

Court Dockets


USA v. YAN, Docket No. 1:20-cr-00402 (S.D.N.Y. Aug 10, 2020), Court Docket

U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:20-cr-00402-NRB All Defendants

USA v. YAN

DOCKET INFORMATION		Minimize
DATE FILED:	Aug 10, 2020	
STATUS:	Electronic Case Format	
ASSIGNED TO:	Judge Naomi Reice Buchwald	

PARTIES AND ATTORNEYS		Expand All	Minimize
▼			
Cary Yan also known as: Sealed Defendant 1 Defendant (1)			
▼			
Gina Zhou also known as: Sealed Defendant 2 Defendant (2)			
▼			
USA Plaintiff			

DOCKET ENTRIES		Minimize	^
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ENTRY	FILED	PDF	DESCRIPTION
<input type="checkbox"/> 2	Aug. 10, 2020	View	SEALED INDICTMENT as to Sealed Defendant 1 (1) count(s) 1, 2, 3, 4, 5, Sealed Defendant 2 (2) count(s) 1, 2, 3, 4, 5. (jm) (Entered: 09/02/2022)
<input type="checkbox"/> 1	Aug. 11, 2020	Request	SEALED DOCUMENT placed in vault. (dn) (Entered: 08/12/2020)
<input type="checkbox"/> 3	Sep. 02, 2022	View	Order to Unseal Indictment as to Sealed Defendant 1, Sealed Defendant 2. (Signed by Magistrate Judge Jennifer E Willis on 9/2/22) (jm) (Entered: 09/02/2022)
	Sep. 02, 2022		INDICTMENT UNSEALED as to Cary Yan, Gina Zhou. (jm) (Entered: 09/02/2022)
	Sep. 02, 2022		Case Designated ECF as to Cary Yan, Gina Zhou. (jm) (Entered: 09/02/2022)
	Sep. 02, 2022		Case as to Cary Yan, Gina Zhou ASSIGNED to Judge Naomi Reice Buchwald. (jm) (Entered: 09/02/2022)
	Sep. 02, 2022		Attorney update in case as to Cary Yan, Gina Zhou. Attorney Lara Elizabeth Pomerantz,Hagan Cordell Scotten,Derek Wikstrom for USA added. (jm) (Entered: 09/02/2022)
<input type="checkbox"/> 6	Sep. 02, 2022	View	ORDER as to Cary Yan, Gina Zhou for the limited unsealing of this matter. (Filed under seal on 8/10/20) (Signed by Magistrate Judge Paul E. Davison on 8/10/20)(jm) (Entered: 09/02/2022)
<input type="checkbox"/> 7	Sep. 02, 2022	View	ORDER as to Cary Yan, Gina Zhou for the limited unsealing of this matter. (Filed under seal on 12/4/20. (Signed by Magistrate Judge Katharine H. Parker on 12/4/20)(jm) (Entered: 09/02/2022)
<input type="checkbox"/> 8	Sep. 02, 2022	Request	NOTICE OF ATTORNEY APPEARANCE: Jonathan Bolz appearing for Cary Yan. Appearance Type: Retained. (Bolz, Jonathan) (Entered: 09/02/2022)

