

CLOSED, ECF, PRIOR

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:05-cr-00004-WHP-1**

Case title: USA v. Genovese
Magistrate judge case number: 1:04-mj-02115

Date Filed: 01/04/2005
Date Terminated: 02/02/2006

Assigned to: Judge William H. Pauley, III

Defendant (1)

William P. Genovese, Jr.
TERMINATED: 02/02/2006
also known as
"illwill,"
TERMINATED: 02/02/2006
also known as
"xillwillx@yahoo.com,"
TERMINATED: 02/02/2006

represented by **Sean Hecker**
Debevoise & Plimpton, LLP (NYC)
919 Third Avenue, 31st Floor
New York, NY 10022
(212)909-6000
Fax: (212)909-6836
Email: shecker@debevoise.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

THEFT OF TRADE SECRETS
(UNLAWFUL DISTRIBUTION OF
TRADE SECRETS)
(1)

Disposition

24 months imprisonment. 3 years
supervised release with supervision.
\$100.00 special assessment.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1832: UNLAWFUL DISTRIBUTION
OF TRADE SECRETS.

Disposition

Plaintiff**USA**

represented by **Alexander H. Southwell**
 U.S. Attorney's Office, SDNY (St Andw's)
 One St. Andrew's Plaza
 New York, NY 10007
 212-637-2200
 Fax: 212-637-2429
 Email: ASouthwell@gibsondunn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Chi T. Steve Kwok
 U.S. Attorney's Office, SDNY (St Andw's)
 One St. Andrew's Plaza
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 (212)637-2415
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 Email: steve.kwok@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/04/2004	1	COMPLAINT as to William P. Genovese Jr. (1) in violation of 18 U.S.C. 1832.(Signed by Judge Henry B. Pitman) (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/04/2004	2	Arrest Warrant Issued as to William P. Genovese, Jr.(Signed by Judge Henry B. Pitman on 11/4/2004.) (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004		Arrest of William P. Genovese, Jr. (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004	3	CJA 23 Financial Affidavit by William P. Genovese Jr. Approved for appointment of counsel. (Signed by Judge Kevin Nathaniel Fox) (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004	4	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to William P. Genovese Jr.. Sean Hecker for William P. Genovese appointed. (Signed by Judge Kevin Nathaniel Fox on 11/9/2004)(gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004	5	NOTICE OF ATTORNEY APPEARANCE: Sean Hecker appearing for William P. Genovese Jr. (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004		Minute Entry for proceedings held before Judge Kevin Nathaniel Fox :Initial Appearance as to William P. Genovese Jr. held on 11/9/2004. Deft appears with Legal Aid atty Sean Hecker. AUSA Alexander Southwell present for the gov't. Agreed bail package: \$50,000 PRB. 2 FRP who must execute the PRB on or before C.O.B. 11/15/2004. Travel restricted to SDNY, EDNY, District of Connecticut. Surrender travel documents (& no new applications). Regular pretrial supervision.. Preliminary Examination set for 12/9/2004 10:00 AM before Judge Unassigned. (gq,) [1:04-mj-02115] (Entered: 11/10/2004)

