

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

1. TECS ACCESS CODE 3

R E P O R T O F I N V E S T I G A T I O N

2. PAGE 1

3. CASE NUMBER [REDACTED]

1. TITLE: CIRCLE GROUP LIMITED

2. CASE STATUS: INTERIM RPT

3. REPORT DATE 17. DATE ASSIGNED 18. CLASS 19. PROGRAM CODE 110. REPORT NO.
073001 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

11. RELATED CASE NUMBERS:

12. COLLATERAL REQ:

13. TYPE OF REPORT:
SOURCE DEBRIEF

TOPIC: DEBRIEF OF CONFIDENTIAL INFORMANT

14. SYNOPSIS:

In March 21, 2000, a telephonic interview was held with a confidential informant (CI) controlled by Special Agent Mark Sewell, FBI, Atlanta, Georgia. The interview was conducted at the Organized Crime Drug Enforcement Task Force (OCDETF) office, Atlanta, Georgia. Present during the interview was Special Agent Mark Sewell, FBI, Special Agent Lynn Whittaker, IRS, and Special Agent Kimberly Sellers, SAIC/Atlanta.

The interview was conducted in association with an investigation of THE CIRCLE GROUP LTD. On March 16, 2001, three endorsed checks with a value of over \$1.5 million dollars were seized by Customs at the Federal Express hub in Memphis, Tennessee. The checks were from the CIRCLE GROUP LTD, Alpharetta, Georgia, and were being sent to H & J CORPORATE SERVICES, Nassau, Bahamas. Corporate records obtained through Georgia Secretary of State's office listed Gerard C. MARCHELLETTA SR. as registered agent, and David C. GUNDERSON, as applicant.

15. DISTRIBUTION:
SACAT RACME SACNO

16. SIGNATURE:
SELLERS KIMBERLY S SPECIAL AGENT

17. APPROVED:
WUEST GREGORY L ASAC - ASSISTANT SAC

18. ORIGIN OFFICE: AT 119. TELEPHONE: 770 994 4218
ATLANTA - SAC

120. TYPIST: SELLERS

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REPORT OF INVESTIGATION
CONTINUATION

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CASE PROGRAM CODES:

208 MONEY LAUNDERING CON 048 FEDERAL EXPRESS OPER

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The CI worked as a bodyguard/personal assistant for GERARD MARCELLETTA and GEORGE GORMAN for approximately two years, from late 1997 until October 1999. The CI stated that during that time, they "went everywhere with them." The CI stated that MARCHELLETTA et al paid for the CI's townhouse, car and weekly expenses. The CI also stated that if they weren't with GORMAN or MARCHELLETTA, they were with their family "flying around the US."

The CI stated that MARCHELLETTA and GORMAN owned a company named "LA CONTRACTORS", a drywall company that contracted out to major hotels and stadiums. The CI stated that LA CONTRACTORS was one of only four or five drywall companies in the United States that contracted out for such large projects. The CI stated that CIRCLE INDUSTRIES (CIRCLE) was a business that MARCHELLETTA was involved in with his father Gerard MARCHELLETTA Sr. (MARCHELLETTA Sr.) who resides in New York. The CI stated that MARCHELLETTA ran the day-to-day-operations of CIRCLE. According to the CI, CIRCLE contracted drywall services through hotel construction and provided drywall for stadiums and hotels. The CI stated that CIRCLE has completed work on Turner Field, and Georgia Tech stadium, Atlanta, Georgia, and football stadiums in Jacksonville, Florida, and Charlotte, North Carolina. CIRCLE also had a contract for drywall services with the owner of 15 Marriott Hotel franchises. (The CI couldn't remember the man's name, but said that he was located in New Orleans, LA, and described him as "an old man with a French name"). CIRCLE is also working on phase eight (out of 12 phases) for the ATLANTIS, Paradise Island, Bahamas. In addition to CIRCLE and LA CONTRACTORS, other MARCHELLETTA businesses include: partial involvement in TIMBERLAKE MORTGAGE, and several other mortgage companies (names unknown) located north of Atlanta. The business composition is as follows:

MARCHELLETTA SR. owns CIRCLE in New York; he and another MARCHELLETTA son run it. MARCHELLETTA run the Atlanta division, although MARCHELLETTA SR. "swaps" with Atlanta sometimes. The CI also stated that MARCHELLETTA'S father "helps" MARCHELLETTA out.

