

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

```

-----X
UNITED STATES OF AMERICA,      :
                                :      15-CR-252 (RJD)
                                :
                                :      July 18, 2015
                                :
                                :      Brooklyn, New York
                                :
                                :
                                :
-----X

```

TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT  
BEFORE THE HONORABLE VERA M. SCANLON  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government:                   KELLY T. CURRIE, ESQ.  
   UNITED STATES ATTORNEY  
   BY: DARREN LaVERNE, ESQ.  
   EVAN NORRIS, ESQ.  
   KEITH EDELMAN, ESQ.  
   ASSISTANT U.S. ATTORNEYS  
   271 Cadman Plaza East  
   Brooklyn, New York 11201

For the Defendant:                   EDWARD O'CALLAHAN, ESQ.

Audio Operator:

Court Transcriber:                   ARIA SERVICES, INC.  
   c/o Elizabeth Barron  
   102 Sparrow Ridge Road  
   Carmel, NY 10512  
   (845) 260-1377

Proceedings recorded by electronic sound recording,  
transcript produced by transcription service

1 THE CLERK: Criminal cause for arraignment,  
2 case number 15-CR-252, United States v. Jeffrey Webb.

3 Counsel, please state your name for the  
4 record.

5 MR. LaVERNE: Good afternoon, your Honor,  
6 Darren LaVerne, Evan Norris and Keith Edelman for the  
7 United States.

8 THE COURT: Good afternoon.

9 MR. O'CALLAHAN: Good afternoon, your Honor,  
10 Edward O'Callahan and Gia Rue (ph) for Mr. Webb.

11 THE COURT: And that's your client with you?

12 MR. O'CALLAHAN: Yes, your Honor.

13 THE COURT: We're here for couple of  
14 purposes, first for the arraignment.

15 Mr. Webb, we're here because a grand jury  
16 has returned an indictment charging you with several  
17 offenses. The purpose of today's proceeding is to make  
18 sure you understand the crimes with which you are  
19 charged, to make sure you understand you have the right  
20 to be represented by an attorney and if you can't  
21 afford one, one will be appointed by the Court for you,  
22 to take your plea with regard to the charges against  
23 you and to address the question of whether you should  
24 be released on a bond or held in jail.

25 Do you understand that?

1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: With regard to your right to be  
3 represented by counsel, you have a retained attorney,  
4 is that correct?

5 THE DEFENDANT: Yes, your Honor.

6 THE COURT: So you want Mr. O'Callahan and  
7 his associate to represent you, is that correct?

8 THE DEFENDANT: Yes, your Honor.

9 THE COURT: I have his notice of appearance.  
10 I'm also going to let you know you have the right to  
11 remain silent. That means you don't have to say  
12 anything. If you've made a statement in the past, you  
13 don't need to say anything now. If you start to speak,  
14 you can stop. You should know that anything you do say  
15 except to your attorney may be used against you.

16 Do you understand your right to remain  
17 silent?

18 THE DEFENDANT: Yes, your Honor.

19 THE COURT: Have you seen this document, the  
20 indictment?

21 THE DEFENDANT: Yes, your Honor.

22 THE COURT: Have you had an opportunity to  
23 review?

24 THE DEFENDANT: Yes.

25 THE COURT: Did you go over it with your

1 attorney?

2 THE DEFENDANT: Yes, your Honor.

3 THE COURT: Do you understand the charges  
4 against you?

5 THE DEFENDANT: Yes, your Honor.

6 THE COURT: Counsel, did you go over the  
7 indictment?

8 MR. O'CALLAHAN: Yes, your Honor.

9 THE COURT: Did you review it with your  
10 client?

11 MR. O'CALLAHAN: Yes.

12 THE COURT: Do you have any doubts about his  
13 understanding of the charges against him?

14 MR. O'CALLAHAN: No, your Honor.

15 THE COURT: Do you want me to read the  
16 indictment?

17 MR. O'CALLAHAN: No, we waive its public  
18 reading, Judge.

19 THE COURT: Is the defendant prepared to  
20 plead?

21 MR. O'CALLAHAN: Yes, your Honor.

22 THE COURT: As to all counts in the  
23 indictment against him, how does he plead, guilty or  
24 not guilty?

25 MR. O'CALLAHAN: Not guilty, your Honor.

1 THE COURT: Mr. Webb, you're in agreement  
2 with that plea?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: There's a bail application?

5 MR. LaVERNE: Yes, your Honor, which I'll  
6 summarize. Before we do that, I just want to put on  
7 the record that the defendant is a citizen of the  
8 Cayman Islands and he's waived consulate notice.

9 THE COURT: As to the other administrative  
10 things, is there any issue about inventory? I know he  
11 was extradited.

12 MR. LaVERNE: I think we've handled that  
13 amongst ourselves.

14 THE COURT: All right

15 MR. LaVERNE: With respect to the proposed  
16 bail package, the parties have reached an agreement. I  
17 believe it's in front of your Honor. There are three  
18 attachments, A, B and C. The conditions and the  
19 security is quite extensive. I'm going to summarize  
20 them for the record right now.