ENTRY	FILED	PDF	DESCRIPTION
<input type="checkbox"/> 9	Sep. 02, 2022	Request	NOTICE OF ATTORNEY APPEARANCE: Edward Young Kyu Kim appearing for Cary Yan. Appearance Type: Retained. (Kim, Edward) (Entered: 09/02/2022)
<input type="checkbox"/> 10	Sep. 02, 2022	Request	NOTICE OF ATTORNEY APPEARANCE: Georgia V. Kostopoulos appearing for Cary Yan. Appearance Type: Retained. (Kostopoulos, Georgia) (Entered: 09/02/2022)
<input type="checkbox"/> 11	Sep. 02, 2022	Request	NOTICE OF ATTORNEY APPEARANCE: Shawn Geovjian Crowley appearing for Gina Zhou. Appearance Type: Retained. (Crowley, Shawn) (Entered: 09/02/2022)
<input type="checkbox"/> 12	Sep. 02, 2022	Request	NOTICE OF ATTORNEY APPEARANCE: Mark Aaron Weiner appearing for Gina Zhou. Appearance Type: Retained. (Weiner, Mark) (Entered: 09/02/2022)
<input type="checkbox"/> 13	Sep. 06, 2022	View	RULE 5(F)ORDER as to Cary Yan, Gina Zhou (Signed by Judge Naomi Reice Buchwald on 9/6/22)(jw) (Entered: 09/06/2022)
	Sep. 06, 2022		Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Initial Appearance as to Cary Yan, Gina Zhou held on 9/6/2022. Present: AUSA Hagan Scotten for the Government; Edward Kim, Jonathan Bolt, and Georgia Kostopoulos for Defendant Cary Yan; Shawn Crowley and Mark Weiner for Defendant Gina Zhou; Defendant Cary Yan; Defendant Gina Zhou; Court Reporter; Mandarin Translator for Defendant Cary Yan. An arraignment, presentment, and initial conference for Defendants Cary Yan and Gina Zhou was held September 6, 2022 before Judge Buchwald. Defendants Cary Yan and Gina Zhou pleaded not guilty. The next conference is scheduled for October 25, 2022 at 3:30 p.m. Speedy Trial Time is excluded until October 25, 2022. (bw) (Entered: 09/06/2022)
	Sep. 06, 2022		Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Arraignment as to Cary Yan (1) Count 1,2,3,4,5 and Gina Zhou (2) Count 1,2,3,4,5 held on 9/6/2022. Plea entered by Cary Yan (1) Count 1,2,3,4,5 and Gina Zhou (2) Count 1,2,3,4,5 -- Not Guilty. (bw) (Entered: 09/06/2022)
	Sep. 06, 2022		ORAL ORDER as to Cary Yan, Gina Zhou. Time excluded from 9/6/2022 until 10/25/2022. Status Conference set for

ENTRY	FILED	PDF	DESCRIPTION
			10/25/2022 at 03:30 PM before Judge Naomi Reice Buchwald. (bw) (Entered: 09/06/2022)
<input type="checkbox"/> 14	Sep. 06, 2022	View	Minute Entry on Disposition Sheet for proceedings held before Judge Naomi Reice Buchwald: Status Conference (Rule 5, Rule 9) as to Cary Yan held on 9/6/2022. AUSA Hagan Scotten. Defense Counsel Edward Kim (Retained). Mandarin Interpreter needed. Defendant waives pretrial report. BAIL DISPOSITION: Detention on consent without prejudice. ADDITIONAL PROCEEDINGS: Conference before District Judge on Oct. 25, 2022 3 p.m. Speedy Trial Time excluded under 18 U.S.C. Section 3161(h)(7) until October 25, 2022. (bw) (Entered: 09/06/2022)
<input type="checkbox"/> 15	Sep. 06, 2022	View	Minute Entry on Disposition Sheet for proceedings held before Judge Naomi Reice Buchwald: Status Conference (Rule 5, Rule 9) as to Gina Zhou held on 9/6/2022. AUSA Hagan Scotten. Defense Counsel Shawn Crowley (Retained). Defendant waives pretrial report. BAIL DISPOSITION: Detention on consent without prejudice. ADDITIONAL PROCEEDINGS: Conference before District Judge on Oct. 25, 2022 3 p.m. Speedy Trial Time excluded under 18 U.S.C. Section 3161(h)(7) until Oct. 25, 2022. (bw) (Entered: 09/06/2022)
<input type="checkbox"/> 16	Sep. 06, 2022	Request	NOTICE OF ATTORNEY APPEARANCE Gerald Michael Moody appearing for USA. (Moody, Gerald) (Entered: 09/06/2022)
<input type="checkbox"/> 17	Sep. 29, 2022	Request	CONSENT LETTER MOTION addressed to Judge Naomi Reice Buchwald from Derek Wikstrom dated September 29, 2022 re: protective order ., MOTION for Protective Order . Document filed by USA as to Cary Yan, Gina Zhou. (Attachments: # 1 Text of Proposed Order Proposed Protective Order) (Wikstrom, Derek) (Entered: 09/29/2022)
<input type="checkbox"/> 18	Sep. 29, 2022	View	PROTECTIVE ORDER as to Cary Yan, Gina Zhou...regarding procedures to be followed that shall govern the handling of confidential material. SO ORDERED: (Signed by Judge Naomi Reice Buchwald on 9/29/2022)(bw) (Entered: 09/29/2022)
<input type="checkbox"/> 19	Oct. 07, 2022	Request	TRANSCRIPT of Proceedings as to Cary Yan, Gina Zhou re: Conference held on 9/6/22 before Judge Naomi Reice Buchwald. Court Reporter/Transcriber: Paula Horovitz, (212) 805-0348, Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction.

