



were insured by the Federal Deposit Insurance Corporation (“FDIC”).

2. By at least October 2010 and continuing until April 2015, PALESTINE ACE, also known as “Pam” (“ACE”), was a Senior Vice President in BOA’s Global Wealth & Investment Management (“GWIM”) division in Boston, Massachusetts. Among other things, ACE managed an annual budget relating to BOA’s marketing activities.

3. Defendant JONATHAN R. ACE (“J.ACE”) was ACE’s spouse and a resident of Massachusetts.

4. Defendant BRIANNA ALEXIS FORDE (“FORDE”) resided in the area of Boston, Massachusetts and worked with local non-profit organizations.

5. Boston Non-Profits 1 through 4 were Boston area non-profit organizations providing sports programs and support to Boston area youth.

6. Atlanta Non-Profit 1 was an Atlanta area non-profit organization focused on providing support to children affected by HIV/AIDS.

7. Person A was an individual known to the Grand Jury, who was the founder and sole director of Atlanta Non-Profit 1, and who resided in the Atlanta area.

8. Person B was an individual known to the Grand Jury who resided in the Atlanta area. Person B, and her family members, created several companies in Georgia that purported to be non-profit organizations, including Young Girlz & Boyz Foundation Inc. and Young Girlz & Boyz, LLC (“Girlz & Boyz”); Daydreamersconnecting, LLC (“Daydreamers”); and Yielding Opportunities for Underprivileged Minors (“Yielding Opportunities”).

**OVERVIEW OF THE CONSPIRACY AND THE FRAUD SCHEME**

9. Beginning in approximately October 2010, and continuing until about April 2015, ACE, J.ACE and FORDE, together with others known and unknown to the Grand Jury, engaged in an embezzlement and kickback scheme to defraud BOA of approximately \$2.7 million using fraudulent donations to non-profit organizations. As part of the scheme, ACE used her position as a Senior Vice President to misappropriate funds from a marketing budget and transfer the money to non-profit organizations in the Boston and around Atlanta. Both directly and through others, ACE, J.ACE and FORDE caused the non-profit organizations to kick back a substantial portion of the donated funds to ACE, J.ACE and FORDE.

**Objects**

10. A principal purpose and object of the conspiracy and the fraud scheme was for ACE, J.ACE and FORDE to embezzle money from BOA via fraudulent donations to non-profit organizations.

**Manner and Means**

Among the manner and means by which ACE, J.ACE, FORDE and others known and unknown to the Grand Jury would and did carry out the conspiracy and the scheme to defraud were the following:

11. By virtue of her position at BOA, ACE could process and approve payments of less than \$50,000 from a BOA marketing budget. As ACE well knew, payments above \$50,000 required further scrutiny and approval. ACE purposefully exploited this lack of scrutiny to embezzle funds belonging to BOA.

12. Over the course of the scheme, ACE fraudulently caused BOA to pay approximately \$2.7 million in purported donations, in approximately 75 different transactions each under \$50,000, to various non-profit organizations in the Boston and Atlanta area. ACE was not authorized to make these payments and in fact did not have the authority to make charitable donations or sponsorships on behalf of BOA. ACE attempted to conceal the fraud by instructing others within BOA to exclude the fraudulent transfers from regular accounting reports to her supervisor.

13. After causing BOA to make the payments to the various non-profit organizations, ACE and J.ACE caused the non-profits to return a substantial portion of the donated funds to ACE and J.ACE and gave the non-profits the false impression that the repayments were necessary to ensure additional funding from BOA. At various times, J.ACE pressured the recipients of the BOA funds to give him a higher percentage of the funds by using intimidation and threats of public humiliation.

14. As a further means, to avoid detection, ACE caused a significant portion of the funds the non-profits paid back to ACE to be deposited into a BOA account in the name of a family relative who resided in California ("the Relative's Account"). For the most part, each of the cash deposits into the Relative's Account were below \$10,000 and were calculated to avoid reporting requirements under the Bank Secrecy Act for cash deposits over \$10,000.

15. ACE and J.ACE used the funds embezzled from BOA to support their lifestyle and personal expenses, including lavish birthday parties and J.ACE's purchase of a Kawasaki

motorcycle. FORDE kept a substantial portion of the embezzled funds in an account at BOA in her name ending in 2455 (“BOA-2455”).

