

**U.S. District Court
Eastern District of New York (Brooklyn)
CRIMINAL DOCKET FOR CASE #: 1:18-cr-00439-MKB-1**

Case title: USA v. Leissner

Date Filed: 08/15/2018

Date Terminated: 05/29/2025

Assigned to: Chief Judge Margo K. Brodie

Defendant (1)

Tim Leissner

TERMINATED: 05/29/2025

represented by **Edward Andrew Paltzik**
Taylor Dykema PLLC
925 E 25th Street
Houston, TX 77009
516-526-0341
Email: edward@taylordykema.com
ATTORNEY TO BE NOTICED

Henry E. Mazurek
Meister Seeling & Fein LLP
125 Park Avenue
7th floor
New York, NY 10017
212-655-3500
Fax: 212-655-3535
Email: hem@msf-law.com
ATTORNEY TO BE NOTICED
Designation: Retained

Ihana Haramati
Meister Seelig & Fein LLP
Litigation
125 Park Ave
8th Floor
New York, NY 10017
646-860-3130
Email: ih@msf-law.com
ATTORNEY TO BE NOTICED
Designation: Retained

Jason Ser
Meister Seelig & Fein
125 Park Avenue
7th Floor
New York, NY 10017

646-539-3712
Fax: 212-655-3535
Email: jis@msf-law.com
ATTORNEY TO BE NOTICED

Robert Oneill
Freeh, Sporkin & Sullivan LLP
2550 M Street Northwest
Washington, Dc, DC 20037
305-205-8228
Fax: 302-824-7148
Email: roneill@oneilllawgroup.com
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

CONSPIRACY TO VIOLATE THE FCPA
(1)

CONSPIRACY TO COMMIT MONEY
LAUNDERING
(2)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

18 USC 371

Disposition

Twenty-four (24) months on Count One and twenty-four (24) months on Count Two, to run concurrently; and two (2) years of supervised release on each count to run concurrently; two hundred (200) dollar special assessment; no fine; no restitution; and order of forfeiture appended to and incorporated into the judgment.

Twenty-four (24) months on Count One and twenty-four (24) months on Count Two, to run concurrently; two (2) years of supervised release on each count to run concurrently; two hundred (200) dollar special assessment; no fine; no restitution; and order of forfeiture appended to and incorporated into the judgment.

Disposition

Disposition

Plaintiff

USA

represented by **Drew Godfrey Rolle**
United States Attorney's Office
Eastern District Of New York
271 Cadman Plaza East
Brooklyn, NY 11201
718-254-6783
Fax: 718-254-6076
Email: drew.rolle@alston.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Jacquelyn M. Kasulis
United States Attorneys Office
271 Cadman Plaza East
Brooklyn, NY 11201
718-254-6103
Fax: 718-254-6076
Email: jacquelyn.kasulis@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Jennifer Ambuehl
DOJ-Crm
Poc Deb Sachs
1400 New York Ave NW
Room 7113
Washington, DC 20530
202-307-3066
Email: jennifer.ambuehl@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Alixandra Eleis Smith
United States Attorney's Office
271 Cadman Plaza East
Brooklyn, NY 11201
718-254-6370
Fax: 718-254-6076
Email: alixandra.smith@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Dylan Alexander Stern
Department of Justice
US Attorney's Office - EDNY
271 Cadman Plaza East
Brooklyn, NY 11201
718-254-6213
Email: Dylan.Stern@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Katherine Nielsen

DOJ-Crm
Fraud Section
1400 New York Ave., NW
Washington, DC 20530
202-616-5672
Email: katherine.nielsen@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Margaret Moeser

DOJ-Crm
Money Laundering and Asset Recovery
Section
1400 New York Ave
10th Floor
Washington, DC 20530
202-598-2345
Email: margaret.moeser@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Mary Ann McCarthy

DOJ, MLARS
1400 New York Avenue Nw
Washington, DC 20005
202-616-5584
Fax: 202-514-5522
Email: mary.mccarthy@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Nikhila Raj

DOJ-Crm
Fraud Section
1400 New York Avenue
Washington, DC 20005
202-305-9823
Email: nikhila.raj@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Tanisha R. Payne