21 It's a ten-million-dollar secured bond. The  
22 bond is secured by ten real properties. Two of those  
23 properties are held jointly by Mr. Webb and his wife.  
24 One of the properties is held by just Mrs. Webb and two  
25 of the properties are held individually by Mr. Webb.

1 One of the properties is held by Mrs. Webb's parents.

2 One of the properties is held by an uncle.

3 THE COURT: Those are the Jones's?

4 MR. LaVERNE: Correct.

5 THE COURT: Baden (ph) is the uncle?

6 MR. LaVERNE: Correct.

7 THE COURT: Okay.

8 MR. LaVERNE: And then three of the  
9 properties held by a cousin of Mr. Webb's. They're set  
10 forth in 8, 9 and 10 of attachment B.

11 In addition to the real properties, there's  
12 a number of other items securing the bond. There are  
13 three cars which were set out in attachment B. There's  
14 an account, a 401(k) account held by TD Ameritrade.  
15 There is a partnership equity interest which belongs to  
16 Mr. Webb's wife. There is a piece of jewelry also  
17 owned by Mr. Webb's wife that secures the bond.

18 THE COURT: With regard to number 4 and  
19 number 5, that's the 401(k) account and the partnership  
20 equity interest, how are they going to be posted or  
21 what does that mean? How does she secure something  
22 with her interest in her work?

23 MR. LaVERNE: We're asking that they not be  
24 hypothecated or liquidated. If that were done, it  
25 would obviously be a violation of the bond. Beyond

1 that, there's not going to be a security interest  
2 perfected.

3 THE COURT: Is she in partnership with  
4 others --

5 MR. LaVERNE: Correct.

6 THE COURT: -- in the dental practice?

7 MR. LaVERNE: Correct.

8 THE COURT: Is she going to give them  
9 notice?

10 MR. O'CALLAHAN: Yes, your Honor.

11 THE COURT: Then you have number 6 on that  
12 list.

13 MR. LaVERNE: Correct. The last category of  
14 items securing the bond are items that had actually  
15 been provided to the FBI and will be provided to the  
16 clerk of court and held by the court as security.  
17 Those two are listed in attachment B. There's a number  
18 of watches and pieces of jewelry owned by either Mr.  
19 Webb or his wife.

20 There will be the signatures of ten co-  
21 signers on this bond. Their names are set forth in  
22 attachment C. Four of those co-signers will sign the  
23 bond today.

24 THE COURT: That's Ms. Gamble Webb, Mr.  
25 Jones, Ms. Jones and you have another Ms. Jones, right?

1 MR. LaVERNE: Correct. That is Ms. Gamble  
2 Webb, which is again Mr. Webb's wife, and her parents  
3 and her grandmother. The number of other co-signers  
4 that are listed in attachment C, the agreement is that  
5 they will sign the bond no later than Monday, July 20<sup>th</sup>.

6 THE COURT: The second-to-last person on the  
7 list, who is she or he?

8 MR. LaVERNE: Mr. Webb's brother, one of his  
9 brothers.

10 THE COURT: They don't all live in New York?

11 MR. LaVERNE: No, they're at various places.

12 THE COURT: So you've got to make  
13 arrangements for them to sign?

14 MR. O'CALLAHAN: Yes. We already started  
15 that, Judge. (ui).

16 THE COURT: Okay.

17 MR. LaVERNE: With respect to the other  
18 conditions on the bond, the bond sets forth in  
19 attachment A a number of restrictions, which again I'll  
20 summarize. Mr. Webb, the defendant, will be subject to  
21 electronic monitoring and home detention at a location  
22 approved in writing by the FBI provided to the office  
23 of Pretrial Services. Until further amendment of the  
24 bond, the residents must be within twenty miles of the  
25 United States district court of the Eastern District of



1 New York, this courthouse.

2           The defendant may leave his residence only  
3 upon approval in writing by the FBI and Pretrial  
4 Services and under terms and conditions approved in  
5 writing by the FBI and Pretrial Services. Costs of  
6 electronic monitoring shall be borne solely by the  
7 defendant.

8           THE COURT: What are you going to do about  
9 the circumstances that are usually exemptions, such as  
10 medical emergencies, consulting with counsel, religious  
11 services? What if that needs to happen on a quick  
12 basis?

13           MR. LaVERNE: I think we can make a  
14 provision obviously for medical emergencies. The other  
15 items, I think right now the condition is that the FBI  
16 must approve any other reason for leaving the  
17 apartment.

18           THE COURT: Mr. O'Callahan, is there any  
19 other reason besides medical emergency where you can  
20 envision might need to leave his apartment without  
21 having sufficient time to get this approval by the FBI  
22 and Pretrial Services?

23           MR. O'CALLAHAN: We did contemplate  
24 obviously visits to the courthouse and attorney visits  
25 and church services, your Honor.

1 MR. LaVERNE: I think the agreement, as I  
2 understand it, is we will make exception for attorney  
3 visits, court visits and church visits but those visits  
4 must be brought to the attention of the FBI prior to  
5 Mr. Webb leaving the premises.