The CI went on to state that GORMAN and MARCHELLETTA had a goal to open several additional businesses and have people manage them for the purpose of laundering money.

MARCHELLETTA originally received money to begin his business career from MARCHELLETTA SR. in New York. The CI believes that MARCHELLETTA SR. has property in Manhattan, a house on Long Island, and another house elsewhere in New York. The CI stated that he believed that MARCHELLETTA SR. had ties to organized crime (OC). The CI stated that he would travel to New York frequently with MARCHELLETTA. While in New York they would attend sporting events such as the NY Knicks or the NY Yankees games. On one occasion, MARCHELLETTA SR. introduced the CI to a "well known" OC figure. The CI declined to name the OC figure.

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The CI stated that MARCHELLETTA involved MARCHELLETTA SR. in large business deals involving CIRCLE. CIRCLE "courts" the Presidents and CEOs of large facilities and hotels, and pays them off to obtain their business. The CI could provide transportation for the Presidents and CEOs. The CI stated that on a routine basis, he would have an envelope containing anywhere from \$20,000 to \$100,000.00. This envelope would be given to the Presidents or CEO upon their arrival to Atlanta or at their departure from Atlanta. They would be entertained courtesy of CIRCLE at establishments in the Metropolitan Atlanta area including Bones Restaurant, Chops Steakhouse and The Gold Club strip bar. Following a joint investigation by the FBI and IRS, the owner of The Gold Club, Steve Kaplan is currently under a multi-count indictment in the Northern District of Georgia. The indictment includes charges of extortion, money laundering, prostitution, and racketeering. The case is currently in the trial process).

According to the CI, GORMAN and MARCHELLETTA are "best friends", and that MARCHELLETTA and GORMAN "gave money to each other." MARCHELLETTA was the "moneymen" while GORMAN was the "mastermind" at CIRCLE. The CI stated that GORMAN "had his hand in all the pots". Another individual, Jim BOOKER was the "investor/money hider", while yet another individual Cris RISHER handled the day to day aspects of the business. The CI stated that MARCHELLETTA would tell GORMAN to tell RISHER what to do, and that MARCHELLETTA let GORMAN and RISHER do "the dirty work". MIKE GOMENICHI and ANTHONY COTRINO established and/or maintained different accounts to hide money. Although GORMAN was the "brains" and did the actual work for the company, GORMAN was never the CEO; he was always listed as General Manager and was a partner in the business; RISHER'S is listed as the owner of LA CONTRACTORS. RISHER was born in the US, but reared in Mexico. He has a ranch in the Charlotte, North Carolina area.

The CI identified the following as MARCHELLETTA involved companies: MSB RYWALL, EAGLE MANAGEMENT, LA CONTRACTORS, LA AMERICA, and T & T DRYWALL (bank through Scotia Bank in the Bahamas)

The CI stated that approximately two years ago (1999) CIRCLE did a lot of business for the ATLANTIS resort, Paradise Island, Bahamas. The CI stated that SAUL KRISHNER is the owner of the ATLANTIS. According to the CI, KRISHNER, a South African national, owns six casinos worldwide, and was "thrown out" of South Africa for reasons unknown to the CI. According to the CI, KRISHNER employs between 6,200 to 6,300 people; approximately 70% of those employed in the Bahamas. JIM BOOKER is the CEO of KRISHNER'S company.

The CI discussed payments that occurred in the Bahamas. The CI stated that "if the money didn't go through the Bahamas, it would go through Florida".

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The CI stated that they used a bank block away from the ATLANTIS hotel in Bahamas. The CI also stated that he felt that any money they (MARCHELLETTA/GORMAN /RISHNER) laundered was their own money. The CI stated that the ATLANTIS "is making money hand over fist", and that KRISHNER paid them each \$1.5 million for the ATLANTIS.

LA CONTRACTORS was another MARCHELLETTA involved drywall business. GORMAN and CRIS RISHER along with his two brothers ran LA CONTRACTORS and yet another dry wall company. According to the CI, RISHER headed LA CONTRACTORS, but GORMAN was the "brains" of the organization. The CI stated that there are very few drywall businesses in existence that specialize in large-scale drywall such as hotels, and sports arenas.