United States Attorney's Office
Eastern District Of New York
271 Cadman Plaza East
Brooklyn, NY 11201-1820
(718) 254-6358
Fax: (718) 254-6321
Email: Tanisha.Payne@usdoj.gov
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 06/07/2018 | 1 | SEALED COMPLAINT and affidavit in support of arrest warrant as to Tim Leissner (1). (Attachments: # 1 Sealing Cover Sheet) (Yuen, Sui-May) [1:18-mj-00514-SMG *SEALED*] (Entered: 06/08/2018) |
| 06/07/2018 | 2 | Arrest Warrant Issued by Magistrate Judge Steven M. Gold in case as to Tim Leissner. Delay Notice was NOT REQUESTED. (Yuen, Sui-May) [1:18-mj-00514-SMG *SEALED*] (Entered: 06/08/2018) |
| 06/14/2018 | 5 | Minute Entry for proceedings held before Magistrate Judge Steven Tiscione:Arraignment as to Tim Leissner (1) Count Complaint held on 6/14/2018, Initial Appearance as to Tim Leissner held on 6/14/2018. Law clerk Louis Balocca. AUSA Drew Rolle present. Dft present w/ret counsel Eugene Sullivan. Dft arraigned on the complaint. Preliminary hearing waived. Bond set @ \$20,000,000 on consent of both parties. 1 surety to sign the bond by 6/14/18. Dft advised of the bond conditions and signed the bond. Dft released on \$20 million bond. (Log # 6/14/18 1:24-1:44.) # 1 Sealing Cover Sheet) (Chin, Felix). [1:18-mj-00514-SMG *SEALED*] (Entered: 06/15/2018) |
| 06/14/2018 | 7 | REDACTION by Tim Leissner to 6 1 - Sealed Document CR, Order Setting Conditions of Release (Chin, Felix)[1:18-mj-00514-SMG *SEALED*] (Additional attachment(s) added on 12/16/2019: # 1 Redacted) (Marziliano, August). (Entered: 06/15/2018) |
| 06/14/2018 | 8 | ORDER TO CONTINUE - Ends of Justice as to Tim Leissner Time excluded from 6/14/18 until 8/13/18. Ordered by Magistrate Judge Steven Tiscione on 6/14/2018. (Chin, Felix) [1:18-mj-00514-SMG *SEALED*] (Entered: 06/15/2018) |
| 08/13/2018 | 13 | Letter requesting an Order of Excludable Delay. (Attachments: # 1 Sealing Cover Sheet) (Sica, Michele)[1:18-mj-00514-SMG *SEALED*] Modified on 12/16/2019 (Marziliano, August). (Entered: 08/14/2018) |
| 08/13/2018 | 14 | ORDER TO CONTINUE - Ends of Justice as to Time excluded from 8/13/18 until 10/8/18.. Ordered by Magistrate Judge Lois Bloom on 8/13/2018. (Sica, Michele) [1:18-mj-00514-SMG *SEALED*] (Entered: 08/14/2018) |
| 08/15/2018 | 15 | NOTICE of Intent to proceed under FRCrP 7(b) as to Tim Leissner (Attachments: # 1 Criminal Information Sheet, # 2 Sealing Cover Sheet) (Piper, Francine) Modified on 12/16/2019 (Marziliano, August). (Entered: 08/15/2018) |
| 08/17/2018 | | Attorney update in case as to Tim Leissner. Attorney Drew Godfrey Rolle for USA added. (Brucella, Michelle) Modified on 12/16/2019 (Marziliano, August). (Entered: 08/17/2018) |
| 08/28/2018 | 16 | INFORMATION as to Tim Leissner (1) count(s) 1, 2. (Brucella, Michelle) Modified on 12/16/2019 (Marziliano, August). (Entered: 08/28/2018) |
| 08/28/2018 | 17 | WAIVER OF INDICTMENT by Tim Leissner. (Brucella, Michelle) Modified on 12/16/2019 (Marziliano, August). (Entered: 08/28/2018) |
| 08/28/2018 | | Plea Agreement Hearing as to Tim Leissner was held before Judge Margo K. Brodie on August 28, 2018. AUSAs Drew Rolle and Jacquelyn Kasulis appeared on behalf of the government. Retained counsel Robert O'Neill appeared on behalf of defendant. The defendant was sworn, waived the reading of the Information and entered a plea of guilty to Counts 1 and 2 of the Information. The Court found that the plea was made knowingly, voluntarily and that there was a factual basis for the plea. The plea of guilty was accepted by the Court. The bond conditions were modified as stated on the record. Sentencing is set for January 17, 2019 at 10:00 AM in Courtroom 6F North before Judge Margo K. |

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| | | Brodie. (Court Reporter: David Roy) (Brucella, Michelle) Modified on 12/16/2019 (Marziliano, August). (Entered: 08/28/2018) |
| 09/10/2018 | 18 | LIMITED UNSEALING ORDER as to Tim Leissner: IT IS HEREBY ORDERED that the government may disclose: (1) the fact of Tim Leissner's August 28, 2018 guilty plea and (2) the charges underlying Tim Leissner's guilty plea, to the Honorable Dale S. Fischer, United States District Judge, Central District of California, in connection with the pending civil forfeiture cases brought by the United States in the Central District of California; IT IS FURTHER ORDERED that this order and the supporting application of the United States of America be filed under sealed until further order of the Court. Ordered by Judge Margo K. Brodie on 9/6/2018. (Attachments: # 1 Letter, # 2 Sealing Cover Sheet) (Fernandez, Erica) Modified on 12/16/2019 (Marziliano, August). Modified on 12/16/2019 (Marziliano, August). (Entered: 09/10/2018) |
| 10/31/2018 | 19 | Order to Unseal Indictment as to Tim Leissner.. Ordered by Judge Margo K. Brodie on 10/31/2018. (Attachments: # 1 Sealing Cover Sheet) (Marziliano, August) (Entered: 11/01/2018) |
| 11/01/2018 | 20 | NOTICE OF ATTORNEY APPEARANCE Jennifer Ambuehl appearing for USA. (Ambuehl, Jennifer) (Entered: 11/01/2018) |
| 11/01/2018 | 21 | PRELIMINARY ORDER OF FORFEITURE as to Tim Leissner. IT IS HEREBY ORDERED, ADJUDGED AND DECREED, on consent, by and between the United States and the defendant as follows: The defendant shall forfeit to the United States the full amount of the Forfeiture Money Judgment, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1) and 982(b)(1), 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c). 2. The Forfeiture Money Judgment shall be paid in full on or before the latter of January 19, 2019 or the date of the defendant's sentencing (the "Due Date").3. Upon entry of this Order of Forfeiture ("Order"), the United States Attorney General or his designee is authorized to conduct any proper discovery in accordance with Fed. R. Crim. P. 32.2(b)(3) and (c). Ordered by Judge Margo K. Brodie on 10/30/2018. (Attachments: # 1 Letter, # 2 Sealing Cover Sheet) (Fernandez, Erica) (Entered: 11/01/2018) |
| 11/06/2018 | 22 | NOTICE OF ATTORNEY APPEARANCE Nikhila Raj appearing for USA. (Raj, Nikhila) (Entered: 11/06/2018) |
| 11/06/2018 | 23 | NOTICE OF ATTORNEY APPEARANCE Katherine Nielsen appearing for USA. (Nielsen, Katherine) (Entered: 11/06/2018) |
| 11/07/2018 | 24 | Letter dated November 5, 2018 from David McCraw, Vice President and Deputy General Counsel at the New York Times, to Judge Brodie, requesting that the plea transcript be unsealed as to Tim Leissner. (Brucella, Michelle) (Entered: 11/07/2018) |
| 11/07/2018 | 25 | Letter <i>in Response to N.Y. Times Request to Unseal Plea Transcript</i> as to Tim Leissner (Rolle, Drew) (Entered: 11/07/2018) |
| 11/07/2018 | 26 | Letter dated November 7, 2018 from AUSA Drew Rolle to Judge Brodie, regarding the unsealing of the plea transcript. (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2) (Brucella, Michelle) (Entered: 11/07/2018) |
| 11/08/2018 | 27 | ORDER granting 26 applications to unseal and redact transcript of plea hearing and to seal letter. Ordered by Judge Margo K. Brodie on 11/8/2018. (Beeney, Eliza) (Entered: 11/08/2018) |
| 11/08/2018 | | ORDER granting in part and denying in part 24 Letter from the New York Times requesting that the plea transcript be unsealed as to Tim Leissner. The government is directed to file a redacted version of the plea transcript pursuant to the Court's November |