6 THE COURT: Except for the medical  
7 emergencies.

8 MR. LaVERNE: Correct.

9 THE COURT: You're going to continue. Go  
10 ahead.

11 MR. LaVERNE: With respect to -- again, with  
12 respect to monitoring the defendant while he's on  
13 pretrial release, there's another condition. I'm  
14 reading now from paragraph 6 of attachment A. A  
15 private security service approved by the U.S.  
16 attorney's office and FBI will monitor the defendant's  
17 physical location and provide security 24 hours per  
18 day, seven days per week.

19 The private security service shall accompany  
20 the defendant during transit to and from his residence  
21 and this courthouse, the offices of his attorneys, and  
22 any other place as to which the defendant's travel has  
23 been approved in writing and Pretrial Services as set  
24 forth in the paragraphs I just read from, paragraphs 1  
25 and 5.

1           The private security service shall be  
2 directed by and report to the FBI. The costs of the  
3 private security service shall be borne solely by the  
4 defendant.

5           THE COURT: In that one, shouldn't the  
6 approval part of that be taken out? Aren't they going  
7 to accompany him everywhere? And then the other  
8 paragraphs tell you what it is that he's allowed to do.

9           MR. LaVERNE: I think we're fine with the  
10 linguistic change. The notion is that if he's leaving  
11 the premises at any time, under the conditions of the  
12 bond, he must be accompanied by the security service.

13           THE COURT: How is that going to work with  
14 regard to the attorney visits? Presumably, they're not  
15 going to attend the meetings but they can be outside.  
16 There can be some private meetings, correct?

17           MR. LaVERNE: Certainly. Mr. O'Callahan can  
18 meet with his client privately, obviously, but the  
19 security service would be posted outside during the  
20 course of the meetings.

21           THE COURT: Okay. Mr. O'Callahan and --

22           MR. LaVERNE: Mr. O'Callahan and any other  
23 members of his legal team or legal staff.

24           THE COURT: Paragraph 6 will be amended so  
25 that after "any other place" through the end of that

1 sentence, that's taken out. It says Mr. O'Callahan and  
2 other legal staff/attorneys may have private attorney  
3 meetings with Mr. Webb with the security service in  
4 sufficient proximity to perform their duties. Does  
5 that work?

6 MR. O'CALLAHAN: Sorry, Judge, the last part  
7 I didn't hear.

8 THE COURT: Mr. O'Callahan and other legal  
9 staff/attorneys may have private attorney meetings with  
10 Mr. Webb with the security service in sufficient  
11 proximity to perform their duties.

12 MR. O'CALLAHAN: That's fine with the  
13 defendant, your Honor.

14 MR. LaVERNE: That's fine.

15 THE COURT: Have you worked that out  
16 already, the security service?

17 MR. LaVERNE: Yes, those arrangements have  
18 been made.

19 A number of other conditions on the bottom.  
20 Mr. Webb and his wife shall surrender any -- in fact  
21 have surrendered already passports to the FBI. That's  
22 attachment A, paragraph 4. I would just note for the  
23 record that Mr. Webb has represented that he has three  
24 passports all of which have been turned over. Two of  
25 them are United Kingdom passports, one of them is a

1 Cayman Islands passport. Mrs. Webb has represented  
2 that she has one passport, which is a United States  
3 passport.

4 THE COURT: And they have a child.

5 MR. LaVERNE: That's right.

6 THE COURT: Does the child have a passport  
7 yet?

8 THE DEFENDANT: Yes.

9 THE COURT: What about the child's passport?

10 MR. LaVERNE: There are no conditions with  
11 respect to the child's passport.

12 THE COURT: So the FBI has the passports?

13 MR. LaVERNE: Right.

14 THE COURT: You're going to give them to  
15 Pretrial or you need them?

16 MR. LaVERNE: I think we'd like to keep them  
17 in the custody of the FBI.

18 THE COURT: Other conditions?

19 MR. LaVERNE: The other conditions, your  
20 Honor, are the regular conditions attached to  
21 supervision by Pretrial. In this case, we've also  
22 added supervision by and according to the FBI as  
23 directed.

24 THE COURT: What about -- you have a second  
25 condition on the standard bond?

1 MR. LaVERNE: Oh, yes, thank you, your  
2 Honor. There's a non-association provision which  
3 provides -- again, this is paragraph 2, attachment A.  
4 The defendant will not directly or indirectly associate  
5 or have contact with his codefendants or coconspirators  
6 or any individual employed by or associated with the  
7 following entities:

8 1) Any sports marketing company identified  
9 in the indictment in this case, including without  
10 limitation Torneos Accompatensias (ph), Full Play and  
11 the Traffic Group or any subsidiary or affiliate of the  
12 foregoing companies.

13 2) CONCACAF and any affiliated or  
14 constituent entity.

15 3) CONMEBOL and any affiliated or  
16 constituent entity.

17 4) FIFA and any affiliated or constituent  
18 entity.