**Acts in Furtherance of the Conspiracy and the Fraud Scheme**

16. Set forth below are examples of acts that ACE, J.ACE and FORDE took in furtherance of the conspiracy and the scheme to defraud on or about various dates between October 2010 and April 2015.

**The Boston Non-Profits**

17. Beginning in or about October 2010 and continuing until April 2015, ACE fraudulently caused BOA to pay seven different Boston area non-profit organizations a total of approximately \$1,038,000. Each of these Boston area non-profits (“the Boston Non-Profits”), which focused on basketball and educational programs for Boston area youth, were unaware that ACE had embezzled the money from BOA, and used the funds for legitimate charitable activities.

18. As part of the scheme, FORDE approached four of the Boston Non-Profits, informed them, in substance, that funding was available from a donor but that as a condition of the funding, the non-profit had to give money back to FORDE, typically fifty (50%) of the donation amount. Without their knowledge, FORDE then submitted fraudulent invoices - purportedly from the non-profits – to ACE to facilitate the payments to the non-profits and the embezzlement of the funds.

19. In addition to FORDE, J.ACE fraudulently caused one of the Boston area non-profits, Boston Non-Profit 1, to return a portion of the donated funds to him and falsely claimed that he had been acting as a fundraiser for Boston Non-Profit 1.

**A. Boston Non-Profit 1**

20. Between in or about October 2010 and November 2012, ACE fraudulently caused BOA to transfer a total of approximately \$115,000 to Boston Non-Profit 1. After these transfers, J.ACE collected approximately \$26,000 back from Boston Non-Profit 1.

21. In or about November 2010, ACE met with representatives of Boston Non-Profit 1 at her office in Boston, Massachusetts, explained how BOA could donate funds to Boston Non-Profit 1, and provided them with official BOA forms to facilitate the payments to Boston Non-Profit 1.

22. On or about December 2, 2010, ACE caused BOA to transfer \$45,000 to Boston Non-Profit 1.

23. Approximately one year later, Boston Non-Profit 1 requested additional funds from ACE. On or about September 28, 2011, ACE caused BOA to transfer \$30,000 to Non-Profit 1.

24. Around the same time, J.ACE approached representatives of Boston Non-Profit 1, told them that he was acting as a fundraiser, and asked for fifty (50%) percent of the donation to ensure that BOA would continue to fund the organization.

25. Boston Non-Profit 1 agreed to give J.ACE a smaller percentage and on or about September 27, 2011, in response to J.ACE's request, Boston Non-Profit 1 issued a check payable to J.ACE for \$9,000.

26. In or about November 2012, Boston Non-Profit 1 requested additional funds from ACE and BOA. On or about November 29, 2012, ACE caused BOA to transfer \$40,000 to Boston Non-Profit 1. One of the documents that ACE submitted to authorize the issuance of the \$40,000 check was a fraudulent invoice purportedly from Boston Non-Profit 1.

27. Around the same time, J.ACE again requested a percentage commission for the funds he falsely claimed he had raised for Boston Non-Profit 1. As a result, in or about November 2012, Boston Non-Profit 1 issued two checks payable to J.ACE for a total of approximately \$17,000.

**B. Boston Non-Profit 2**

28. Between in or about November 2012 and April 2015, ACE, together with FORDE, fraudulently caused BOA to transfer a total of approximately \$340,000 to Boston Non-Profit 2. Prior to each transfer, FORDE submitted a fraudulent invoice to ACE that purported to come from Boston Non-Profit 2. After each payment, FORDE collected half the donation amount from Non-Profit 2. FORDE deposited the money into a personal bank account, withdrew money in cash, and paid ACE a portion of this money.

29. For example, on or about March 6, 2014, ACE caused BOA to transfer \$30,000 to Boston Non-Profit 2. Following this transfer, on or about March 7, 2014, Boston Non-Profit 2 wrote a check to FORDE for \$15,000. On or about March 10, 2014, FORDE deposited the

check into one of FORDE's personal bank accounts, BOA-2455, and withdrew \$7,500 in cash. On or about March 25, 2014, FORDE transferred \$7,500 from BOA-2455 to the Relative's Account.

30. On or about April 28, 2014, ACE caused BOA to transfer \$40,000 to Boston Non-Profit 2. Following this transfer, on or about April 28, 2014, Boston Non-Profit 2 wrote a check to FORDE for \$20,000 that FORDE deposited into BOA-2455. The next day, on or about April 29, 2014, FORDE transferred \$10,000 from BOA-2455 to the Relative's Account.