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| | | 8, 2018 sealed Order. Ordered by Judge Margo K. Brodie on 11/8/2018. (Beeney, Eliza) (Entered: 11/08/2018) |
| 11/09/2018 | 28 | NOTICE OF ATTORNEY APPEARANCE Mary Ann McCarthy appearing for USA. (McCarthy, Mary) (Entered: 11/09/2018) |
| 11/09/2018 | 29 | Letter <i>Attaching a Redacted Aug. 28, 2018 Guilty Plea Hearing Transcript</i> as to Tim Leissner (Rolle, Drew) (Entered: 11/09/2018) |
| 11/09/2018 | 30 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Tim Leissner held on August 28, 2018, before Judge Margo K. Brodie. Court Reporter/Transcriber David R. Roy, Telephone number (718) 613-2609. Email address: drroyofcr@gmail.com. Transcript may be viewed at the 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. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 11/30/2018. Redacted Transcript Deadline set for 12/10/2018. Release of Transcript Restriction set for 2/7/2019. (Roy, David) (Entered: 11/09/2018) |
| 11/20/2018 | | ORDER granting 31 Motion to Travel as to Tim Leissner. Ordered by Judge Margo K. Brodie on 11/20/2018. (Brucella, Michelle) (Entered: 11/20/2018) |
| 01/14/2019 | | SCHEDULING ORDER: Sentencing is adjourned to June 28, 2019 at 10:00 AM in Courtroom 6F North before Judge Margo K. Brodie. Ordered by Judge Margo K. Brodie on 1/14/2019. (Brucella, Michelle) (Entered: 01/14/2019) |
| 02/19/2019 | | ORDER granting 33 Motion to Travel as to Tim Leissner (1). Ordered by Judge Margo K. Brodie on 2/19/2019. (Brucella, Michelle) (Entered: 02/19/2019) |
| 02/20/2019 | 34 | NOTICE OF ATTORNEY APPEARANCE: Robert Oneill appearing for Tim Leissner (Oneill, Robert) (Entered: 02/20/2019) |
| 02/22/2019 | 35 | MOTION to Appear Pro Hac Vice Filing fee \$ 150, receipt number ANYEDC-11222280. by Tim Leissner. (Attachments: # 1 Admission Information) (Oneill, Robert) (Entered: 02/22/2019) |
| 02/27/2019 | 36 | Letter as to Tim Leissner dated February 22, 2019 from David McCraw to Judge Brodie, requesting that the court review the continued partial sealing of the transcript dated August 28, 2018. (Attachments: # 1 Letter dated November 5, 2018) (Piper, Francine) (Entered: 02/27/2019) |
| 03/22/2019 | 37 | Letter <i>re February 22, 2019 N.Y. Times Request to Review Sealing</i> as to Tim Leissner (Rolle, Drew) (Entered: 03/22/2019) |
| 04/04/2019 | | ORDER as to Tim Leissner re 36 Letter: Having considered the application and the government's response, the Court denies the application. Ordered by Judge Margo K. Brodie on 4/4/2019. (Brucella, Michelle) (Entered: 04/04/2019) |
| 04/24/2019 | 38 | Letter dated April 22, 2019 to Judge Margo K. Brodie from David McCraw as to Tim Leissner requesting that the Court formally grant the NY Times company intervenor status to appeal the Court's recent order. (Fernandez, Erica) (Entered: 04/24/2019) |
| 04/25/2019 | 39 | NOTICE OF ATTORNEY APPEARANCE Alixandra Eleis Smith appearing for USA. (Smith, Alixandra) (Entered: 04/25/2019) |
| 06/20/2019 | | Set/Reset Hearings as to Tim Leissner: Sentencing is adjourned to December 17, 2019 at 10:00 AM in Courtroom 6F North before Judge Margo K. Brodie. (Brucella, Michelle) (Entered: 06/20/2019) |