According to the CI, GORMAN and RISHER were "on the outs". RISHER was spending too much money, they were afraid of attention from the IRS, and wanted him "out". RISHER was given a "few million dollars" and left the company. GORMAN changed LA CONTRACTORS to EAGLE last year. According to the CI, GORMAN would put money into LA CONTRACTORS and let it sit".

The CI also stated that LA CONTRACTORS became "huge", and that LA CONTRACTORS and CIRCLE worked closely together. CIRCLE would obtain the contract, and the labor would come from LA CONTRACTORS. LA CONTRACTORS was brought in if a CIRCLE job was "huge".

GORMAN handled labor for LA CONTRACTORS, and would frequently travel to and from Mexico to handle aspects of the business. GORMAN would bring illegal aliens in to the US to drywall. GORMAN would pay a man in Mexico City 50,000.00 - \$100,000.00 per month to bring the illegal workers through Tijuana, MX and then into Texas using false documents. The worker's supervisors would be Anglo, and the workers Hispanic. They would pay their workers \$7.00 - \$8.00/hour to install dry wall, and then charge the companies that they were working for between \$30.00 - \$40.00/hour.

In addition to his participation in LA CONTRACTORS, GORMAN also had a company in Arkansas. The CI didn't know the name of the company. Through this, GORMAN had contact with an unnamed woman in Arkansas, who was in the dry wall business also. According to the CI, she and GORMAN examined businesses that were conducive to money laundering including car lots, car washes, and mortgage companies. The woman also "shuffled" money through GORMAN. MARCHELLETTA/GORMAN/and woman in Arkansas went off into business together. The CI stated that the woman in Arkansas owns a lot of property outside Little Rock.

The CI stated that GORMAN's father is a Puerto Rican citizen and resident. The

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though that GORMAN's mother is from Puerto Rico also. The CI thought that GORMAN was born in Puerto Rico, but had lived in Ohio at some point, possibly to attend college. The CI stated that GORMAN's father owns a large Pepsi factory and car dealership in San Juan. The CI also stated that GORMAN's father is "well off" financially, and assists GORMAN "a lot" by "hiding things" (i.e. money and /or assets) in San Juan. The CI stated that GORMAN's father had and/or still has businesses in Puerto Rico. The CI stated that GORMAN co-owns a new car dealership in San Juan. According to the CI, GORMAN earns approximately \$25,000.00 to \$ 50,000.00 per month from the car dealership; the CI believes that GORMAN he may be trying to sell the car dealership. According to the CI, GORMAN owns the rights to the equivalent of the "Icee" frozen beverage in Puerto Rico. The CI also stated that GORMAN traveled monthly to Puerto Rico, and would also travel to Mexico. The CI stated that GORMAN distrusted Mexican banks, and usually carried a laptop computer with him. The CI stated that GORMAN would pay his wife approximately \$1,000.00 per week in spending money. GORMAN had two or three Nations Bank accounts and two or three bank accounts in the Bahamas. He would structure his transactions between \$4,500.00 and \$5,000.00.

GORMAN was interested in owning a detail shop to flush money through. GORMAN "flushed" money through a Mortgage Company (believed to be TIMBERLAKE MORTGAGE see below). According to the CI, a lawyer located next to LA CONTRACTORS named TOM LNU conducted many transactions on their behalf. TOM LNU was paid mostly by check, but sometimes cash. TOM LNU traveled a great deal to Miami and the Bahamas. (S/A Sewell/ FBI is believed to have TOM LNU's full name; verification of this information is currently pending).

GORMAN had several business trips to Switzerland. Apparently, a group of Swiss businessmen were building a large shopping mall in America. He also traveled to the Bahamas frequently. While in the Bahamas, GORMAN fell in love with a Czech woman and began steps to leave his wife. The woman owned a Hugo Boss store in the Bahamas and was married to a lawyer who practiced in the Bahamas. GORMAN met the woman's husband through an attorney he uses to conduct "pay offs" in order to obtain necessary licenses. Payoffs were also conducted in association with the stadiums in Jacksonville, FLA and Charlotte, N.C. The CI also stated that GORMAN was paying off a woman in the Bahamas (details unknown). The CI also alleged that GORMAN would "skim money off the top" from RISHER, and travel to Mexico to hide the money.