31. On or about December 10, 2014, ACE caused BOA to transfer \$30,000 to Boston Non-Profit 2. Prior to the transfer, FORDE submitted a fraudulent invoice purportedly from Boston Non-Profit 2 for \$30,000. Shortly after this transaction, FORDE informed Boston Non-Profit 2 that the transfer was a mistake and arranged for Boston Non-Profit 2 to repay FORDE the entire \$30,000. On or about December 11, 2014, Boston Non-Profit 2 transferred the entire \$30,000 to FORDE through a bank transfer of \$15,000 and a \$15,000 check payable to FORDE that FORDE deposited into BOA-2455. Between December 9, 2014 and December 12, 2014, FORDE withdrew a total of approximately \$12,500 in cash from BOA-2455.

32. On or about April 3, 2015, ACE caused BOA to transfer \$25,000 to Boston Non-Profit 2. Prior to the transfer, on or about March 17, 2015, FORDE emailed ACE a fraudulent invoice purportedly from Boston Non-Profit 2 for \$25,000. On or about March 30, 2015, ACE forwarded this email to another employee of BOA with instructions to process the \$25,000 payment to Boston Non-Profit 2.



**C. Boston Non-Profit 3**

33. Between in or about October 2012 and October 2014, ACE and FORDE fraudulently caused BOA to pay a total of approximately \$271,000 to Boston Non-Profit 3. Prior to each transfer, FORDE submitted a fraudulent invoice to ACE that purported to come from Boston Non-Profit 3.

34. For example, on or about October 3, 2012, FORDE faxed a fraudulent invoice for \$45,000 purportedly from Boston Non-Profit 3 to ACE at BOA. On or about October 16, 2012, ACE used the fraudulent invoice to cause BOA to transfer \$45,000 to Boston Non-Profit 3's bank account. Thereafter, on or about October 18, 2012, FORDE received a check from Boston Non-Profit 3 for \$18,000, deposited the check into FORDE's account at Citizen's Bank ending in 2437 ("CITZ-2437") and withdrew approximately \$7,425 in cash.

35. On or about October 23, 2014, ACE caused BOA to transfer \$40,000 to Boston Non-Profit 3's bank account. Thereafter, on or about October 31, 2014, FORDE received a check from Boston Non-Profit 3 for \$18,000, deposited the check into BOA-2455, and withdrew approximately \$6,600 in cash. On or about November 3, 2014, approximately \$6,600 in cash was deposited into the Relative's Account at BOA branch in Hyde Park, Massachusetts.

**D. Boston Non-Profit 4**

36. Between in or about November 2013 and February 2015, ACE and FORDE fraudulently caused BOA to transfer a total of approximately \$157,000 to Boston Non-Profit 4. During this time, FORDE had Boston Non-Profit 4 repay approximately \$78,500 to FORDE.

37. For example, on or about May 23, 2014, ACE caused BOA to issue a check to Boston Non-Profit 4 for \$40,000. On or about June 2, 2014, Boston Non-Profit 4 issued a check to FORDE for \$20,000. On or about June 6, 2014, FORDE deposited this check into one of FORDE's accounts at Citizens Bank ending in 7164 ("CITZ-7164"). The same day, FORDE withdrew approximately \$10,000 in cash from BOA-2455. On or about June 6, 2014, approximately \$6,000 was deposited into the Relative's Account at an automated teller machine ("ATM") in Hingham, Massachusetts.

38. On or about February 4, 2015, ACE caused BOA to issue a check to Boston Non-Profit 4 for \$40,000. On or about February 17, 2015, Boston Non-Profit 4 deposited the check into its bank account, and purchased an official check payable to FORDE for \$20,000. On or about February 23, 2015, FORDE deposited this check into BOA-2455 and withdrew approximately \$11,000 in cash. The same day, on or about February 23, 2015, \$3,500 in cash was deposited into the Relative's Accounts at an ATM in Rockland, Massachusetts.

#### **The Atlanta Non-Profits**

39. Beginning in approximately October 2010 and continuing until in or about April 2015, ACE fraudulently caused BOA to transfer a total of \$1.72 million to four different Atlanta area non-profits (the "Atlanta Non-Profits"). While one of four Atlanta Non-Profits, Atlanta Non-Profit 1, used a portion of the donated funds for charitable purposes, the remaining three, Girlz & Boyz, Daydreamers, and Yielding Opportunities, spent the majority of the donated funds on personal expenses.