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| 10/07/2019 | 41 | Joint MOTION to Unseal Document <i>and Certain ECF Docket Entries</i> by USA as to Tim Leissner. (Rolle, Drew) (Entered: 10/07/2019) |
| 11/12/2019 | | SCHEDULING ORDER as to Tim Leissner. Sentencing set for 6/11/2020 at 10:00 AM in Courtroom 6F North before Judge Margo K. Brodie. (Valentin, Winnethka) (Entered: 12/03/2019) |
| 12/13/2019 | 44 | Order to Unseal Document entries as to Tim Leissner.. Ordered by Judge Margo K. Brodie on 12/13/2019. (Marziliano, August) (Entered: 12/16/2019) |
| 12/16/2019 | 45 | REDACTION by Tim Leissner to 44 1 - Sealed Document CR, Order to Unseal Document (Marziliano, August) (Entered: 12/16/2019) |
| 04/05/2020 | 46 | Letter <i>re Second Circuit decision</i> as to Tim Leissner (Smith, Alixandra) (Entered: 04/05/2020) |
| 04/06/2020 | | ORDER granting 46 Letter as to Michael Leissner. The government shall file Exhibit A and B. Ordered by Judge Margo K. Brodie on 4/6/2020. (Valentin, Winnethka) (Entered: 04/06/2020) |
| 04/06/2020 | 47 | Letter <i>attaching redacted plea transcript and court order</i> as to Tim Leissner (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Smith, Alixandra) (Entered: 04/06/2020) |
| 06/03/2020 | 48 | Letter <i>re Sentencing</i> as to Tim Leissner (Smith, Alixandra) (Entered: 06/03/2020) |
| 06/04/2020 | | ORDER granting 48 as to Tim Leissner. Sentencing set for 1/22/2021 at 10:00 AM in Courtroom 6F North before Judge Margo K. Brodie. Ordered by Judge Margo K. Brodie on 6/4/2020. (Valentin, Winnethka) (Entered: 06/04/2020) |
| 11/05/2020 | 49 | NOTICE OF ATTORNEY APPEARANCE: Henry E. Mazurek appearing for Tim Leissner (Mazurek, Henry) (Entered: 11/05/2020) |
| 11/05/2020 | 50 | NOTICE OF ATTORNEY APPEARANCE: Ilana Haramati appearing for Tim Leissner (Haramati, Ilana) (Entered: 11/05/2020) |
| 11/09/2020 | | SCHEDULING ORDER as to Tim Leissner. Status Conference set for 11/17/2020 at 11:00 AM before Judge Margo K. Brodie. The parties are directed to call 1-888-684-8852 using access code 9801036. If any party has any difficulty accessing the telephone conference, please contact chambers at 718-613-2140. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Ordered by Judge Margo K. Brodie on 11/9/2020. (Valentin, Winnethka) (Entered: 11/09/2020) |
| 11/17/2020 | | Minute Entry for proceedings held before Judge Margo K. Brodie: Status conference as to Tim Leissner held on 11/17/20. Assistant U.S. Attorneys Alixandra Smith and Drew Rolle. Katherine Nielson, Jennifer Ambuehl, and Nikhila Raj of the Fraud Section and the Money Laundering and Asset Recovery Section of the U.S. Department of Justice appeared on behalf of the government. Henry Mazurek, Ilana Haramati, Robert Oneill and Eugene Sullivan Sr., Eugene Sullivan Jr. appeared on behalf of Defendant. Pretrial officer Bianca Carter also present. The Court granted 51 motion for Surety Substitution and terminated defendant's wife as a suretor. Defendants parents are substituted as co-signors of the defendant's bond. (Court Reporter Holly Driscoll.) (Valentin, Winnethka) (Entered: 11/17/2020) |
| 02/09/2021 | | SCHEDULING ORDER as to Tim Leissner. Sentencing set for 8/18/2021 10:30 AM before Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 2/9/2021. |

