous items of counterfeit memorabilia for \$5,000.

17 276. On or about September 27, 1999, in San Marcos,
18 California, Richard Laughlin told Wayne Bray that the Marinos did
19 not respect him anymore and were treating him poorly.

20 277. On or about September 29, 1999, in San Juan Capistrano,
21 California, Richard Laughlin was offering for sale numerous items
22 of counterfeit memorabilia, including various Mark McGwire, Sammy
23 Sosa, Michael Jordan (non Upper Deck), Mickey Mantle and the
24 Beatles autographs.

25 278. On or about September 29, 1999, in Laguna Niguel,
26 California, Michael Moses delivered numerous items of counterfeit
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1 memorabilia to a government undercover agent, including Mark
2 McGwire mini-helmets and bats, Tony Gwynn bats, Michael Jordan
3 Basketballs (non Upper Deck) and Mickey Mantle photos.

4 279. On or about September 30, 1999, in Del Mar, California,
5 Carmen Lombardo sold a government undercover agent numerous items
6 of counterfeit memorabilia.

7 280. On or about October 1, 1999, in La Jolla, California,
8 Bruce Gaston dried the signature on the counterfeit Mel Ott ball
9 to disguise the fact that it was a forgery.

10 281. On or about October 8, 1999, in La Jolla, California,
11 Bruce Gaston listed the counterfeit Mel Ott ball for sale on the
12 Internet.

13 282. On or about October 8, 1999, in Escondido, California,
14 Greg Marino forged vintage baseballs for Wayne Bray.

15 283. On or about November 19, 1999, in Orange, California,
16 Anthony Marino purchased numerous items of counterfeit memorabilia
17 from Barry Goldberg for approximately \$5,500. These items had been
18 forged by Robert Waldon and included footballs, mini-helmets, full
19 sized helmets, and jerseys (e.g., Brett Favre, John Elway, Dan
20 Marino, Wayne Gretzky).

21 284. On or about November 19, 1999, in Orange, California,
22 Anthony Marino agreed to pay Robert Waldon between \$400 and \$500
23 an hour to forge signatures on blank memorabilia.

24 285. Between December 1999 and February 28, 2000, in Orange,
25 California, Anthony Marino purchased numerous items of counterfeit
26 memorabilia from Robert Waldon.

1 286. On or about February 28, 2000, in San Marcos,
2 California, Anthony Marino purchased from Nathan Harrison hundreds
3 of items of counterfeit memorabilia (including numerous Joe
4 DiMaggio jerseys) for \$25,000.

5 287. On or about February 28, 2000, in San Marcos,
6 California, Anthony Marino arranged to purchase a counterfeit Babe
7 Ruth baseball from a government undercover agent.

8 All in violation of Title 18, United States Code, Section 371.

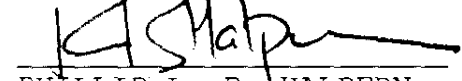
9 Count 2

10 1. Paragraphs 1 through 29 of the Introductory Allegations
11 are hereby realleged and incorporated by reference as if set forth
12 in full herein.

13 2. On or about April 15, 1999, within the Southern District
14 of California, defendant GREGORY JAMES MARINO did willfully
15 attempt to evade and defeat his lawful income tax due and owing
16 for 1998, by preparing, signing and filing with the IRS, a false
17 and fraudulent joint U.S. Individual Income Tax Return (1998 Form
18 1040), in which he falsely stated that his taxable income was
19 \$17,036 and that the tax due and owing thereon was \$2,554;
20 whereas, as he then knew, his taxable income for 1998 was
21 substantially greater; all in violation of Title 26, United States
22 Code, Section 7201.

23 DATED: 4/7/00.

24 GREGORY A. VEGA
25 United States Attorney


26 PHILLIP L. B. HALPERN
27 Assistant U.S. Attorney