

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

CHARLES McGONIGAL,

Defendant.

INFORMATION

S1 23 Cr. 16 (JHR)

USDC SDNY
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COUNT ONE
(Conspiracy)

The United States Attorney charges:

1. From at least in or about the Spring of 2021, up to and including at least in or about November 2021, in the Southern District of New York and elsewhere, CHARLES McGONIGAL, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit offenses against the United States, to wit, violations of the International Emergency Economic Powers Act (“IEEPA”), in violation of 50 U.S.C. § 1705, Executive Orders 13660, 13661, and 13662, and 31 C.F.R. § 589.201; and money laundering, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

2. It was a part and an object of this conspiracy that CHARLES McGONIGAL, the defendant, and others known and unknown, would and did willfully violate, attempt to violate, and cause a violation of a license, order, regulation, and prohibition issued under IEEPA.

3. It was further a part and an object of this conspiracy that CHARLES McGONIGAL, the defendant, and others known and unknown, knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such a financial transaction, which transaction affected interstate and

foreign commerce and involved the use of a financial institution which was engaged in, and the activities of which affected, interstate and foreign commerce, and which in fact involved the proceeds of specified unlawful activity, to wit, violations of IEEPA, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed and caused to be committed by CHARLES McGONIGAL, the defendant, and others known and unknown, in the Southern District of New York and elsewhere:

a. From in or about August 2021 through in or about November 2021, McGONIGAL and others, acting at the behest of Oleg Deripaska, whom the United States Department of the Treasury's Office of Foreign Assets Control designated as a Specially Designated National on or about April 6, 2018, sought to gather derogatory information about a rival of Deripaska, in violation of IEEPA.

b. From in or about August 2021 through in or about November 2021, McGONIGAL and others received and routed payments from Deripaska through two corporations, neither of which was registered in the name of McGONIGAL or Deripaska, in an effort to conceal that the payments originated from Deripaska.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION


5. As a result of committing the offense alleged in Count One of this Information, CHARLES McGONIGAL, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offense alleged in Count One.

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of CHARLES McGONIGAL, the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without

difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461 to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853;
Title 28, United States Code, Section 2461.)


DAMIAN WILLIAMS
United States Attorney