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| | | (Valentin, Winnethka) Modified on 6/2/2023 (WV). (Time*) (Entered: 02/09/2021) |
| 04/27/2021 | | ORDER granting 35 Motion for Leave to Appear The attorney shall register for ECF, registration is available online at www.pacer.gov. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure the 150 admission fee be submitted to the Clerks Office via filing the event <i>Pro Hac Vice Filing Fee</i> . Ordered by Chief Judge Margo K. Brodie on 4/27/2021. (Valentin, Winnethka) (Entered: 04/27/2021) |
| 08/04/2021 | | ORDER granting 57 Motion to Continue Sentencing as to Tim Leissner. Sentencing set for 3/2/2022 at 10:00 AM before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 8/4/2021. (Valentin, Winnethka) (Entered: 08/04/2021) |
| 03/02/2022 | | SCHEDULING ORDER as to Tim Leissner. Sentencing set for 7/6/2022 at 10:00 AM before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 3/2/2022. (Valentin, Winnethka) (Entered: 03/02/2022) |
| 05/16/2022 | | ORDER granting 58 Motion to Modify Conditions of Release as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 5/16/2022. (Valentin, Winnethka) (Entered: 05/16/2022) |
| 05/26/2022 | 59 | NOTICE OF ATTORNEY APPEARANCE Margaret Moeser appearing for USA. (Moeser, Margaret) (Entered: 05/26/2022) |
| 06/15/2022 | | ORDER granting 60 Motion to Modify Conditions of Release as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 6/15/2022. (Valentin, Winnethka) (Entered: 06/15/2022) |
| 07/05/2022 | 61 | NOTICE OF ATTORNEY APPEARANCE Dylan Alexander Stern appearing for USA. (Stern, Dylan) (Entered: 07/05/2022) |
| 07/06/2022 | | ORDER granting 62 Motion to Continue Sentencing as to Tim Leissner. Sentencing set for 2/15/2023 at 10:00 AM in Courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 7/6/2022. (Valentin, Winnethka) (Entered: 07/06/2022) |
| 08/09/2022 | 63 | NOTICE OF ATTORNEY APPEARANCE Tanisha R. Payne appearing for USA. (Payne, Tanisha) (Entered: 08/09/2022) |
| 08/17/2022 | 64 | MOTION for Forfeiture of Property by USA as to Tim Leissner. (Attachments: # 1 Proposed Order) (Payne, Tanisha) (Entered: 08/17/2022) |
| 08/27/2022 | 65 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Tim Leissner held on November 17, 2020, before Judge Brodie. Court Reporter/Transcriber H. Driscoll, Telephone number 17186132274. Email address: hdrisc@gmail.com. Transcript may be viewed at the 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. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 9/17/2022. Redacted Transcript Deadline set for 9/27/2022. Release of Transcript Restriction set for 11/25/2022. (Driscoll, Holly) (Entered: 08/27/2022) |
| 10/11/2022 | | ORDER granting 66 Motion to Modify Conditions of Release as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 10/11/2022. (WV) (Entered: 10/11/2022) |
| 02/07/2023 | 67 | MOTION to Continue <i>Sentencing</i> by USA as to Tim Leissner. (Stern, Dylan) (Entered: 02/07/2023) |

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| 02/09/2023 | | ORDER granting 67 Motion to Continue as to Tim Leissner. Sentencing set for September 6, 2023 at 10:00 AM in courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 2/9/2023. (WV) (Entered: 02/09/2023) |
| 03/03/2023 | 68 | ORDER granting 64 Motion for Forfeiture of Property as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 3/3/2023. (WV) (Entered: 03/03/2023) |
| 05/01/2023 | 69 | Letter - <i>Letter Motion on behalf of Ken Siazon, to respectfully request a brief extension of time to file a Third Party Claim</i> as to Tim Leissner (Parlovecchio, Gina) (Entered: 05/01/2023) |
| 05/02/2023 | | ORDER granting 69 Letter Motion on behalf of Ken Siazon, to respectfully request a brief extension of time to file a Third Party Claim as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 5/2/2023. (WV) (Entered: 05/02/2023) |
| 05/05/2023 | 70 | Letter as to Tim Leissner (Attachments: # 1 Verified Petition of Kimora Lee Simmons-Leissner, # 2 Exhibit 1 Bank of America signature card, # 3 Exhibit 2 Celsius Subscription Agreement, # 4 Exhibit 3 Jan. 25, 2017 email, Jan. 26, 2017 wire confirmation, # 5 Exhibit 4 Jan. 27, 2017 email, April 16, 2017 email, # 6 Exhibit 5 Jan. 22, 2018 Resignation, # 7 Exhibit 6 May 25, 2018 Stock Transfer Agreement, # 8 Exhibit 7 Jan. 1, 2016 Nu Horizons Operating Agreement) (Lesser, David) (Entered: 05/05/2023) |
| 05/05/2023 | 71 | Letter <i>Claim of Interest in 1,453,488 Shares in Celsius Holdings, Inc.</i> as to Tim Leissner (Attachments: # 1 Petition, # 2 Exhibit) (Agnifilo, Marc) (Entered: 05/05/2023) |
| 05/05/2023 | 72 | Letter <i>Enclosing Verified Petition</i> as to Tim Leissner (Attachments: # 1 Verified Petition of Russell Simmons and Nu Horizons, # 2 Exhibit 1. Nasdaq data for Aug. 28, 2018, # 3 Exhibit 2. Ng Trial Transcripts, # 4 Exhibit 3. Nasdaq data for Aug. 17, 2022, # 5 Exhibit 4. Nu Horizons Certificate of Formation, # 6 Exhibit 5. Simmons Deck, # 7 Exhibit 6. Common Stock Purchase Agreement, # 8 Exhibit 7. Secondary Convertible Promissory Note Purchase Agreement, # 9 Exhibit 8. New York Business Journal article, # 10 Exhibit 9. CSP Daily News article, # 11 Exhibit 10. April 23, 2015 Instagram and Twitter posts, # 12 Exhibit 11. Celsius Holdings, Inc. Q1 2015 Call Transcript, # 13 Exhibit 12. All Def Images, # 14 Exhibit 13. HipHopDX article, # 15 Exhibit 14. Operating Agreement, # 16 Exhibit 15. Form 10-12G, # 17 Exhibit 16. 2016 10K, # 18 Exhibit 17. Letter of Intent, # 19 Exhibit 18. Schedule 13G, # 20 Exhibit 19. Stock Transfer Agreement, # 21 Exhibit 20. Celsius Holdings, Inc. Shares Loan Agreement for Bond, # 22 Exhibit 21. Membership Interest Transfer Agreement, # 23 22. Leissner Admission) (Alberts, Jeffrey) (Entered: 05/05/2023) |
| 05/17/2023 | 73 | Letter <i>Re Motion to Appear Pro Hac Vice; Filing fee \$150, receipt number ANYEDC-16710926</i> as to Tim Leissner (Attachments: # 1 Notice of Motion to Admit Counsel Pro Hac Vice, # 2 Affidavit in Support of Motion to Admit Counsel Pro Hac Vice, # 3 CA State Bar - Certificate of Standing, # 4 Proposed Order for Admission Pro Hac Vice) (Roth, Michael) (Entered: 05/17/2023) |
| 05/19/2023 | 74 | MOTION to Appear Pro Hac Vice Filing fee \$ 150, receipt number ANYEDC-16717553 by Tim Leissner. (Attachments: # 1 Affidavit in Support of Motion to Admit Counsel Pro Hac Vice, # 2 CA State Bar - Certificate of Standing, # 3 Proposed Order for Admission Pro Hac Vice) (Willingham, David) (Entered: 05/19/2023) |
| 05/19/2023 | | ORDER granting 73 Motion to Appear Pro Hac Vice and granting 74 Motion to Appear Pro Hac Vice. Ordered by Chief Judge Margo K. Brodie on 5/19/2023. (AB) (Entered: 05/19/2023) |
| 05/22/2023 | 75 | Letter <i>Enclosing Verified Petition</i> as to Tim Leissner (Attachments: # 1 Verified Petition of Ken Siazon, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # |

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| | | 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J) (Parlovecchio, Gina) (Entered: 05/22/2023) |
| 05/24/2023 | 76 | NOTICE <i>Notice of Appearance for Third-Party Petitioner Ken Siazon</i> as to Tim Leissner (Parlovecchio, Gina) (Entered: 05/24/2023) |
| 05/24/2023 | 77 | NOTICE <i>Notice of Appearance for Third-Party Petitioner Ken Siazon</i> as to Tim Leissner (Fiest, Max) (Entered: 05/24/2023) |
| 06/08/2023 | | ORDER directing counsel to file any documents relating to third-party claims filed in response to the Amended Forfeiture Order in the new docket created for the ancillary proceeding, Docket No. 23-MC-1505. Signed by Chief Judge Margo K. Brodie on 6/8/2023. (AB) (Entered: 06/08/2023) |
| 08/28/2023 | 78 | Consent MOTION to Continue Sentencing <i>Until November 2023</i> by USA as to Tim Leissner. (Rolle, Drew) (Entered: 08/28/2023) |
| 08/31/2023 | | ORDER granting 78 Motion to Continue Sentencing. The Court will schedule a new sentencing date shortly. Ordered by Chief Judge Margo K. Brodie on 8/31/2023. (TD) (Entered: 08/31/2023) |
| 09/07/2023 | | SCHEDULING ORDER as to Tim Leissner. Sentencing set for 3/19/2024 at 10:30 AM in Courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 9/7/2023. (WV) (Entered: 09/07/2023) |
| 01/26/2024 | | SCHEDULING ORDER. Sentencing set for 9/11/2024 at 10:30 AM in Courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 1/26/2024. (WV) (Entered: 01/26/2024) |
| 02/16/2024 | | ORDER granting 81 Motion to Modify Conditions of Release as to Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 2/16/2024. (WV) (Entered: 02/16/2024) |
| 07/17/2024 | 83 | Consent MOTION to Continue Sentencing by Tim Leissner. (Haramati, Ilana) (Entered: 07/17/2024) |
| 07/30/2024 | | ORDER granting 83 Motion to Continue Sentencing as to Tim Leissner. Sentencing set for 10/8/2024 at 10:30 AM in Courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 7/30/2024. (WV) (Entered: 07/30/2024) |
| 09/03/2024 | | ORDER granting 84 PROB Sentencing adjournment as to Tim Leissner. Sentencing set for 5/29/2025 at 10:30 AM in Courtroom 6F North before Chief Judge Margo K. Brodie. Ordered by Chief Judge Margo K. Brodie on 9/3/2024. (WV) (Entered: 09/03/2024) |
| 04/23/2025 | | Order. Sentencing memorandum shall be filed on or before May 8, 2025. The Government's submission shall be filed on or before May 15, 2025. Ordered by Chief Judge Margo K. Brodie on 4/23/2025. (WV) (Entered: 04/23/2025) |
| 05/08/2025 | 87 | SENTENCING MEMORANDUM by Tim Leissner (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D) (Haramati, Ilana) (Entered: 05/08/2025) |
| 05/13/2025 | 89 | Letter dated May 12, 2025 from counsel for Xavier Justo to Judge Brodie, requesting to be added as an interested party. (WV) (Entered: 05/13/2025) |
| 05/13/2025 | | Order regarding 89 email Letter dated May 12, 2025 from counsel for Xavier Justo. The Court declines to add Xavier Justo as an interested party in this criminal proceeding. However, counsel may file a letter on the docket seeking restitution on behalf of Xavier Justo. If counsel has any challenge doing so, counsel should reach out to chambers. Ordered by Judge Margo K. Brodie on 5/13/2025. (MMB) (Entered: 05/13/2025) |