ENTRY	FILED	PDF	DESCRIPTION
			After that date it may be obtained through PACER. Redaction Request due 10/28/2022. Redacted Transcript Deadline set for 11/7/2022. Release of Transcript Restriction set for 1/5/2023. (Moya, Goretti) (Entered: 10/07/2022)
<input type="checkbox"/> 20	Oct. 07, 2022	Request	NOTICE OF FILING OF OFFICIAL TRANSCRIPT as to Cary Yan, Gina Zhou. Notice is hereby given that an official transcript of a Conference proceeding held on 9/6/22 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.... (Moya, Goretti) (Entered: 10/07/2022)
<input type="checkbox"/> 21	Oct. 20, 2022	Request	NOTICE OF ATTORNEY APPEARANCE Anthony Scarpelli appearing for USA. (Scarpelli, Anthony) (Entered: 10/20/2022)
<input type="checkbox"/> 22	Oct. 24, 2022	Request	MOTION to Continue status conference scheduled for October 25, 2022. Document filed by Cary Yan. (Kostopoulos, Georgia) (Entered: 10/24/2022)
<input type="checkbox"/> 23	Oct. 24, 2022	Request	MEMO ENDORSEMENT as to Cary Yan granting 22 MOTION to Continue status conference scheduled for October 25, 2022. ENDORSEMENT: Application granted. The status conference is adjourned until November 15, 2022 at 12:30 p.m. Speedy trial time is excluded pursuant to 18 USC 3161 (h)(7)(A). SO ORDERED. (Status Conference set for 11/15/2022 at 12:30 PM before Judge Naomi Reice Buchwald) (Time excluded from 10/24/2022 until 11/15/2022) (Signed by Judge Naomi Reice Buchwald on 10/24/2022) (lnl) (Entered: 10/24/2022)
<input type="checkbox"/> 24	Nov. 10, 2022	Request	LETTER MOTION addressed to Judge Naomi Reice Buchwald from Jonathan F. Bolz dated November 10, 2022 re: Request to Adjourn Conference . Document filed by Cary Yan as to Cary Yan, Gina Zhou. (Bolz, Jonathan) (Entered: 11/10/2022)
<input type="checkbox"/> 25	Nov. 10, 2022	Request	ENDORSED LETTER as to Cary Yan, Gina Zhou addressed to Judge Naomi Reice Buchwald from Attorney Jonathan F. Bolz dated November 10, 2022 re: We represent Mr. Cary Yan, and we respectfully submit this letter on behalf of all parties to request an adjournment of the upcoming status conference in the above-referenced case,