19 THE COURT: What does that mean with regard  
20 to the unnamed coconspirators that are listed in the  
21 indictment? Does Mr. Webb know who they are?

22 MR. O'CALLAHAN: No, your Honor.

23 MR. LaVERNE: What we can do, your Honor, is  
24 submit under seal and agreed list of coconspirators he  
25 can't associate with.

1 THE COURT: Okay, Mr. O'Callahan?

2 MR. O'CALLAHAN: Yes, Judge, thank you.

3 THE COURT: When are you going to provide  
4 that?

5 MR. LaVERNE: I'm sorry, your Honor?

6 THE COURT: When will you provide the list?

7 MR. LaVERNE: We'll provide the list by the  
8 end of this coming week, July -- by the 4<sup>th</sup>.

9 THE COURT: Any other condition?

10 MR. LaVERNE: No, that's it, your Honor.

11 THE COURT: Mr. O'Callahan, do you want to  
12 add anything?

13 MR. O'CALLAHAN: Not at this time, Judge.

14 THE COURT: So we have the four sureties  
15 here?

16 MR. O'CALLAHAN: Yes, Judge.

17 THE COURT: Why don't they come up.

18 (Sureties are sworn.)

19 THE CLERK: State your name for the record.

20 MS. MILDRED JONES: Mildred Jones.

21 MS. PHYLLIS JONES: Phyllis Jones.

22 MR. JONES: Leroy Jones.

23 MS. WEBB: Kendra Gamble Webb.

24 THE COURT: Mr. O'Callahan, do you have some  
25 information about the four sureties?

1 MR. O'CALLAHAN: Yes, your Honor. Kendra  
2 Gamble Webb is Mr. Webb's wife. They reside together  
3 in Loganville, Georgia. Phyllis Jones is Kendra Gamble  
4 Webb's grandmother and she resides in Brooklyn, New  
5 York. Mr. and Mrs. Jones are Kendra's parents and they  
6 currently reside in Topyhanna (ph), Pennsylvania.

7 THE COURT: Do you have any information  
8 about their assets, the financial circumstances?

9 MR. O'CALLAHAN: Yes, your Honor. We have  
10 provided extensive information regarding the assets.  
11 All of the co-signers have been interviewed  
12 telephonically by the United States attorney's office  
13 prior to their appearance here today and they have been  
14 approved as financially responsible individuals and  
15 appropriate co-signers, as I understand it, by the U.S.  
16 attorney's office.

17 MR. LaVERNE: Your Honor, I'll just say for  
18 the record we have interviewed the proposed co-signers  
19 and we're satisfied that they are either financially  
20 responsible persons or moral suasion suretors and are  
21 acceptable on this bond.

22 THE COURT: For the record, why don't you  
23 give me who they are. Obviously, you just gave me some  
24 of them. Tell me a little bit about their financial  
25 circumstances and then fill in some information about



1 the others who are not here but who plan to sign by  
2 Monday.

3 MR. O'CALLAHAN: Okay. Without the notes in  
4 front of me --

5 THE COURT: That's okay.

6 MR. O'CALLAHAN: Ms. Kendra Webb is a  
7 physician, a practicing OBGYN. She is the owner of the  
8 home in Loganville, Georgia with Mr. Webb. She also  
9 owns a separate property in Stone Cross, Georgia, as I  
10 understand it.

11 THE COURT: Stone Mountain.

12 MR. O'CALLAHAN: Stone Mountain, thank you,  
13 Georgia. She is currently working on a consultant  
14 basis. She had not been actively working since the  
15 birth of their son one year ago but she has now started  
16 working again on a consulting basis and is trying to  
17 join a new partnership in the Georgia area.

18 THE COURT: Just to ask the question, one of  
19 the things being posted is her partnership equity  
20 interest. Does that exist?

21 MR. O'CALLAHAN: It does exist, your Honor.  
22 That is from her prior partnership she left several  
23 years ago. We've explained to the U.S. attorney's  
24 office that there's approximately \$40,000 left in that  
25 equity, so that is the amount that is being posted.

1 THE COURT: How about the two Jones's?

2 MR. O'CALLAHAN: Ms. Gamble Webb's parents  
3 are -- her mother just recently retired after I think  
4 25 years or thereabouts being fully employed I think in  
5 the financial industry.

6 MS. MILDRED JONES: Yes.

7 MR. O'CALLAHAN: Her father is still  
8 currently employed by the City of New York in an  
9 administrative position. They own their home in  
10 Topyhanna, Pennsylvania. There is equity in the home  
11 of approximately \$70,000, I believe. The other assets  
12 of each of them have been presented to the U.S.  
13 attorney's office.

14 THE COURT: And then Ms. Phyllis Jones?

15 MR. O'CALLAHAN: Judge, off the top of my  
16 head -- I'm just going to have to consult with her.

17 THE COURT: You can ask. I'm sure she can  
18 speak for herself.

19 MR. O'CALLAHAN: Thank you, your Honor. Ms.  
20 Jones, as I said, is retired and she does receive a  
21 pension of approximately \$3,500 a month. She owns her  
22 home in Brooklyn. There's equity in the home of  
23 approximately \$30,000, she estimates.