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| 05/15/2025 | 90 | SENTENCING MEMORANDUM by USA as to Tim Leissner (Rolle, Drew) (Entered: 05/15/2025) |
| 05/15/2025 | 91 | Letter addressed to Hon. Margo K. Brodie on behalf of Xavier Justo from Mark S. Cohen dated May 15, 2025 re: Request for Restitution as to Tim Leissner (Attachments: # 1 Declaration of Xavier Justo, # 2 Exhibit A to X. Justo Declaration, # 3 Exhibit B to X. Justo Declaration, # 4 Exhibit C to X. Justo Declaration, # 5 Exhibit D to X. Justo Declaration, # 6 Exhibit E to X. Justo Declaration, # 7 Exhibit F to X. Justo Declaration, # 8 Exhibit G to X. Justo Declaration, # 9 Exhibit H to X. Justo Declaration, # 10 Exhibit I to X. Justo Declaration, # 11 Declaration of Laura Justo, # 12 Exhibit 1 to L. Justo Declaration, # 13 Exhibit 2 to L. Justo Declaration, # 14 Exhibit 3 to L. Justo Declaration, # 15 Exhibit 4 to L. Justo Declaration, # 16 Exhibit 5 to L. Justo Declaration, # 17 Exhibit 6 to L. Justo Declaration, # 18 Exhibit 7 to L. Justo Declaration, # 19 Exhibit 8 to L. Justo Declaration, # 20 Exhibit 9 to L. Justo Declaration, # 21 Exhibit 10 to L. Justo Declaration, # 22 Exhibit 11 to L. Justo Declaration, # 23 Exhibit 12 to L. Justo Declaration, # 24 Exhibit 13 to L. Justo Declaration, # 25 Exhibit 14 to L. Justo Declaration, # 26 Exhibit 15 to L. Justo Declaration, # 27 Exhibit 16 to L. Justo Declaration, # 28 Exhibit 17 to L. Justo Declaration, # 29 Exhibit 18 to L. Justo Declaration, # 30 Exhibit Expert Report of Gene B. Phillips) (Cohen, Mark) (Entered: 05/15/2025) |
| 05/16/2025 | | ORDER regarding 91 Letter addressed to Hon. Margo K. Brodie on behalf of Xavier Justo from Mark S. Cohen dated May 15, 2025 re: Request for Restitution. The Court directs the parties to respond to Xavier Justo's request for restitution on or before May 23, 2025. Ordered by Judge Margo K. Brodie on 5/16/2025. (MMB) (Entered: 05/16/2025) |
| 05/22/2025 | 92 | Letter from The Goldman Sachs Group, Inc. as to Tim Leissner (Friedlander, Nicole) (Entered: 05/22/2025) |
| 05/23/2025 | 93 | Letter Opposing Xavier Justo's Restitution Request (ECF Doc. 91) as to Tim Leissner (Haramati, Ilana) (Entered: 05/23/2025) |
| 05/23/2025 | 94 | Letter re Xavier Justo restitution request as to Tim Leissner (Stern, Dylan) (Entered: 05/23/2025) |
| 05/23/2025 | 95 | Letter - Letter Motion on behalf of Xavier Justo Seeking Leave to Reply to Restitution Application Responses from Mark S. Cohen, dated May 23, 2025 as to Tim Leissner (Cohen, Mark) (Entered: 05/23/2025) |
| 05/27/2025 | | Order granting 95 Letter Motion on behalf of Xavier Justo Seeking Leave to Reply to Restitution Application Responses from Mark S. Cohen, dated May 23, 2025. The Court grants Xavier Justo's counsel leave to file a three-page reply letter to the parties' responses regarding his restitution application. The Court directs counsel for Xavier Justo to file the reply letter no later than May 27, 2025 at 5:00 PM. Ordered by Judge Margo K. Brodie on 5/27/2025. (MMB) (Entered: 05/27/2025) |
| 05/27/2025 | 96 | Letter Reply in Support of Xavier Justo Restitution Application 91 as to Tim Leissner (Attachments: # 1 Exhibit A to Reply) (Cohen, Mark) (Entered: 05/27/2025) |
| 05/29/2025 | 97 | Order regarding 91 Letter addressed to Hon. Margo K. Brodie on behalf of Xavier Justo from Mark S. Cohen dated May 15, 2025 re: Request for Restitution. For the reasons stated in the attached Memorandum and Order, Xavier Justo is not a "victim" entitled to restitution under the Mandatory Victims Restitution Act, and the Court therefore denies his restitution claim. Ordered by Margo K. Brodie on 5/29/2025. (MMB) (Entered: 05/29/2025) |
| 05/29/2025 | | Minute Entry for proceedings held before Judge Margo K. Brodie: Sentencing held on May 29, 2025. Appearances: Drew Rolle, Alixandra Smith and Dylan Stern appeared on |