11/09/2004	6	PRB APPEARANCE Bond Entered as to William P. Genovese Jr. in amount of \$ 50,000. Co-signed by 2 financially responsible person's who must execute the PRB on or before C.O.B. 11/13/2004. Travel restricted to SDNY, EDNY, District of Connecticut. Surrender travel documents (& no new applications). Regular pretrial supervision. Deft shall be released on 11/9/2004. (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
11/09/2004	7	ADVICE OF PENALTIES AND SANCTIONS as to William P. Genovese Jr. (gq,) [1:04-mj-02115] (Entered: 11/10/2004)
12/09/2004	8	ORDER TO CONTINUE IN THE INTEREST OF JUSTICE as to William P. Genovese Jr.. Time excluded from 12/9/04 until 1/10/05. . (Signed by Judge Douglas F. Eaton on 12/9/04)(kwi,) [1:04-mj-02115] (Entered: 12/09/2004)
01/03/2005	9	INDICTMENT FILED as to William P. Genovese, Jr (1) count(s) 1. (jm,) (Entered: 01/04/2005)
01/03/2005		Case Designated ECF as to William P. Genovese, Jr.(jm,) (Entered: 01/04/2005)
01/04/2005	10	NOTICE of Rule 12.4 Disclosure as to William P. Genovese, Jr (Southwell, Alexander) (Entered: 01/04/2005)
01/05/2005		Minute Entry for proceedings held before Judge William H. Pauley III:Arraignment as to William P. Genovese Jr. (1) Count 1 held on 1/5/2005. Defendant present with atty Sean Hector, AUSA present Alexander H. Southwell and Thomas G.A. Brown, Court reporter present Samuel Mauro, defendant waive reading of indictment and plead not guilty. Government shall produce discovery by 1/19/05, next PTC set for 2/11/05 at 2:00pm., SPT excluded from 1/5/05 to 2/11/05 under 18 USC 3161(h)(8)(A), bail continued. (jw,) (Entered: 01/11/2005)
01/05/2005		Minute Entry for proceedings held before Judge William H. Pauley III: Plea entered by William P. Genovese Jr. (1) Count 1 Not Guilty. (jw,) (Entered: 01/11/2005)
01/05/2005		Minute Entry for proceedings held before Judge William H. Pauley III:Pretrial Conference as to William P. Genovese, Jr held on 1/5/2005, as to William P. Genovese, Jr; Discovery due by 1/19/2005. Pretrial Conference set for 2/11/2005 02:00 PM before Judge William H. Pauley III. (jw,) (Entered: 01/11/2005)
02/10/2005		Minute Entry for proceedings held before Judge William H. Pauley III:Pretrial Conference as to William P. Genovese, Jr. held on 2/10/2005. Defendant present with attorney Sean Hector. AUSA present Alexander H. Southwell. Court Reporter present Michelle Buckley. Pretrial motion schedule set: Defendant shall file pretrial motions by 3/4/05. Government's opposition due by 3/25/05. Reply due by 4/1/05. Oral argument set for 4/22/05 at 3:30 p.m. SPT excluded from 2/10/05 to 4/22/05 under 18 U.S.C. section 3161(h)(8)(A). Bail continued. (ph,) (Entered: 03/07/2005)
02/10/2005		Set/Reset Deadlines/Hearings as to William P. Genovese, Jr: Motions due by 3/4/2005. Replies due by 4/1/2005. Responses due by 3/25/2005 Oral Argument set for 4/22/2005 03:30 PM before Judge William H. Pauley III.(ph,) (Entered: 03/07/2005)
03/02/2005	11	ENDORSED LETTER as to William P. Genovese, Jr addressed to Judge Pauley from Sean Hecker dated 3/1/05 re: Reschedule Briefing., as to William P. Genovese, Jr; Motions due by 3/18/2005. Replies due by 4/15/2005. Responses due by 4/8/2005. Judge Memo-endorsed...Application granted. SO ORDERED. (Signed by Judge William H. Pauley III on 3/2/05)(jw,) (Entered: 03/09/2005)