24 THE COURT: And as to the other five  
25 individuals? I think we talked a little bit about some

1 of their relationships but if you could summarize it,  
2 the other people who are going to sign the bond by  
3 Monday or on Monday.

4 MR. O'CALLAHAN: Sure, Judge. I'm just  
5 going to refer --

6 MR. LaVERNE: I can actually respond.

7 THE COURT: Sure.

8 MR. LaVERNE: I just interviewed them  
9 recently and I happen to have some notes.

10 THE COURT: For the record, yes.

11 MR. LaVERNE: With respect to India  
12 Beckford, that's a half-sister of Mr. Webb. She's a  
13 United States citizen, she's an accountant. She made  
14 about \$35,000 last year, lives in Tampa. She has some  
15 assets but not an enormous amount of financial interest  
16 in property.

17 Delroy Webb, who again is Mr. Webb's cousin,  
18 also is a United States citizen. He has an extensive  
19 net worth, over a million dollars. He's a practicing  
20 dentist again in the Florida area.

21 Arthur Webb is a United States citizen, also  
22 lives in Tampa, again a brother of the defendant. He's  
23 more of a moral suasion kind of suretor.

24 THE COURT: The other Webb's and Baden.

25 MR. LaVERNE: Mr. Baden again is an uncle of

1 Mr. Webb's. He retired in 2004. He had worked as a  
2 manager, as a corrections officer manager. He has  
3 about \$60,000 in a 401(k). He owns a car. Otherwise,  
4 he lives on Social Security.

5 Marjorie? Is that the last one? That's Mr.  
6 Webb's mother, again more in the nature of a moral  
7 suasion suretor. She lives in the Florida area, has a  
8 401(k) plan with about \$30,000 and is currently living  
9 on an annuity.

10 THE COURT: Thank you. Let me ask a  
11 practical question. Given all of the assets that are  
12 being posted, does Mr. Webb have sufficient income to  
13 pay for this private security service?

14 MR. O'CALLAHAN: Your Honor, he has assets.  
15 The particular private security service -- we're in  
16 conversation with the U.S. attorney's office about  
17 which assets can be applied to cover the costs.

18 THE COURT: You're amenable to continuing  
19 that conversation so that he'll be in a position to  
20 comply with this?

21 MR. LaVERNE: Right. We're aware of that  
22 issue and we're negotiating with the defense about it.

23 THE COURT: For the four sureties, I'm going  
24 to explain how this process works. What's been  
25 proposed by the government and Mr. Webb's counsel is

1 that he be released on a ten-million-dollar bond with  
2 many restrictions. What I'm going to do is go over the  
3 bond with Mr. Webb and ask you to listen and then come  
4 back and ask you if you have any questions. If you are  
5 then at that point -- if I'm satisfied that you can be  
6 a surety and if you would still like to be a surety,  
7 we'll have you confirm your signatures.

8 Let me just ask you, for the four of you who  
9 are here, you heard Mr. O'Callahan and the government's  
10 attorney tell me a little bit about yourselves and your  
11 assets. Is everything that he said correct?

12 SURETIES: Yes.

13 THE COURT: He correctly described your  
14 relationship to Mr. Webb?

15 SURETIES: Yes.

16 THE COURT: Mr. Webb, the way the bond works  
17 is it's a ten-million-dollar bond. So if you fail to  
18 comply with the conditions of the bond, which I'm going  
19 to go over, the government is entitled to collect up to  
20 ten million dollars. There will be many assets posted  
21 so the government can seek to satisfy the ten million  
22 dollars through those assets but it could also seek it  
23 from any other source of income or assets that you or  
24 any of the sureties have. They can seek it from -- all  
25 the money from you, some of it from you and some of it

1 from the others, all of it from another person, however  
2 it needs to get to the ten million dollars.

3 Do you understand that?

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: So for the sureties, this is a  
6 very significant financial commitment to you.

7 Do you understand that?

8 THE DEFENDANT: Yes, your Honor.

9 THE COURT: The conditions include the  
10 following: You have to remain in and you cannot leave  
11 the following areas. Those are described in an  
12 attachment which I will get to. You have to avoid all  
13 contact and not associate with certain persons. We're  
14 going to go over that in a little bit of detail in a  
15 minute.

16 You have to surrender your passport. I  
17 understand that that's already happened. You have  
18 multiple passports and those passports and those of  
19 your wife are in the custody of the FBI.

20 Do you understand that?

21 THE DEFENDANT: Yes, your Honor.

22 THE COURT: You also can't apply for any  
23 other passport. You're going to be placed under the  
24 express supervision of the Pretrial Services Agency and  
25 the FBI.

1 Do you understand that?

2 THE DEFENDANT: Yes, your Honor.

3 THE COURT: The supervision will include  
4 being subject to random visits by a Pretrial Services  
5 officer and/or FBI agents at your home and/or at your  
6 place of work. You're going to have to report to the  
7 FBI or Pretrial Services as directed.

