UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 24 CR 424-1
v.	)	
	)	Judge Jeremy C. Daniel
FRANCESCO DISTEFANO	)	

MOTION OF THE UNITED STATES FOR ENTRY OF FORFEITURE MONEY JUDGMENT ORDER

The United States of America, through ANDREW S. BOUTROS, United States Attorney for the Northern District of Illinois, moves for entry of a forfeiture money judgment order as to specific property pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, and in support thereof submits the following:

1. On December 10, 2024, a second superseding indictment was returned charging FRANCESCO DISTEFANO with wire fraud, in violation of Title 18, United States Code, Section 1343 (Counts 1-11); making a false statement to a financial institution in violation of Title 18, United States Code, Section 1014 (Count 12) and money laundering, in violation of Title 18, United States Code, Section 1957(a) (Counts 13-17).

2. The superseding indictment sought forfeiture to the United States of any and all right, title and interest defendant FRANCESCO DISTEFANO may have in any property which constitutes and is derived from proceeds traceable to the charged wire fraud offenses, as provided in Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

3. On June 25, 2025, pursuant to Fed. R. Crim. P. 11, defendant FRANCISCO DISTEFANO entered a voluntary plea of guilty to Count One of the second superseding indictment, charging him with a violation of Title 18, United States Code, Section 1343, thereby making certain property subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

4. Defendant FRANCESCO DISTEFANO agreed to the entry of a personal money judgment in the amount of $1,049,595, which represents proceeds traceable to the offense.

5. Defendant FRANCESCO DISTEFANO further agreed to the forfeiture of the following specific property to the United States, as property which represents proceeds defendant obtained as a result of the wire fraud offense of conviction and to be applied in partial satisfaction of the personal money judgment:

i. 2016 Lamborghini Huracan, VIN: ZHWUC2ZF1GLA04413;

ii. 2020 Land Rover Evoque SE, VIN: SALZP2FX7LH006525;

iii. 2017 Porsche 991 911 Carrera S Coupe, VIN: WP0AB2A9XHS123487;

iv. 2017 Maserati Ghibli S, VIN: ZAM57RTA1H1230190; and

v. $677,932.25 seized from Account XXXXXXXX9624.

At the time of defendant's change of plea, this same property was the subject of a civil forfeiture proceeding, *United States of America v. 2016 Lamborghini Huracan, et al.*, Case No. 22-CV-1684, pending before the Honorable Sunil R. Harjani. On or about

August 13, 2025, a Default Decree of Forfeiture was entered in that civil forfeiture proceeding.

6. Pursuant to the Default Decree, the United States Marshals Service has sold all of the items listed in subparagraphs i through iv above, and deposited the following net proceeds of the sales along with the bank account listed in item v into the Asset Forfeiture Fund:

i. Net proceeds in the amount of $167,878.98 for the 2016 Lamborghini Huracan, VIN ZHWUC2ZF1GLA04413;

ii. Net proceeds in the amount of $10,926.98 for the 2020 Land Rover Evoque SE, VIN SALZP2FX7LH006525;

iii. Net proceeds in the amount of $87,378.50 for the 2017 Porsche 991 911 Carrera S Coupe, VIN WPOAB2A9XHS123487;

iv. Net proceeds in the amount of $4,670.98 for the 2017 Maserati Ghibli S, VIN ZAM57RTA1H1230190; and

v. Net proceeds in the amount of $677,932.25 from Account XXXXXXXX9624.

7. As noted above, defendant FRANCESCO DISTEFANO agreed to a personal money judgment in the amount of $1,049,595 which represents property constituting or derived from proceeds obtained directly or indirectly as a result of defendant's fraud, and is subject to forfeiture pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c). Defendant FRANCESCO DISTEFANO further agreed to an immediate entry of a forfeiture order in that amount.

8. The United States requests that this Court enter a personal money judgment in the amount of $1,049,595 and further enter a forfeiture money judgment order pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C)

and Title 28, United States Code, Section 2461(c), forfeiting all right, title, and interest defendant FRANCESCO DISTEFANO has in funds in the amount of $1,049,595.

9. Upon entry of that forfeiture money judgment, a total of $948,787.69 is to be applied in partial satisfaction of the outstanding forfeiture judgment, such amount representing the net proceeds of the assets forfeited in the related civil case more fully described above.

10. If any of the funds in the amount of $1,049,595 as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. have been transferred or sold to, or deposited with, a third-party;

c. have been placed beyond the jurisdiction of the Court;

d. have been substantially diminished in value, or

e. have been commingled with other property which cannot be divided without difficulty;

the United States shall request that this Court order the forfeiture of any other property belonging to defendant FRANCESCO DISTEFANO up to the value of the entered judgment amount, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) in order to satisfy the money judgment entered by the Court.

11. Since funds in the total amount of the outstanding personal money judgment cannot be located to satisfy the forfeiture judgment, pursuant to the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28,

United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, the United States, upon motion before this Court, has the authority to forfeit substitute assets to satisfy the personal money judgment. Should assets become available to satisfy the forfeiture judgment in the future, the United States shall, at that time, file a motion for substitution of assets before this Court requesting permission to seize such assets and publish notice of the United States' intent to forfeit the property to satisfy the forfeiture money judgment according to law.

12. Pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), and Subdivision (b)(3) of Rule 32.2 of the Federal Rules of Criminal Procedure, upon entry of this forfeiture money judgment order, the the Attorney General or its designated representatives will be authorized to conduct discovery to identify or locate property subject to forfeiture, including substitute assets, and to seize property ordered forfeited upon such terms and conditions as set forth by the Court.

13. Additionally, pursuant to Title 21,United States Code, Section 853(i)(1), as incorporated by Title 28, United States Code, Section 2461(c), the Attorney General is authorized to:

> grant petitions for mitigation or remission of forfeiture, restore forfeited property to victims of a violation of this subchapter, or take any other action to protect the rights of innocent persons which is in the interest of justice and which is not inconsistent with the provisions of this section.

Accordingly, upon conclusion of a sentencing hearing in this case and issuance of a Judgment and Commitment Order, and after the resolution of any related appeal, restoration or remission matters of the assets forfeited in the related civil forfeiture case relating to the victims will then be addressed by the Attorney General.

14. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, the United States requests that the terms and conditions of this forfeiture money judgment order entered by this Court be made part of the sentence imposed against defendant FRANCESCO DISTEFANO and included in any judgment and commitment order entered in this case against him.

WHEREFORE, pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, the United States requests that this Court enter a personal money judgment against defendant FRANCESCO DISTEFANO in the amount of $1,049,595, in accordance with the draft forfeiture money judgment order which is submitted herewith.

Respectfully submitted,

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