03/16/2005	12	MOTION to Dismiss <i>the Indictment</i> . Document filed by William P. Genovese, Jr. Return Date set for 4/22/2005 03:30 PM. (Hecker, Sean) (Entered: 03/16/2005)
03/16/2005	13	DECLARATION of Sean Hecker in Support as to William P. Genovese, Jr re: 12 MOTION to Dismiss <i>the Indictment</i> .. (Hecker, Sean) (Entered: 03/16/2005)
03/16/2005	14	MEMORANDUM in Support by William P. Genovese, Jr re 12 MOTION to Dismiss <i>the Indictment</i> .. (Hecker, Sean) (Entered: 03/16/2005)
04/09/2005	15	ENDORSED LETTER as to William P. Genovese, Jr addressed to Judge Pauley from AUSA Alexander H. Southwell dated 3/30/05 re: requesting a one-week adjournment in the deadline for the government's response to defendant's motion to dismiss. Accordingly, the government requests a one-week adournment until 4/15/05 to file its opposition. That would move the defendant's reply, if any, to 4/22/05. Judge memo-endorsed: Application granted. SO ORDERED. (Signed by Judge William H. Pauley III on 4/9/05)(ph,) (Entered: 04/12/2005)
04/09/2005		Set/Reset Deadlines/Hearings as to William P. Genovese, Jr: Replies due by 4/22/2005. Responses, if any, due by 4/15/2005. (ph,) (Entered: 04/12/2005)
04/17/2005	16	MEMORANDUM in Opposition by USA as to William P. Genovese, Jr re 12 MOTION to Dismiss <i>the Indictment</i> .. (Southwell, Alexander) (Entered: 04/17/2005)
04/20/2005	17	STIPULATED PROTECTIVE ORDER as to William P. Genovese, Jr. to preserve the confidentiality of the Trade Secrets and Non-Public information in this case. (Signed by Judge William H. Pauley III on 4/20/05)(ph,) (Entered: 04/21/2005)
04/21/2005	18	REPLY MEMORANDUM OF LAW in Support as to William P. Genovese, Jr re: 12 MOTION to Dismiss <i>the Indictment</i> .. (Hecker, Sean) (Entered: 04/21/2005)
04/22/2005		Minute Entry for proceedings held before Judge William H. Pauley III:Oral Argument as to William P. Genovese, Jr held on 4/22/2005 re: 12 MOTION to Dismiss the Indictment filed by William P. Genovese, Jr. Defendant's present with atty Sean Hector, AUSA present Alexander H. Southwell, Court Reporter present Joanne Marconi, Conference scheduled for 6/21/05 at 2:00pm. SPT excluded from 4/22/05 to 6/21/05 under 18 USC 3161(h)(8)(A), bail continued. (jw,) (Entered: 05/02/2005)
05/23/2005	19	TRANSCRIPT of Proceedings as to William P. Genovese, Jr held on 04/22/05 before Judge William H. Pauley III. (es,) (Entered: 05/23/2005)
06/20/2005		Minute Entry for proceedings held before Judge William H. Pauley III:Pretrial Conference as to William P. Genovese, Jr held on 6/20/2005 Deft. pres. w/atty Sean Hector & AUSA Alexander H. Southwell.Schedule set and time excluded. Bail cont'd. (Court Reporter Connie Kuhl) (pr,) (Entered: 08/19/2005)
06/20/2005		ORAL ORDER as to William P. Genovese, Jr, Trial set for 10/11/2005 10:00 AM before Judge William H. Pauley III. Final Pretrial Conference set for 10/3/2005 11:30 AM before Judge William H. Pauley III. Joint req. for Voir Dire due 9/30/2005.(pr,) (Entered: 08/19/2005)
06/20/2005		ORAL ORDER as to William P. Genovese, Jr Time excluded from 6/20/05 until 10/1/05..(pr,) (Entered: 08/19/2005)
06/21/2005	21	MEMORANDUM AND ORDER denying 12 Motion to Dismiss THE Indictment as to William P. Genovese Jr. (1)(Signed by Judge William H. Pauley III on 6/21/05) (jw,) (Entered: 06/22/2005)

08/29/2005	22	CONSENT TO PROCEED BEFORE US MAGISTRATE JUDGE ON A FELONY PLEA ALLOCUTION by William P. Genovese, Jr. (kwi,) (Entered: 09/01/2005)
08/29/2005		Minute Entry for proceedings held before Judge Michael H. Dolinger :Change of Plea Hearing as to William P. Genovese, Jr held on 8/29/2005. (kwi,) (Entered: 09/01/2005)
08/29/2005		Change of Not Guilty Plea to Guilty Plea as to William P. Genovese Jr. (1) Count 1. (kwi,) (Entered: 09/01/2005)
08/29/2005		Minute Entry for proceedings held before Judge Michael H. Dolinger : Plea entered by William P. Genovese Jr. (1) Guilty as to Count 1. AUSA Alexander Southwell present. Defendant William Genovese present with attorney Sean Hecker. Consent to Proceed before Mag. Filed. Defendant bail continued. Defendant plead GUILTY to indictment. (kwi,) (Entered: 09/01/2005)
09/08/2005	23	TRANSCRIPT of Proceedings as to William P. Genovese, Jr held on August 29, 2005, 3:15 p.m. before Judge Michael H. Dolinger. (dt,) (Entered: 09/08/2005)
09/09/2005	24	ORDER as to William P. Genovese, Jr. WHEREAS, with the deft's consent, his guilty plea allocution was taken before a U.S.M.J. on 8/29/05;... It is hereby ORDERED that the deft's guilty plea is accepted. (Signed by Judge William H. Pauley III on 9/9/05)(bw,) (Entered: 09/12/2005)
12/06/2005	25	ENDORSED LETTER as to William P. Genovese, Jr addressed to Judge Pauley from Sean Hecker dated 11/30/05 re: Adjournment of sentence.Sentence 1/5/06 @ 12:30 PM. Defense sentencing submissions due 12/16/05, govt. submission due 12/29/05, any reply will be filed prior to sentencing.So ordered (Signed by Judge William H. Pauley III on 12/1/05)(pr,) (Entered: 12/07/2005)
12/06/2005		As to William P. Genovese, Jr. Defense sentencing submission due 12/16/2005. Government submission due 12/29/2005. Any reply will be filed prior to sentencing. Sentencing set for 1/5/2006 12:30 PM before Judge William H. Pauley III.. (Signed by Judge William H. Pauley III on 12/1/05)(pr,) (Entered: 12/07/2005)
01/27/2006		Minute Entry for proceedings held before Judge William H. Pauley III:Sentencing held on 1/27/2006 for William P. Genovese Jr. (1) Count 1. (pr,) (Entered: 02/02/2006)
01/30/2006	27	NOTICE OF APPEAL by William P. Genovese, Jr from 26 Judgment,. Copies of Notice of Appeal mailed to Attorney(s) of Record: U.S. Attorneys and Court Reporters. (dt,) Additional attachment(s) added on 2/2/2006 (dt,). (Entered: 02/02/2006)
01/30/2006		Appeal Remark as to William P. Genovese, Jr re: 27 Notice of Appeal - Final Judgment, Filed by Federal Defenders. (dt,) (Entered: 02/02/2006)
02/02/2006	26	JUDGMENT as to William P. Genovese, Jr. (1), Count(s) 1, 24 months imprisonment. 3 years supervised release with supervision. \$100.00 special assessment.Deft. shall surrender for service of sentence at the institution designated by the BOP before 2 PM on 3/14/06. (Signed by Judge William H. Pauley III on 2/1/06)(pr,) Modified on 2/2/2006 (pr,). (Entered: 02/02/2006)
02/02/2006		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to William P. Genovese, Jr to US Court of Appeals re: 27 Notice of Appeal - Final Judgment. (dt,) (Entered: 02/02/2006)