ENTRY	FILED	PDF	DESCRIPTION
			<p>which is currently set for November 15, 2022. ENDORSEMENT: The conference is adjourned until December 1, 2022 at noon. Speedy trial time excluded. 18 U.S.C. Section 3161(h)(7)(A). So Ordered. (Status Conference set for 12/1/2022 at 12:00 PM before Judge Naomi Reice Buchwald.) (Signed by Judge Naomi Reice Buchwald on 11/10/2022)(bw) (Entered: 11/14/2022)</p>
	Dec. 01, 2022		<p>Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Change of Plea Hearing as to Cary Yan, Gina Zhou held on 12/1/2022. Present: AUSA Hagan Scotten, AUSA Derek Wikstrom, and Anthony Scarpelli for the Government; FBI Agents David Calhoun and Lauren Turczak; Edward Kim and Jonathan Bolz for Defendant Cary Yan; Shawn Crowley and Mark Weiner for Defendant Gina Zhou; Defendant Cary Yan; Defendant Gina Zhou; Mandarin Translator for Defendant Cary Yan; Court Reporter. A change of plea hearing was held on December 1, 2022 before Judge Buchwald in-person. Defendant Cary Yan and Defendant Gina Zhou pleaded guilty (Count One for both of them). The sentencing hearing is scheduled for February 16, 2023 at 11:00 a.m. The PSR is due January 26, 2023; the defense submissions are due February 2, 2023; and the Government's submissions are due February 9, 2023. (bw) (Entered: 12/02/2022)</p>
	Dec. 01, 2022		<p>Change of Not Guilty Plea to Guilty Plea as to Cary Yan (1) Count 1 and Gina Zhou (2) Count 1. (bw) (Entered: 12/02/2022)</p>
	Dec. 01, 2022		<p>Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Plea entered by Cary Yan (1) Guilty as to Count 1; and Gina Zhou (2) Guilty as to Count 1. (bw) (Entered: 12/02/2022)</p>
	Dec. 01, 2022		<p>Order of Referral to Probation for Presentence Investigation and Report as to Cary Yan, Gina Zhou. (By Judge Naomi Reice Buchwald on 12/1/2022) (bw) (Entered: 12/02/2022)</p>
	Dec. 01, 2022		<p>ORAL ORDER as to Cary Yan, Gina Zhou. Brief due by 2/2/2023. Responses to Brief due by 2/9/2023. Sentencing set for 2/16/2023 at 11:00 AM before Judge Naomi Reice Buchwald. (bw) (Entered: 12/02/2022)</p>
<input type="checkbox"/> 26	Jan. 03, 2023	Request	<p>TRANSCRIPT of Proceedings as to Cary Yan, Gina Zhou re: Plea held on 12/1/2022 before Judge Naomi Reice Buchwald. Court Reporter/Transcriber: Raquel Robles, (212) 805-0300, Transcript may be viewed at the</p>

ENTRY	FILED	PDF	DESCRIPTION
			court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/24/2023. Redacted Transcript Deadline set for 2/3/2023. Release of Transcript Restriction set for 4/3/2023. (McGuirk, Kelly) (Entered: 01/03/2023)
<input type="checkbox"/> 27	Jan. 03, 2023	Request	NOTICE OF FILING OF OFFICIAL TRANSCRIPT as to Cary Yan, Gina Zhou. Notice is hereby given that an official transcript of a Plea proceeding held on 12/1/2022 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.... (McGuirk, Kelly) (Entered: 01/03/2023)

CHARGES					Minimize ^
ID	COUNT	PARTY NAME	STATUS	DESCRIPTION	
1	0	Cary Yan	Pending	18:371.F CONSPIRACY TO VIOLATE THE FOREIGN CORRUPT PRACTICES ACT (1)	
1	0	Cary Yan	Pending	FOREIGN SECURITIES EXCHANGES (VIOLATION OF THE FOREIGN CORRUPT PRACTICES ACT; DOMESTIC CONCERN) (2)	
1	0	Cary Yan	Pending	15:78D.F FOREIGN SECURITIES EXCHANGES (VIOLATION OF THE FOREIGN CORRUPT	

ID	COUNT	PARTY NAME	STATUS	DESCRIPTION
				PRACTICES ACT; WITHIN THE U.S.) (3)
1	0	Cary Yan	Pending	18:1956-4999.F MONEY LAUNDERING - FRAUD, OTHER (conspiracy) (4)
1	0	Cary Yan	Pending	18:1956-4999.F MONEY LAUNDERING - FRAUD, OTHER (5)
2	0	Gina Zhou	Pending	18:371.F CONSPIRACY TO VIOLATE THE FOREIGN CORRUPT PRACTICES ACT (1)
2	0	Gina Zhou	Pending	FOREIGN SECURITIES EXCHANGES (VIOLATION OF THE FOREIGN CORRUPT PRACTICES ACT; DOMESTIC CONCERN) (2)
2	0	Gina Zhou	Pending	15:78D.F FOREIGN SECURITIES EXCHANGES (VIOLATION OF THE FOREIGN CORRUPT PRACTICES ACT; WITHIN THE U.S.) (3)
2	0	Gina Zhou	Pending	18:1956-4999.F MONEY LAUNDERING - FRAUD, OTHER (conspiracy) (4)
2	0	Gina Zhou	Pending	18:1956-4999.F MONEY LAUNDERING - FRAUD, OTHER (5)