

U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:10-cr-00336-LAK-10

Case title: USA v. Tzvetkoff et al

Date Filed: 04/15/2010

Date Filed	#	Docket Text
01/17/2012	<u>117</u>	CONSENT TO PROCEED BEFORE US MAGISTRATE JUDGE ON A FELONY PLEA ALLOCUTION by Ira Rubin. (jw) (Entered: 01/19/2012)
01/17/2012		ORAL ORDER as to (S3-10-Cr-336-10) Ira Rubin. Sentencing set for 5/17/2012 at 04:00 PM before Judge Lewis A. Kaplan. (By Magistrate Judge Gabriel W. Gorenstein on 1/17/2012) (bw) (Entered: 01/18/2012)
01/17/2012		Order of Referral to Probation for Presentence Investigation and Report as to (S3-10-Cr-336-10) Ira Rubin. (By Magistrate Judge Gabriel W. Gorenstein on 1/17/2012) (bw) (Entered: 01/18/2012)
01/17/2012		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Plea entered by (S3-10-Cr-336-) Ira Rubin (10) Guilty as to Count 1,8,9. (bw) (Entered: 01/18/2012)
01/17/2012		Change of Not Guilty Plea to Guilty Plea as to (S3-10-Cr-336-) Ira Rubin (10) Count 1,8,9. (bw) (Entered: 01/18/2012)
01/17/2012		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Change of Plea Hearing as to (S3-10-Cr-336-10) Ira Rubin held on 1/17/2012. Defendant present with attorney Richard Finkel. A.U.S.A. Arlo Devlin-Brown present. Court reporter present. Defendant withdraws plea of not guilty and enters a plea of Guilty to Counts #1, #8 and #9. Magistrate Judge Gorenstein recommends that Judge Kaplan accept the guilty plea. Sentence date set for May 17th, 2012 at 4:00 p.m. PSI Ordered. Detention continued. (bw) (Entered: 01/18/2012)
01/10/2012	116	TRANSCRIPT of Proceedings as to Ira Rubin, Chad Elie, John Campos held on 12/1/11 before Judge Lewis A. Kaplan. (pl) (Entered: 01/18/2012)
12/19/2011	109	TRANSCRIPT of Proceedings as to Ira Rubin, Chad Elie and John Campos held on 12/1/2011 before Judge Lewis A. Kaplan. (ab) (Entered: 12/21/2011)
12/19/2011	108	TRANSCRIPT of Proceedings as to Ira Rubin, Chad Elie, John Campos held on 12/1/2011 before Judge Lewis A. Kaplan. (pl) (Entered: 12/20/2011)
12/07/2011	107	TRANSCRIPT of Proceedings as to Ira Rubin, Chad Elie, John Campos held on 12/1/2011 before Judge Lewis A. Kaplan. (ja) (Entered: 12/08/2011)
12/02/2011	105	SEALED DOCUMENT placed in vault. (mps) (Entered: 12/02/2011)
11/29/2011	<u>101</u>	MOTION for Paul D. Clement to Appear Pro Hac Vice. Document filed by Chad Elie as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos. (bwa) (Entered: 11/30/2011)
11/28/2011	99	SEALED DOCUMENT placed in vault. (nm) (Entered: 11/28/2011)
11/21/2011	<u>97</u>	NOTICE OF ATTORNEY APPEARANCE Niketh Varadaraj Velamoor appearing for USA. (Velamoor, Niketh) (Entered: 11/21/2011)
09/30/2011	<u>76</u>	MEMORANDUM in Support by John Campos as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos re <u>72</u> MOTION to Dismiss <i>the Indictment</i> .. (Attachments: # <u>1</u> Exhibit A (Karaka Decl.))(Hafetz, Frederick) (Entered: 09/30/2011)
09/30/2011	<u>75</u>	Certificate of Service of <u>74</u> Memorandum in Support of Motion, <u>72</u> MOTION to Dismiss <i>the Indictment</i> . by John Campos as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan

		Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos. Document was served on All Counsel on 9/30/2011. (Hafetz, Frederick) (Entered: 09/30/2011)
09/30/2011	<u>74</u>	FILING ERROR – WRONG DOCUMENT TYPE SELCETED FROM MENU – MEMORANDUM in Support by John Campos as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos re <u>72</u> MOTION to Dismiss <i>the Indictment</i> .. (Attachments: # <u>1</u> Exhibit Exhibit A (Karaka Decl.))(Hafetz, Frederick) Modified on 10/3/2011 (ka). (Entered: 09/30/2011)
09/30/2011	<u>73</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – (SEE DOCUMENT # 76) – MEMORANDUM in Support by John Campos as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos re <u>72</u> MOTION to Dismiss <i>the Indictment</i> .. (Hafetz, Frederick) Modified on 10/5/2011 (gp). (Entered: 09/30/2011)
09/30/2011	<u>72</u>	MOTION to Dismiss <i>the Indictment</i> . Document filed by John Campos as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos. (Hafetz, Frederick) (Entered: 09/30/2011)
07/27/2011	70	SEALED DOCUMENT placed in vault. (nm) (Entered: 07/27/2011)
07/26/2011	<u>69</u>	STIPULATED PROTECTIVE ORDER as to Ira Rubin, Chad Elie, John Campos...regarding procedures to be followed that shall govern the handling of confidential material.... SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/26/2011)(dnd) (Entered: 07/26/2011)
07/14/2011	<u>68</u>	NOTICE OF ATTORNEY APPEARANCE: Richard Avery Finkel appearing for Ira Rubin. (Finkel, Richard) (Entered: 07/14/2011)
07/11/2011	<u>66</u>	NOTICE OF ATTORNEY APPEARANCE: Stuart David Meissner appearing for Ira Rubin. (Meissner, Stuart) (Entered: 07/11/2011)
06/14/2011	62	TRANSCRIPT of Proceedings as to Bradley Franzen, Ira Rubin, Chad Elie, John Campos held on 5/11/2011 before Judge Lewis A. Kaplan. (dnd) (Entered: 06/17/2011)
06/13/2011	<u>63</u>	STIPULATION AND ORDER MODIFYING RESTRAINING ORDER as to (S3-10-Cr-336-) Isai Scheinberg (2), Raymond Bitar (3), Scott Tom (4), Brent Beckley (5), Nelson Burtnick (6), Paul Tate (7), Ryan Lang (8), Bradley Franzen (9), Ira Rubin (10), Chad Elie (11), John Campos (12).... WHEREAS, on or about April 15, 2011, the Honorable Lewis A. Kaplan, U.S. District Judge for the Southern District of New York, issued a post-indictment restraining order (the "Restraining Order")...[See Order]... NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND ORDERED, by and between the United States, by its attorney Preet Bharara, U.S. Attorney for the Southern District of New York, Michael D. Lockard, AUSA, of counsel, and Hotwire Financial LTD, by its attorney Frank C. Bonaventure, Esq., Ober, Kaler, Grimes & Shriver P.C., that: 1. The Restraining Order shall be modified to the extent of lifting any restraint on the Restrained Account....[See Order]... 4. This Stipulation and Order constitutes the complete agreement between the parties and may not be amended except by written consent thereof. 5. Each party shall bear its own costs and fees. 6. The signature pages of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. Signature pages may be by fax and such signatures shall be deemed as valid originals. SO ORDERED: (Signed by Judge Lewis A. Kaplan on 6/13/2011) (bw) (Entered: 06/20/2011)
06/08/2011		Medical Attention Form as to Ira Rubin. (jw) (Entered: 06/10/2011)
06/08/2011		Minute Entry for proceedings held before Magistrate Judge James L. Cott: Bond Hearing on Bail Disposition Sheet as to Ira Rubin held on 6/8/2011. Detention: Risk of Flight. (jw) (Entered: 06/10/2011)
06/08/2011	53	MEDICAL ATTENTION FORM as to (10-Cr-336-10) Ira Rubin. To the Wardens of the Metropolitan Correctional Center, the Metropolitan Detention