02/02/2006	28	ORDER OF FORFEITURE as to William P. Genovese, Jr... [See Order]... The Clerk of the Court shall forward four certified copies of this Order to A.U.S.A. Alexander Southwell, One St. Andrew's Plaza, New York, N.Y. 10007. (Signed by Judge William H. Pauley III on 1/27/06); The Clerk's Office has mailed four certified copies of this Order to AUSA Alexander Southwell, certified mail # 7002-0860-0005-5325-3329 on 2/2/06. (bw,) (Entered: 02/02/2006)
02/02/2006		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files as to William P. Genovese, Jr re: 21 Order on Motion to Dismiss, 11 Endorsed Letter, Set Deadlines/Hearings,,, 9 Indictment, 12 MOTION to Dismiss <i>the Indictment.</i> , 15 Endorsed Letter,,, 27 Notice of Appeal - Final Judgment, 22 Consent to Proceed on Felony Plea Allocation, 16 Memorandum in Opposition to Motion, 18 Reply Memorandum of Law in Support of Motion, 17 Order, 25 Endorsed Letter,, 13 Declaration in Support of Motion, 24 Order,, 28 Order for Forfeiture of Property,, 26 Judgment,, 10 Notice (Other), 14 Memorandum in Support of Motion were transmitted to the U.S. Court of Appeals. (nd,) (Entered: 02/02/2006)
02/02/2006		Judgment entered in money judgment book as #06,0254 as to William P. Genovese, Jr in the amount of \$ 100.00, re: 26 Judgment. (dt,) (Entered: 02/08/2006)
02/15/2006	30	SENTENCING MEMORANDUM by USA as to William P. Genovese, Jr. (jw,) (Entered: 02/16/2006)
02/17/2006		USCA SCHEDULING ORDER as to William P. Genovese, Jr related to 27 Notice of Appeal - Final Judgment filed by William P. Genovese, Jr. USCA Case Number 06-0570-cr. Roseann B. MacKechnie, Clerk USCA. Certified: 2/14/06. Appeal Record due by 3/6/2006. (tp,) (Entered: 02/21/2006)
02/28/2006	31	TRANSCRIPT of Proceedings as to William P. Genovese, Jr held on 01/27/06 before Judge William H. Pauley III. (es,) (Entered: 02/28/2006)
03/06/2006	32	First Supplemental ROA Sent to USCA (Index). Notice that the Supplemental Index to the record on Appeal as to William P. Genovese, Jr re: 27 Notice of Appeal - Final Judgment USCA Case Number 06-0570-cr, 3 Copies of the index, Certified Supplemental Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd,) (Entered: 03/06/2006)
06/22/2006	34	PRELIMINARY ORDER OF FORFEITURE/FINAL AS TO THE DEFT WILLIAM P. GENOVESE'S INTEREST IN PROPERTY as to William P. Genovese, Jr. Now, Therefore, It is ORDERED, ADJUDGED and DECREED that: All of the deft's right, title and interest in the Subject Property is forfeited to the US for disposition in accordance with the law, subject to the provisions of 21 USC 853(n), which is incorporated by reference in 18 USC 1834(b). Pursuant to 21 USC 853(n)(1), the US Marshal forthwith shall publish at least once for three successive weeks, in a newspaper of general circulation, notice of this order, notice of the Marshal's intent to dispose of the Subject Property in such manner as the US may direct, and notice that any person, other than the deft, having or claiming a legal interest in the Subject Property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 USC 853(n)(7) and Fed.R.Crim.P. 32.2(c)(2), in which all interests will be addressed. (Signed by Judge William H. Pauley III on 6/15/06)(jw,) (Entered: 06/28/2006)