8 Do you understand that?

9 THE DEFENDANT: Yes, your Honor.

10 THE COURT: You're also going to be subject  
11 to home detention with location and electronic  
12 monitoring.

13 Do you understand that? We're going to go  
14 over that in a little bit more detail.

15 THE DEFENDANT: Yes, your Honor.

16 THE COURT: For the record and for the  
17 sureties and for you, Mr. Webb, so you understand  
18 exactly what the conditions are, I'm going to go over  
19 them. There's attachment A to the bond which outlines  
20 these as set forth in paragraph 5. These are a little  
21 bit duplicative but just so everybody is clear.

22 The defendant is subject to electronic  
23 monitoring and home detention at a location approved in  
24 writing by the FBI and provided to the office of  
25 Pretrial Services. Until further amendment of this

1 bond, the residence must be within twenty miles of the  
2 United States district court for the Eastern District  
3 of New York, 225 Cadman Plaza East, Brooklyn, New York.  
4 That's this courthouse.

5           The defendant may leave his residence only  
6 upon approval in writing by the FBI and Pretrial  
7 Services and under the terms and conditions approved in  
8 writing by the FBI and Pretrial Services. The cost of  
9 the location and electronic monitoring shall be borne  
10 solely by the defendant. The defendant may leave home  
11 for medical emergencies, attorney visits, court visits  
12 and religious services may be undertaken with notice to  
13 the FBI and Pretrial Services.

14           Do you understand the provision?

15           THE DEFENDANT: Yes, I do.

16           THE COURT: You may not directly or  
17 indirectly associate or have contact with any  
18 codefendants or coconspirators or any individual  
19 employed by or associated with the following entities:

20           1) Any sports marketing company identified  
21 in the indictment in this case, including without  
22 limitation Torneos Accompatensias, S.A., Full Play,  
23 S.A. and the Traffic Group or any subsidiary or  
24 affiliate of the foregoing companies.

25           2) CONCACAF and any affiliated or



1 constituent entity.

2 3) CONMEBOL and any affiliated or  
3 constituent entity.

4 4) FIFA and any affiliated or constituent  
5 entities.

6 The list of unidentified coconspirators will  
7 be provided to you and your attorney by 7/24/15 under  
8 seal.

9 Do you understand that limitation?

10 THE DEFENDANT: Yes, I do.

11 MR. O'CALLAHAN: Can I have one second, your  
12 Honor?

13 THE COURT: Yes.

14 (Pause in Proceedings)

15 MR. O'CALLAHAN: Thank you, Judge.

16 MR. LaVERNE: Did your Honor want the list  
17 provided under seal to the Court or just provided to  
18 the defense?

19 THE COURT: I don't think we need it.

20 MR. LaVERNE: Okay. We'll just provide it  
21 to the defense.

22 THE COURT: It will be confidential.

23 Mr. Webb, you and your wife shall surrender  
24 any and all passports to the FBI. I understand that  
25 that's already happened, is that correct?

1 THE DEFENDANT: Yes, it has.

2 THE COURT: And you understand that  
3 provision.

4 THE DEFENDANT: Yes.

5 THE COURT: Let me just ask, is there an  
6 issue about having the electronic monitoring start this  
7 weekend. We're going to do location monitoring and  
8 then switch to GPS?

9 MR. LaVERNE: Other way around, your Honor.

10 THE COURT: Other way around.

11 MR. LaVERNE: Maybe Pretrial can speak to  
12 that.

13 PRETRIAL SERVICES: Today, I'm going to put  
14 the R.F. on.

15 THE COURT: Okay.

16 PRETRIAL SERVICES: (Ui) GPS.

17 THE COURT: You're going to be subject to  
18 electronic monitoring. That's going to take different  
19 forms, what the Court and Pretrial Services is able to  
20 do this weekend and then with your attorney and with  
21 the government, we'll work out having a different form  
22 of electronic monitoring. But you're going to be  
23 subject to it and you're subject to home detention at a  
24 residence approved in writing by the FBI and Pretrial  
25 Services. Basically whatever is in paragraph 1, but

1 just so it's 100% clear.

2           Until further amendment of this bond, the  
3 residence must be within twenty miles of the United  
4 States district court for the Eastern District of New  
5 York, 225 Cadman Plaza East, Brooklyn, New York.  
6 That's this courthouse. You may leave your residence  
7 only upon approval in writing by the FBI and Pretrial  
8 Services under terms and conditions approved in writing  
9 by the FBI and Pretrial Services. The cost of  
10 electronic monitoring shall be borne by the defendant.  
11 There is the exception for medical emergencies,  
12 attorney visits, court visits and religious services  
13 that was noted in paragraph 1.

14           I'm going to give you an opportunity to look  
15 at this paperwork and the sureties as well, so everyone  
16 can see exactly what it is that the paper says.