		Center, or any other detention facility: The above-named defendant has been remanded in lieu of bail at the time of his/her presentment before this Court. At that time, the following information requiring medical attention for the deft was disclosed: [*** See document ***]. (signed by Magistrate Judge James L. Cott on 6/8/2011) (bw) (Entered: 06/10/2011)
06/08/2011	<u>52</u>	ORDER OF DETENTION PENDING TRIAL as to Ira Rubin. There is a serious risk that the defendant will not appear. (Signed by Magistrate Judge James L. Cott on 6/8/11)(jw) (Entered: 06/10/2011)
05/31/2011	49	SEALED DOCUMENT placed in vault. (nm) (Entered: 05/31/2011)
05/25/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Plea entered by Ira Rubin (10) Count 1,2,3,4,5-7,8,9 Not Guilty. (ajc) (Entered: 06/16/2011)
05/25/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Arraignment as to Ira Rubin (10) Count 1,2,3,4,5-7,8,9 held on 5/25/2011. Defendant Ira Rubin present with attorney Stuart D. Meissner. Defendant John Campos not present but Attorneys Mitchell Dinnerstein and Fred Hafetz present. AUSAs Arlo Devlin Bornw and Nicole Friedlander present. FBI agent Jonathan Bell present. Pretrial Officer Jennifer Powers present. Court reporter present. Attonrye Mitchel Dinnerstein was relieved and is substituted by Fred Hafetz. Defendant Rubin (10) arraigned and entered a NOT GUILTY plea. Hearing duration was 45 minutes. Kaplan, J. (ajc) (Entered: 06/16/2011)
05/25/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Plea entered by Ira Rubin (10) Count 1,2,3,4,5-7,8,9 and John Campos (12) Count 1,2,3,5-6,9 Not Guilty. (ajc) (Entered: 06/14/2011)
05/25/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Arraignment as to Ira Rubin (10) Count 1,2,3,4,5-7,8,9 and John Campos (12) Count 1,2,3,5-6,9 held on 5/25/2011. Defendant Ira Rubin present with attorney Stuart D. Meissner. Defendant John Campos not present but Attorneys Mitchell Dinnerstein and Fred Hafetz present. AUSAs Arlo Devlin Bornw and Nicole Friedlander present. FBI agent Jonathan Bell present. Pretrial Officer Jennifer Powers present. Court reporter present. Attonrye Mitchel Dinnerstein was relieved and is substituted by Fred Hafetz. Defendant Rubin (10) arraigned and entered a NOT GUILTY plea. Kaplan, J. (ajc) (Entered: 06/14/2011)
05/11/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Bradley Franzen, Ira Rubin, Chad Elie, John Campos held on 5/11/2011, as to Bradley Franzen, Ira Rubin, Chad Elie, John Campos(Discovery due by 8/15/2011., Defendant's Motions due by 9/30/2011., Defendant's Replies due by 10/28/2011., Government Responses due by 10/21/2011, Status Conference set for 11/10/2011 at 10:00 AM before Judge Lewis A. Kaplan.) Defendant Bradley Franzen (09) present with attorney Sam Schmidt. Defendant Ira Rubin (10) not present, but attorney Michael Arounian present for attorney Stuart Misner. Defendant Chad Elie (11) present with attorneys William Cowden and Steven J. McCool. Defendant John Campos (12) present with Attorney Mitchell Dinnerstein. AUSAs Arlo Devlin Brown and Nicole Friedlander present. Pretrial services officer Lisa Chan present. Discovery shall be made by 8/15/11. Defendants motions are due by 9/30/11; government opposition is due by 10/21/11; defendants reply is due by 10/28/11 and a conference or oral argument will be held on 11/10/11 at 10:00am. Trial is scheduled to commence on 3/12/12. Defendant John Campos (12) arraigned on the (S3) indictment and entered a plea of not guilty. Defendant John Campos (12) bail modified to require that he surrender any firearms or archery weapons to Utah law enforcement for retention until the conclusion of proceedings in this case. Defendant Campos must provide a receipt to Pretrial Services. Attorney Mitchell Dinnerstein will remain counsel to defendant John Campos (12) until further order. A conference regarding Mr. Dinnersteins continued representation of Defendant Campos will be held on 5/25/11 at 4:00pm. Defendant Campos affidavit regarding the application for continued CJA counsel is due 5/23/11. Defendant Chad Elies (11) bail restrictions are extended to include the Central District of California and the Middle District of Florida. Time from today through 3/12/12 is excluded from speedy trial calculations in the interests of justice. (jw) (Entered: 06/09/2011)