**A. Atlanta Non-Profit 1**

40. In or about October 2010, ACE informed Person A, the founder and sole director of Atlanta Non-Profit 1, that she could obtain funding for Person A's charity. ACE explained that the donation would come from a marketing budget at BOA, but indicated that there were fees involved that needed to be repaid after Person A received the donations from BOA.

41. Thereafter, between November 2, 2010 and March 30, 2015, ACE caused BOA to pay a total of \$500,000 to Atlanta Non-Profit 1. After each payment from BOA, J.ACE arranged to collect a percentage of the donated funds directly from Person A by either flying to the Atlanta area or directing Person A to deposit the funds into one of J.ACE's personal accounts and an account that both Person A and J.ACE controlled.

42. For example, on or about May 10, 2012, ACE caused BOA to transfer \$45,000 to one of Atlanta Non-Profit 1's bank accounts, an account at BOA ending in 4580 ("BOA-4580"). On or about the same day, J.ACE caused \$17,500 to be wired from BOA-4580 to Massachusetts for J.ACE's purchase of a Kawasaki motorcycle that P.ACE had placed into the name of a third party.

43. In order to receive payments from BOA, J.ACE directed Person A to submit invoices to P.ACE at BOA in specific amounts. For example, on or about September 15, 2012, J.ACE sent a text message directing Person A to submit an invoice to P.ACE for \$40,000 with instructions to date the invoice September 15, 2012.

44. Over the course of the fraudulent scheme, J.ACE also pressured Person A to provide him with a greater percentage of the money from the donations from BOA. J.ACE

falsely claimed he was using his percentage of the funds for charitable work in the Boston area, but also at times said he needed the money for personal expenses. At various times, in order to obtain more money from Person A, J.ACE threatened to release embarrassing recordings and photographs of Person A.

**B. Girlz & Boyz, DayDreamers, and Yielding Opportunities**

45. In or about 2010, J.ACE and ACE offered BOA funding to a relative in the Atlanta area, Person B, for a purported charity known as “Young Girlz & Boyz.” J.ACE and ACE told Person B and other family members that ACE had access to funding from a marketing budget, and urged Person B and other family members to submit a proposal for funding to ACE.

46. Between approximately November 2010 and March 2015, ACE caused BOA to transfer a total of approximately \$655,000 to Person B and Young Girlz & Boyz. Thereafter, at ACE and J.ACE’s urging, Person B’s family members created DayDreamers and Yielding Opportunities in Georgia. Between approximately January 2012 and January 2015, ACE caused a total of \$323,000 to be transferred to Daydreamers and \$242,000 to Yielding Opportunities. Prior to each transfer, ACE instructed Person B to submit an invoice to BOA for a particular amount of funds.

47. For the most part, Person B and her other family members used the funds for personal expenses and not charity work. After receiving the money from BOA, Person B withdrew about twenty-five (25%) percent of the donated funds in cash and for the most part either gave the money directly to J.ACE or deposited the cash into the Relative’s Account.

48. For example, on or about October 25, 2013, ACE caused BOA to transfer \$35,000 to an account at BOA ending in 6160 (“BOA-6160”) in the name of Girlz & Boyz. On or about October 29, 2013, twenty-five percent (25%) of this money, \$8,750, was withdrawn in cash from BOA-6160. The same day, \$8,750 in cash was deposited into the Relative’s Account at a BOA branch in Lawrenceville, Georgia.

49. On or about February 21, 2014, ACE caused BOA to transfer \$40,000 to an account at BOA ending in 6648 (“BOA-6648”) in the name of Daydreamers. After this transfer, twenty-five percent (25%) of the money, \$11,250, was deposited into the Relative’s Account at BOA branches in Georgia. On or about February 22, 2014, \$10,000 in cash was withdrawn from BOA-6648 and on or about February 26, 2014, \$1,250 was withdrawn in cash from BOA-6160. On or about February 24, 2014, \$10,000 in cash was deposited into the Relative’s Account at a BOA branch in Atlanta, Georgia, and on or about February 26, 2014, \$1,250 in cash was deposited into the Relative’s Account at BOA branch in Lawrenceville, Georgia.