17           6. A private security service approved by  
18 the U.S. attorney's office and the FBI will monitor the  
19 defendant's physical location and provide security 24  
20 hours per day, seven days per week. The private  
21 security service shall accompany the defendant during  
22 transit to and from his residence to this courthouse,  
23 the offices of his attorneys and any other place. The  
24 private security service shall be directed by and  
25 report to the FBI. The cost of the private security

1 service shall be borne solely by the defendant. Mr.  
2 O'Callahan and other legal staff/attorneys may have  
3 private attorney meetings with Mr. Webb with the  
4 security service in sufficient proximity to perform  
5 their duties.

6 Do you understand all of these conditions?

7 THE DEFENDANT: Yes, I do.

8 THE COURT: With regard to the bond, you are  
9 requested to sign and your wife and the other people  
10 who are the sureties. There are going to be properties  
11 posted. Those properties, which are real properties,  
12 are listed on attachment B. There's also personal  
13 property that is going to be posted which is starting  
14 towards the bottom of attachment B and continuing on  
15 the second page.

16 The security on the properties that are  
17 listed in paragraphs 1, 2, 3, 6 and 7 of attachment B  
18 at the top of the page need to be perfected by Monday,  
19 July 27<sup>th</sup>, 2015 and security on the remaining properties  
20 will need to be perfected no later than Monday, August  
21 3<sup>rd</sup>, 2015. All the security shall be perfected in a  
22 form acceptable to the U.S. attorney's office.

23 Do you understand that?

24 THE DEFENDANT: Yes, I do.

25 THE COURT: Mr. O'Callahan, you're going to

1 be able to work with everyone so that you can perfect  
2 these properties which are in different states?

3 Sometimes that gets a big complicated.

4 MR. O'CALLAHAN: We have already started the  
5 process.

6 THE COURT: Sometimes it takes quite a bit  
7 of effort to do that.

8 MR. O'CALLAHAN: Yes.

9 THE COURT: Mr. Webb, let me give you a few  
10 more warnings. If you fail to come to court as  
11 directed or violate any of the other conditions of  
12 release, a warrant will issue for your arrest. You may  
13 then be held without bond until your trial.

14 Do you understand that?

15 THE DEFENDANT: Yes, I do.

16 THE COURT: Your failure to appear will  
17 result in charges of bail jumping. That's a separate  
18 felony offense. It carries its own term of  
19 imprisonment. You may be acquitted or found not guilty  
20 of the underlying charges against you and yet have to  
21 go to jail simply because you didn't come to court as  
22 directed. If you're convicted of the underlying  
23 charges, any sentence for bail jumping may be  
24 consecutive to the sentence on the underlying crime or  
25 crimes for which you may be convicted.

1 Do you understand that?

2 THE DEFENDANT: Yes, I do.

3 THE COURT: As part of the conditions of the  
4 bond, you cannot commit any crimes while on bond. If  
5 you do so, you may face additional charges for the  
6 separate crime or crimes you're alleged to have  
7 committed. You may also face increased punishment as  
8 the result of any crime committed while on bail.

9 Do you understand that?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: You're not to threaten or  
12 attempt to influence the testimony of any person you  
13 think may be a witness against you in this case. If  
14 you do that, the bond will be revoked and you may face  
15 additional charges for witness tampering or obstruction  
16 of justice.

17 Do you understand that?

18 THE DEFENDANT: Yes, your Honor.

19 THE COURT: Let me just go back to the  
20 sureties. Do you understand how this bond works?

21 SURETIES: Yes.

22 THE COURT: So for all of you, you're taking  
23 a significant financial step. Since this is a ten-  
24 million-dollar bond, the exposure for your financial  
25 circumstances is significant. If Mr. Webb were not to

1 adhere to the conditions of this bond, which I've gone  
2 over and I'm going to give you an opportunity to look  
3 at, as I mentioned to him and I hope you heard, the  
4 government is entitled to collect its ten million  
5 dollars.

6           So they can take that money in whole or in  
7 part from the property that's posted, the real  
8 property, the address that are listed on attachment B,  
9 and from the personal property. But they can also come  
10 and collect against any real property you own, any  
11 personal property you own, any income that they're  
12 entitled to collect against.

13           Do you understand that?

14           SURETIES: Yes.

15           THE COURT: Do all of you still want to be  
16 sureties on this bond?

17           SURETIES: Yes.

18           THE COURT: Even though you signed the bond,  
19 because I wrote some amendments on attachment A --

20           I'm going to pass this over to you. Krista,  
21 can you pass that down?

22           I'm going to ask you to look at it. If you  
23 have any questions, let me know. Then if you are still  
24 in agreement that you want to be sureties, please  
25 confirm for me that those are your signatures.

1 (Pause in Proceedings)

2 MR. O'CALLAHAN: Thank you, your Honor.

3 THE COURT: So for each of the sureties, do  
4 you still want to be a surety on the bond?

5 SURETIES: Yes.

6 THE COURT: For the record, if you could say  
7 your name and then confirm for me that that's your  
8 signature on the bond.