05/11/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Initial Appearance as to Ira Rubin (10) held on 5/11/2011. (bw) (Entered: 06/09/2011)
05/10/2011		Arrest of Ira Rubin in Southern District of Florida on 4/26/2011. (dnd) (Entered: 05/16/2011)
05/10/2011	42	Rule 5(c)(3) Documents Received as to Ira Rubin from the U.S.D.C. Southern District of Florida. (Original File.) (dnd) (Entered: 05/16/2011)
05/05/2011	<u>37</u>	NOTICE of Government's Supplemental Forfeiture Bill of Particulars as to Daniel Tzvetkoff, Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos (Lockard, Michael) (Entered: 05/05/2011)
04/26/2011		Arrest of Ira Rubin. (ja) (Entered: 08/03/2011)
04/26/2011	71	Arrest Warrant Returned Executed on 4/26/2011 as to Ira Rubin. (ja) (Entered: 08/03/2011)
04/26/2011	34	SEALED DOCUMENT placed in vault. (mps) (Entered: 04/26/2011)
04/18/2011	<u>32</u>	POST-INDICTMENT RESTRAINING ORDER PURSUANT TO 18 U.S.C. §§ 981, 982, 1955, 28 U.S.C § 2461, and 21 U.S.C. § 853 as to Isai Scheinberg, Raymond Bitar, Scott Tom, Brent Beckley, Nelson Burtnick, Paul Tate, Ryan Lang, Bradley Franzen, Ira Rubin, Chad Elie, John Campos. Upon the application of PREET BHARARA, United States Attorney for the Southern District of New York, pursuant to Title 18, United States Code, Sections 981(a) (1) (C), 982(a) (1), 982(a) (2) (A), and 1955(d); Title 28, United States Code, Section 2461 (c); and Title 21, United States Code 853 (e) (the "Application"); the Declaration of Special Agent Rosemary Karaka of the Federal Bureau of Investigation (the "Karak Declaration"), and all papers submitted in support thereof, I find probable cause that the accounts listed in Schedule A of this Order are subject to forfeiture. Accordingly, IT IS HEREBY ORDERED that: ISAI SCHEINBERG, RAYMOND BITAR, SCOTT TOM, BRENT BECKLEY, NELSON BURTNICK, PAUL TATE, RYAN LANG, BRADLEY FRANZEN, IRA RUBIN, CHAD ELIE, and JOHN CAMPOS (the "defendants"), their attorneys, agents, their family members, anyone acting on the defendants' behalf, all persons or entities acting for or in concert with or in participation with any of the above, and all persons and entities having actual knowledge of this Order, shall not take any action prohibited by this Order; IT IS HEREBY FURTHER ORDERED that the defendants, their attorneys, agents, their family members, anyone acting on the defendants' behalf, all persons or entities acting in concert or participation with any of the above, and all persons and entities having actual knowledge of this Order, shall not directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, dissipate, distribute, or move the contents of the bank accounts listed in Schedule A of this Order; IT IS HEREBY FURTHER ORDERED that this Restraining Order shall be binding upon the defendants, their attorneys, agents, their family members, anyone acting on the defendants' behalf, all persons or entities acting in concert or participation with any of the above, and all persons and entities having actual knowledge of this Order; IT IS HEREBY FURTHER ORDERED that the Application and the Karaka Declaration remain under seal until further order of this Court; and IT IS HEREBY FINALLY ORDERED that this Order shall remain under seal until the unsealing of the Superseding Indictment, S3 10 Cr. 336 (LAK). SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/15/2011)(dnd) Modified on 4/20/2011 (dnd). (Entered: 04/20/2011)
04/14/2011	<u>20</u>	(S3) SUPERSEDING INDICTMENT FILED as to Isai Scheinberg (2) count(s) 1, 2, 5, 8, 9, Raymond Bitar (3) count(s) 1, 3, 6, 8, 9, Scott Tom (4) count(s) 1, 4, 9, Brent Beckley (5) count(s) 1, 4, 7, 8, 9, Nelson Burtnick (6) count(s) 1, 2, 3, 5-6, 8, 9, Paul Tate (7) count(s) 1, 2, 5, 8, 9, Ryan Lang (8) count(s) 1, 2, 3, 4, 5-7, 8, 9, Bradley Franzen (9) count(s) 1, 2, 3, 4, 5-7, 8, 9, Ira Rubin (10) count(s) 1, 2, 3, 4, 5-7, 8, 9, Chad Elie (11) count(s) 1, 2, 3, 4, 5-7, 8, 9, John Campos (12) count(s) 1, 2, 3, 5-6, 9. (Attachments: # <u>1</u> Indictment) (Originally filed on 3/10/11)(jw) (Entered: 04/19/2011)