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| | | <p>behalf of the government. Henry Mazurek and Ilana Haramati appeared on behalf of Tim Leissner. Shannon Daugherty appeared on behalf of Xavier Justo. The Court sentenced Mr. Leissner to twenty-four (24) months on Count One (conspiracy to violate the foreign corrupt practices act) and twenty-four (24) months on Count Two (conspiracy to commit money laundering), to run concurrently; and two (2) years of supervised release on each count to run concurrently. The Court also imposed a two hundred (200) dollar special assessment; no fine; no restitution; and order of forfeiture appended to and incorporated into the judgment. The Court denied Xavier Justo's motion for restitution 91 Letter addressed to Hon. Margo K. Brodie on behalf of Xavier Justo, for the reasons discussed in the Memorandum and Order filed May 29, 2025. The Court advised Leissner of his right to appeal. (Court Reporter Sophie Nolan) (STH) (Entered: 05/30/2025)</p> |
| 05/29/2025 | 98 | <p>JUDGMENT as to Tim Leissner (1), Count(s) 1, Twenty-four (24) months on Count One and twenty-four (24) months on Count Two, to run concurrently; and two (2) years of supervised release on each count to run concurrently; two hundred (200) dollar special assessment; no fine; no restitution; and order of forfeiture appended to and incorporated into the judgment.; Count(s) 2, Twenty-four (24) months on Count One and twenty-four (24) months on Count Two, to run concurrently; two (2) years of supervised release on each count to run concurrently; two hundred (200) dollar special assessment; no fine; no restitution; and order of forfeiture appended to and incorporated into the judgment. Ordered by Chief Judge Margo K. Brodie on 5/29/2025. (Attachments: # 1 Amended Preliminary Order of Forfeiture) (MAA) (Entered: 05/30/2025)</p> |
| 08/12/2025 | 100 | <p>Letter MOTION for Bond <i>to continue and BOP report date to be extended for 60 days</i> by Tim Leissner. (Mazurek, Henry) (Entered: 08/12/2025)</p> |
| 08/12/2025 | | <p>ORDER granting 100 Motion for Extension of Self-Surrender date as to Tim Leissner. Defendant shall self-surrender on November 17, 2025. Ordered by Chief Judge Margo K. Brodie on 8/12/2025. (WV) (Entered: 08/12/2025)</p> |
| 10/29/2025 | 101 | <p>MANDATE as to Tim Leissner: Petitioner requests a writ of mandamus, seeking relief under the Mandatory Victims Restitution Act ("MVRA"), 18 U.S.C. § 3663A, or, in the alternative, the Crime Victims' Rights Act ("CVRA"), 18 U.S.C. § 3771. Upon due consideration, it is hereby ORDERED that the mandamus petition is DENIED. 10/29/2025. USCA# 25-1494. (VJ) (Entered: 10/29/2025)</p> |
| 11/05/2025 | 102 | <p>Consent MOTION to Continue <i>BOP Report Date</i> by Tim Leissner. (Haramati, Ilana) (Entered: 11/05/2025)</p> |
| 11/05/2025 | | <p>ORDER granting 102 Motion to Continue as to Tim Leissner. Defendant shall self-surrender on January 12, 2026. Ordered by Chief Judge Margo K. Brodie on 11/5/2025. (WV) (Entered: 11/05/2025)</p> |
| 12/19/2025 | 103 | <p>Certificate of Service by USA as to Tim Leissner <i>Affidavit of publication, legal notice was given on the official government website www.forfeiture.gov, beginning on May 2, 2023 and ending on May 31, 2023.</i> (Payne, Tanisha) (Entered: 12/19/2025)</p> |
| 12/19/2025 | 104 | <p>Certificate of Service by USA as to Tim Leissner <i>Notice to potential claimants was served on April 5, 2023, June 9, 2023, July 10, 2023, and July 19, 2023.</i> (Payne, Tanisha) (Entered: 12/19/2025)</p> |
| 01/05/2026 | 105 | <p>Final MOTION to Continue <i>Defendant's BOP Report Date</i> by Tim Leissner. (Mazurek, Henry) (Entered: 01/05/2026)</p> |
| 01/06/2026 | | <p>ORDER granting 105 Motion to Continue as to Tim Leissner. Defendant shall self-surrender on February 6, 2026. The Court recommends that the defendant be designated to a facility in Southern California. Ordered by Judge Margo K. Brodie on 1/6/26. (MO) (Entered: 01/06/2026)</p> |

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| 01/29/2026 | 106 | NOTICE OF ATTORNEY APPEARANCE: Edward Andrew Paltzik appearing for Tim Leissner (Paltzik, Edward) (Entered: 01/29/2026) |
| 02/04/2026 | 107 | Letter MOTION to Continue <i>Defendant's BOP Report Date</i> by Tim Leissner. (Paltzik, Edward) (Entered: 02/04/2026) |
| 02/05/2026 | | ORDER denying 107 Motion to Continue as to Tim Leissner. On May 29, 2025, the Court sentenced Defendant to (1) twenty-four months on Count One and twenty-four months on Count Two to run concurrently and (2) two years of supervised release on each count to run concurrently. (Min. Entry dated May 29, 2025.) Defendant was scheduled to surrender on September 15, 2025. Defendant has since requested four extensions of his surrender date, on August 12, 2025, October 31, 2025, January 5, 2026, and February 4, 2026. On January 5, 2026, Defendant indicated to the Court that the request would be his last. The Court denies Defendant's request to extend his surrender date. Pursuant to the Court's January 6, 2026 Order, Defendant shall self-surrender on February 6, 2026. Ordered by Judge Margo K. Brodie on 2/5/2026. (MO) (Entered: 02/05/2026) |
| 03/08/2026 | 108 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Tim Leissner held on May 29, 2025, for hearing type sentencing, before Judge Margo K. Brodie. Court Reporter/Transcriber Sophie Nolan, Telephone number 7186132622. Email address: NolanEDNY@aol.com. Transcript may be viewed at the 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. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 3/30/2026. Redacted Transcript Deadline set for 4/8/2026. Release of Transcript Restriction set for 6/8/2026. (Nolan, Sophie) (Entered: 03/08/2026) |
| 03/10/2026 | 109 | Consent MOTION for Bond <i>to be Exonerated</i> by Tim Leissner. (Ser, Jason) (Entered: 03/10/2026) |
| 03/11/2026 | | ORDER granting 109 Consent MOTION for Bond to be Exonerated by Tim Leissner. Ordered by Chief Judge Margo K. Brodie on 3/11/2026. (WV) (Entered: 03/11/2026) |