The CI also stated that GORMAN wanted to open a casino in the Bahamas. Tom LNU flew to the Bahamas to make the necessary arrangements. The CI flew to the Bahamas, went to the bank and withdrew \$20,000.00 and paid the Bahamas National license at the carport behind Scotia Bank in the Bahamas.

ROKER is the CEO of KRISHNER'S company SUN CITY INTERNATIONAL that developed

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the Atlantis project, Paradise Island, Bahamas. According to the CI, BOOKER lives in the Orlando, Florida area. BOOKER's daughter lives in the Atlanta, Georgia area; therefore BOOKER would visit Atlanta often. KRISHNER and BOOKER would dine together when BOOKER came to town. The CI acted as a driver for BOOKER and his wife when they visited Atlanta, and on two or three occasions, the CI gave BOOKER an envelope containing \$25,000.00 cash. The CI stated that MARCHELLETTA et al wanted to keep BOOKER happy so he would provide them with business.

The CI elaborated that most of the money exchanges occurred in the Bahamas (Nassau/Paradise Island). The CI deemed it, "what can you do for me" money. GORMAN/RISHER/MARCHELLETTA received \$1 million from KRISHNER. On one occasion, BOOKER gave two Porsche Boxsters to GORMAN and MARCHELLETTA as a gratuity. The CI went with Jeff CLEVELAND to Florida to pick them up. The CI signed for them; they were in MARCHELLETTA's name.

TIMBERLAKE MORTGAGE was another MARCHELLETTA involved company. JEFF CLEVELAND made president of TIMBERLAKE MORTGAGE. CLEVELAND formerly worked for Nations Bank. According to the CI, while employed by Nations Bank, CLEVELAND was caught sending money to a bank in Mexico and was fired on the spot. The CI believes that the bank in Mexico is possibly located in Mexico City. CLEVELAND was fired and TIMBERLAKE was shut down. They spent a lot of money (approximately \$150,000.00) to start it up, and it didn't produce. They opened another mortgage type business in Suwanee, GA.

The CI stated that MARCHELLETTA and GORMAN concealed assets in their children's names. MARCHELLETTA has a son, also named JERRY. GORMAN had three children: Lauren, approximately 13 years old, Josh, approximately 10/11 years old, and another daughter, approximately one year old. The CI stated that the purpose of placing assets in the children's names was to avoid taxes. The CI claimed that MARCHELLETTA and GORMAN were hiding money to avoid paying taxes, because they wanted to retire in three years. The CI also stated that they would "talk about it all the time", and that they laundered "millions per year".

An altercation between KRISHNER and one of his employees occurred. There was an idea to open a sort of a sub-LA CONTRACTORS nationwide. The employee threatened to kill KRISHNER's family and wanted the CI to provide assistance. The CI was in Raleigh, NC and was supposed to ride along as security/protection, while a "whacked out marine" was to do the actual killing. The CI refused to do it, and shortly thereafter, ended their relationship with them. The CI claimed that after this occurred, their warehouse was "trashed". The CI also claimed that the last sum of money they ever received from them occurred eighteen months when they received \$2,000.00.

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The CI stated that RISHER has a small ranch located in a subdivision of Charlotte, NC. The CI estimated its value at approximately \$1 million. The CI stated that RISHER has a criminal history and bought a new BMW for his mother. RISHER also received \$1.5 million in the Bahamas from KIRSHNER. The CI stated that RISHER received a monthly allowance of \$50,000.00 to \$100,000.00, and wanted to obtain an author to write a "rags to riches" book about himself (i.e. from the ghettos of Texas to wealth). RISHER also wanted to buy a house next to Saul KRISTNER in the Bahamas.

The CI was MARCHELLETTA et al's connection with the Gold Club. The CI requested the Gold Club with his employers (MARCHELLETTA and GORMAN) two to three times per week. The CI stated that they would spend between \$30,000.00 and \$40,000.00 per visit. The CI stated that they knew Steve KAPLAN, the owner of the Gold Club (currently under indictment in the Northern District of Georgia for a variety of charges including money laundering, and RICO violations), and other individuals involved in the Gold Club's operations such as Ziggy/Norby/Ray/Cola/Patrick, all of whom have been involved in the Gold Club trial). The CI stated that MARCHELLETTA and GORMAN would "wine and dine clients". The CI stated that they would place food and drinks on their corporate card as expenses, and use cash to pay the dancers. The CI stated that they would occasionally travel with the Gold Club girls. The CI claimed that upon one occasion while in Dallas, TX, the CI traveled back to Atlanta, retrieved some of the dancers and then returned to Dallas with the dancers. The CI stated that their American Express bill would run between \$50,000.00 to 100,000.00 per month, and would be paid off in full each month.