**COUNT ONE**

**(Conspiracy to Commit Bank Fraud and Wire Fraud– 18 U.S.C. § 1349)**

50. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 49 of this Indictment and further charges that:

51. Beginning in or about October 2010 and continuing through in or about April 2015, in the District of Massachusetts and elsewhere,

**(1) PALESTINE ACE,  
also known as “Pam”  
(2) JONATHAN R. ACE, and  
(3) BRIANNA ALEXIS FORDE,**

defendants herein, conspired with each other and with others known and unknown to the Grand Jury to commit the following offenses against the United States:

- a. bank fraud, that is to knowingly execute, and attempt to execute, a scheme and artifice to defraud a federally insured financial institution, that is Bank of America, N.A., and to obtain money and funds owned by and under the custody and control of Bank of America, N.A. by means of false and fraudulent pretenses, representations, and promises in violation of 18 U.S.C. § 1344; and
- b. wire fraud, that is, having devised and intending to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, to transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures and sounds, for the purpose of executing the scheme and artifice to defraud, in violation of 18 U.S.C. § 1343.

All in violation of Title 18, United States Code, Section 1349.

**COUNTS TWO THROUGH THIRTEEN**  
**(Bank Fraud– 18 U.S.C. § 1344)**

52. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 49 of this Indictment and further charges that:

53. On or about the dates set forth below, in the District of Massachusetts and elsewhere,

**(1) PALESTINE ACE,  
also known as “Pam”**

defendant herein, knowingly executed and attempted to execute a scheme and artifice to defraud a federally insured financial institution, that is Bank of America, N.A., and to obtain money and funds owned by and under the custody and control of Bank of America, N.A. by means of false and fraudulent pretenses, representations, and promises in connection with the following transfers of Bank of America, N.A. funds to the entities described below:

<b>Count</b>	<b>Approximate Date</b>	<b>Transaction</b>
2.	May 10, 2012	\$45,000 transfer from BOA to an account at BOA ending in 4580 in the name of Atlanta Non-Profit 1
3.	October 16, 2012	\$45,000 transfer from BOA to an account at Eastern Bank ending in 5326 in the name of Boston Non-Profit 3
4.	October 25, 2013	\$35,000 transfer from BOA to an account at BOA ending in 6160 in the name of Girlz & Boyz
5.	February 21, 2014	\$45,000 transfer from BOA to an account at BOA ending in 6648 in the name of Daydreamers
6.	March 6, 2014	\$30,000 transfer from BOA to an account at BOA ending in 3061 in the name of Boston Non-Profit 2
7.	April 28, 2014	\$40,000 transfer from BOA to a BOA account ending in 0361 in the name of Boston Non-Profit 2
8.	May 23, 2014	\$40,000 check from BOA made payable to Boston Non-Profit 4
9.	September 18, 2014	\$40,000 transfer from BOA to a BOA account ending in 4572 in the name of Atlanta Non-Profit 1



10.	October 23, 2014	\$45,000 transfer from BOA to an account at Eastern Bank ending in 5326, in the name of Boston Non-Profit 3
11.	December 10, 2014	\$30,000 transfer from BOA to an account at BOA ending in 3061 in the name of Boston Non-Profit 2
12.	February 4, 2015	\$40,000 check from BOA made payable to Boston Non-Profit 4
13.	April 3, 2015	\$25,000 transfer from BOA to an account at BOA ending in 3061 in the name of Boston Non-Profit 2

All in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNTS FOURTEEN THROUGH NINETEEN**  
**(18 U.S.C. § 1343 – Wire Fraud)**

54. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 49 of this Indictment and further charges that:

55. On or about the dates set forth below, in the District of Massachusetts and elsewhere,

**(1) PALESTINE ACE,  
also known as “Pam”  
(2) JONATHAN R. ACE, and  
(3) BRIANNA ALEXIS FORDE,**

defendants herein, together with others known and unknown to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises, did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purpose of executing the scheme to defraud, as set forth below:

<b>Count</b>	<b>Approximate Date</b>	<b>Wire</b>	<b>Defendant(s)</b>
14.	September 15, 2012	Text Message from J.ACE to Person A at Atlanta Non-Profit 1	J.ACE
15.	October 2, 2012	Facsimile from FORDE to ACE at BOA with invoice number 2012-003 purportedly from Boston Non-Profit 3 for \$45,000	FORDE and ACE
16.	October 25, 2012	Email from J.ACE to Person A at Atlanta Non-Profit 1	J.ACE
17.	January 23, 2013	Email from J.ACE to Person A at Atlanta Non-Profit 1	ACE
18.	November 4, 2013	Facsimile from FORDE to ACE at BOA with invoice number 229 purportedly from Boston Non-Profit 4 for \$47,000	FORDE and ACE

19.	March 30, 2015	Email from ACE to BOA employee with fraudulent invoice from Boston Non-Profit 2 for \$25,000	ACE
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All in violation of Title 18, United States Code, Sections 1343 and 2.