06/26/2006	33	ORDER DIRECTING FORFEITURE OF PROPERTY as to William P. Genovese, Jr. Now, Therefore, It is ORDERED, ADJUDGED and DECREED that: All of the deft's right, title and interest in the Subject Property is forfeited to the US for disposition in accordance with the law, subject to the provisions of 21 USC 853(n), which is incorporated by reference in 18 USC 1834(b). Pursuant to 21 USC 853(n)(1), the US Marshal forthwith shall publish at least once for three successive weeks, in a newspaper of general circulation, notice of this order, notice of the Marshal's intent to dispose of the Subject Property in such manner as the US may direct, and notice that any person, other than the deft, having or claiming a legal interest in the Subject Property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 USC 853(n)(7) and Fed.R.Crim.P. 32.2(c)(2), in which all interests will be addressed. (Signed by Judge William H. Pauley III on 6/15/06)(jw,) (Entered: 06/26/2006)
09/15/2006	35	MOTION for Service by Publication. Document filed by USA as to William P. Genovese, Jr. (Korologos, Lisa) (Entered: 09/15/2006)
05/29/2007	36	FINAL ORDER OF FORFEITURE as to William P. Genovese, Jr....[See Order]... Now, therefore, it is ORDERED, ADJUDGED and DECREED that: 1. Pursuant to 21 USC Section 853(n)(7) the U.S.A. shall and is hereby deemed to have clear title to: [See Order]; (collectively referred to as the "Forfeited Property"). 2. The U.S. Marshals Service shall take possession of the forfeited property and dispose of the same according to law, in accordance with 21 USC Section 853(h). The Clerk is hereby directed to send four certified copies of this Order to AUSA Lisa Korologos, U.S. Attorney's Office, One St. Andrews Plaza, NY, NY 10007. (Signed by Judge William H. Pauley III on 5/1/07); The Clerk's Office has forwarded four certified copies of this Order to AUSA Lisa Korologos by inter-office mail on 5/30/07.(bw) (Entered: 05/30/2007)
04/03/2009	37	MANDATE of USCA (certified copy) as to William P. Genovese, Jr re: 27 Notice of Appeal - Final Judgment, USCA Case Number 06-0570-cr. Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED except to the extent that the written judgment is amended in the manner described in the order. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 3/17/2009. (nd) (Entered: 04/03/2009)
04/03/2009		Transmission of USCA Mandate/Order to the District Judge re: 37 USCA Mandate - Final Judgment Appeal,. (nd) (Entered: 04/03/2009)
01/21/2010	38	ORDER as to William P. Genovese, Jr. This Court received the attached application from the defendant. The Government is directed to respond by February 5, 2010. SO ORDERED. (Signed by Judge William H. Pauley, III on 1/20/2010)(jw) (Entered: 01/22/2010)
03/02/2010	39	NOTICE OF ATTORNEY APPEARANCE Chi T. Steve Kwok appearing for USA. (Kwok, Chi) (Entered: 03/02/2010)
07/09/2010	40	Supervised Release Jurisdiction Transferred Out to the U.S.D.C. District of Connecticut as to William P. Genovese, Jr. (ja) (Entered: 07/09/2010)
07/09/2010		TRANSFER OUT SUPERVISED RELEASE DOCUMENTS SENT as to William P. Genovese, Jr to the U.S.D.C. District of Connecticut. The following documents were mailed: Copy of the Transfer of Jurisdiction Form, certified copy of the indictment,

		judgment, docket sheet, and letter of acknowledgment. Mailed via Federal Express AIRBILL # 8705 1084 3887 on 7/9/2010. (ja) (Entered: 07/09/2010)
04/14/2011	41	MOTION for Disclosure of Gencks material and to quash the stipulation in re the disclosure 18 U.S.C. section 3500 material. Document filed by William P. Genovese, Jr. (dnd) (Entered: 04/14/2011)

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