According to the CI, GORMAN knew an Asian individual that operated a "Chinese grocery store" that laundered money for them. According to the CI, the Chinese grocery store keeps approximately \$500,000.00 for them. The CI would take a check to the Chinese grocery store and they would cash it. It is located off Exit 85/Chamblee Tucker Road, across the street from a gas station. Take a left over the bridge, grocery store shop on right. The C.I. would contact Mr./Mrs. Kim at the grocery store, and drop GORMAN'S name. The CI also stated that "all the Hispanics cashed their checks there". The CI also stated that GORMAN went to the Chinese place all the time.

The CI was asked to identify several names in association with CIRCLE INDUSTRIES. He relayed the following information:

- AVID SUNDERSON possibly an accountant for CIRCLE
- MARINA FITZGERALD thought to be MARCHELLETTA sister (not believed to be true).
- AICOS/BARBADOS GORMAN and CLEVELAND "slushed" money through Barbados

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IKE RYAN

MARCHELLETTA "guy" at CIRCLE

The CI was asked to identify banks used by CIRCLE et al. The CI stated that Citibank, First Union Bank, and a small bank in Miami were used by CIRCLE. The CI also stated that MARCHELLETTA wanted to buy a bank and own his own bank.

The CI referred to H & J CORPORATE SERVICES as "Scotia", stated that it was formerly known as H & G, and referred to it as "Jerry's little thing in the Bahamas". The CI stated that it is a "made up company" used to flush money through and is located on Paradise Island, The Bahamas.

The CI stated that RISHER would travel to the Bahamas on a private aircraft, possibly using Peachtree Dekalb (PDK) general aviation facility, or would travel commercially using Delta Airlines. The CI stated that MARCHELLETTA had a private jet, and that they would fly out of PDK on Jerry's corporate jet. The CI stated that they did not own a jet, but that "Jerry wanted to own a jet next". The CI stated that upon two or three occasions, they transported money concealed on their body to the Bahamas on behalf of MARCHELLETTA and GORMAN. The CI stated that they carried \$20,000.00 to \$50,000.00. The CI stated that Jerry traveled with a suitcase that contained checks and cash.

The CI identified the following as cities frequently traveled by MARCHELLETTA and GORMAN: Dallas, TX (Marriott Hotel), New Orleans, LA, Miami, and Tampa, FL, Charlotte, NC, New York City (Sheraton Hotel), Little Rock, Arkansas, Oklahoma City, OK.

The CI stated that GORMAN had a house in Bahamas, and was preparing to buy another one. The CI believed that the house was located in the Holiday Inn properties. The CI stated that GORMAN lives in the River Glen subdivision, Mid Atlanta, Georgia area, while MARCHELLETTA lives in the Country Club of the South area. The CI stated that MARCHELLETTA had a million dollar, 15,000 square foot house in Alpharetta, GA. This angered GORMAN; thus he built another, larger house.

Further identification is needed on the individuals named by the CI. The investigation continues.

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	8 RECORDS ARE RELATED TO BASE RECORD	
AT02FR01ME0012002	ROI CAT SELLERS	K 073001
P9B26739800CAT	KOTTWITZ	THERESA L F 101157
SO SUSPECT, OTHER		SUB-SOURCE
P9B26747400CAT	FITZGERALD	ZARINA
SO SUSPECT, OTHER		SUB-SOURCE
P9B40564100CAT	MARCHELLETTA	GERARD W 061065
SO SUSPECT, OTHER		SUB-SOURCE
P9B40566100CAT	GORMAN	GEORGE W M 112163
SO SUSPECT, OTHER		SUB-SOURCE
P9B40569900CAT	RISHER	CRISTOBAL 102565
SO SUSPECT, OTHER		SUB-SOURCE
X9B02726700CAT	H&J CORPORATE SERVICES	
SO SUSPECT, OTHER		SUB-SOURCE
X9B05642100CAT	CIRCLE GROUP INTERNATIONAL	
SO SUSPECT, OTHER		SUB-SOURCE
AT02FR01ME0012	CASE CAT SAYLOR	M 032001
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