9 MS. MILDRED JONES: Mildred Jones.

10 THE COURT: And you signed the bond?

11 MS. MILDRED JONES: Yes, I did.

12 MS. PHYLLIS JONES: Phyllis Jones.

13 THE COURT: Did you sign the bond?

14 MS. PHYLLIS JONES: Yes, I did.

15 MR. JONES: Leroy Jones. I did sign the  
16 bond.

17 MS. WEBB: Kendra Gamble Webb. I signed the  
18 bond.

19 THE COURT: Mr. Webb, you should go over the  
20 bond with Mr. O'Callahan and make sure you understand  
21 it. If you have any questions, you can ask him. If he  
22 needs clarification, he can ask me.

23 (Pause in Proceedings)

24 THE DEFENDANT: Thank you.

25 THE COURT: For the government, anything



1 else on the bond?

2 MR. LaVERNE: Nothing with respect to the  
3 bond, your Honor.

4 THE COURT: Mr. O'Callahan, anything else?

5 MR. O'CALLAHAN: No, your Honor.

6 THE COURT: Just for the record, Mr. Webb,  
7 is that your signature at the bottom?

8 THE DEFENDANT: Yes, it is, your Honor.

9 THE COURT: I'm going to sign and approve  
10 this bond.

11 You'll be in touch to make sure that those  
12 sureties sign in time, the other ones?

13 MR. LaVERNE: Yes.

14 THE COURT: You'll all work together.

15 MR. LaVERNE: We'll confirm with Mr.  
16 O'Callahan tomorrow that the sureties have signed the  
17 bond.

18 THE COURT: Okay. You have an application  
19 for an order of excludable delay?

20 MR. LaVERNE: We do, your Honor. Judge  
21 Dearie designed this case as complex on Friday. On  
22 that basis, we're asking for a thirty-day exclusion of  
23 time.

24 THE COURT: Mr. O'Callahan?

25 MR. O'CALLAHAN: No objection, your Honor.

1           THE COURT: Mr. Webb, I'm going to explain a  
2 little bit about this application. Under the  
3 Constitution and laws of the United States, you're  
4 entitled to a speedy and public trial by a jury that  
5 commences within 70 days of the date of the indictment,  
6 but there can be periods of excludable delay. Those  
7 periods of excludable delay don't count towards that  
8 70-day clock.

9           If the government fails to bring you to  
10 trial within the 70-day time period, counting all the  
11 days that are permitted to count, not counting the  
12 periods of excludable delay, that could be the basis  
13 for you to bring a motion to dismiss the case against  
14 you.

15           By agreeing to the entry of an order of  
16 excludable delay, you're agreeing to stop the speedy  
17 trial clock for the excludable period. What's being  
18 proposed here is that the time between today and August  
19 17<sup>th</sup>, 2015 be excluded from that 70-day clock. By  
20 agreeing to the entry of an order of excludable delay,  
21 you're giving up your right to make the claim that you  
22 were not brought to trial in a timely manner during a  
23 period which would include the dates from 7/18/2015 to  
24 8/17/15.

25           Do you understand the law in this area?

1 THE DEFENDANT: Yes, I do.

2 THE COURT: Do you understand the  
3 application?

4 THE DEFENDANT: Yes, I do.

5 THE COURT: Are you in agreement with the  
6 application?

7 THE DEFENDANT: Yes, I do.

8 THE COURT: Did you go over it with your  
9 attorney?

10 THE DEFENDANT: Yes, we did.

11 THE COURT: Did anyone make any threats or  
12 promises to you to induce you to agree to the entry of  
13 this order of excludable delay?

14 THE DEFENDANT: No, your Honor.

15 THE COURT: Mr. O'Callahan, did you go over  
16 the application with your client?

17 MR. O'CALLAHAN: Yes, Judge.

18 THE COURT: Do you believe he understands  
19 it?

20 MR. O'CALLAHAN: Yes.

21 THE COURT: Are you in agreement with the  
22 application?

23 MR. O'CALLAHAN: Yes, your Honor.

24 THE COURT: Based on what's been said here  
25 today by the government's counsel, noting that it's

1 been designated as a complex case by Judge Dearie and  
2 based on Mr. O'Callahan's and Mr. Webb's statements, I  
3 believe that the application should be granted to  
4 exclude time from 7/18/2015 to 8/17/2015. I also  
5 believe that the defendant is acting knowingly and  
6 intentionally and entry of this order is in the  
7 interests of justice, the public and the defendant, so  
8 it's granted.

9 For the government, anything else we should  
10 cover today?

11 MR. LaVERNE: No, thank you very much, your  
12 Honor.

13 THE COURT: Mr. O'Callahan, anything else?

14 MR. O'CALLAHAN: No, your Honor.

15 THE COURT: For the sureties, if you have  
16 any questions, stay in touch with Mr. O'Callahan. I'm  
17 sure Mr. Webb appreciates your being here today. For  
18 all the defendants who come to court, the moral support  
19 of their family and friends is an important thing, so  
20 thank you for coming.

21 That's it. Thank you. Have a good  
22 afternoon.

23 MR. LaVERNE: Thank you, your Honor.

24 \* \* \* \* \*

25

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

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.



ELIZABETH BARRON

July 31, 2015