**COUNT TWENTY**  
**(Unlawful Monetary Transaction**  
**- 18 U.S.C. § 1957(a))**

58. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 49 of this Indictment and further charges that:

59. On or about May 10, 2012, in the District of Massachusetts and elsewhere,

**(2) JONATHAN R. ACE,**

defendant herein, knowingly engaged and attempted to engage in a monetary transaction affecting interstate commerce, in criminally derived property of a value greater than \$10,000, that is, the wire transfer of approximately \$17,500.00 from account XXXXXXXXX4580, at Bank of America in the name of Show Me the Way Foundation, Inc., to account XXXXXX6567, at Citizen's Bank in the name of Commonwealth Cycles for the purchase of a 2012 Kawasaki motorcycle, Model ZX1400ECF, bearing VIN JKBZXNE11CA003740, such property having been derived from specified unlawful activity, that is conspiracy to commit wire fraud and bank fraud and bank fraud as alleged in Counts 1 and 2 of this Indictment.

All in violation of Title 18, United States Code, Sections 1957(a) and 2.

**FORFEITURE ALLEGATION**  
**(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))**

The Grand Jury further charges that:

60. Upon conviction of one or more of the offenses alleged in Counts One through Nineteen of the Indictment,

**(1) PALESTINE ACE,  
also known as “Pam”  
(2) JONATHAN R. ACE, and  
(3) BRIANNA ALEXIS FORDE**

defendants herein, shall forfeit to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1)(A), and 28 U.S.C. § 2461(c), jointly and severally, any property, real or personal, which constitutes or is derived from proceeds traceable to such violations. The property to be forfeited by the defendants includes, but is not limited to, the following:

- a. a sum of money equal to the total amount of money involved in the offense, which may be entered in the form of a money judgment;
- b. a 2012 Kawasaki motorcycle, Model ZX1400ECF, bearing VIN JKBZXNE11CA003740; and
- c. \$119,252.58 in U.S. currency on deposit an account at BOA ending in 2455 in the name of BRIANNA ALEXIS FORDE.

61. If any of the property described in paragraph 60 above, as a result of any act or omission of the defendants,

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

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

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the property described in paragraph 60.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1)(A), 982(b)(1), and 28 U.S.C. § 2461(c).

**MONEY LAUNDERING FORFEITURE ALLEGATION**  
**(18 U.S.C. § 982(a)(1))**

The Grand Jury further charges that:

62. Upon conviction of the offense alleged in Count Twenty of this Indictment,

**(4) JONTAHAN R. ACE,**

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in the offense, and any property traceable to such property. The property to be forfeited by the defendant includes, but is not limited to, the following:

- a. a sum of money equal to the total amount of money involved in the offense, which may be entered in the form of a money judgment; and
- b. a 2012 Kawasaki motorcycle, Model ZX1400ECF, bearing VIN JKBZXNE11CA003740.

60. If any of the property described in paragraph 62 above, as a result of any act or omission of the defendant,

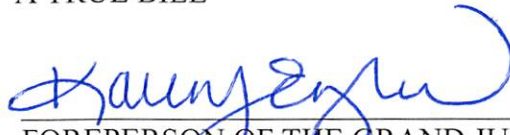
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;


it is the intention of the United States, pursuant to Title 18 United States Code, Section 982(b)(1), incorporating Title 21 United States Code, Section 853(p), to seek forfeiture of any other property

of the defendant up to the value of the property described in paragraph 62.

All pursuant to Title 18, United States Code, Sections 982(a)(1).


A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

  
\_\_\_\_\_  
Neil J. Gallagher, Jr.  
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS; May 9, 2017

Returned into the District Court by the Grand Jurors and filed.

  
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DEPUTY CLERK  
5-9-17 @ 12:52pm