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Discover the Truth at: http://www.theblackvault.com
MR. JOHN GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1352922-000
Subject: GIACCHETTO, DANA CALOGERO

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

<table>
<thead>
<tr>
<th>Section 552</th>
<th>Section 552a</th>
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620 pages were reviewed and 577 pages are being released.

Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

☑ Document(s) were located which originated with, or contained information concerning, other Government Agency(ies)[OGA].

☑ This information has been referred to the OGA(s) for review and direct response to you.
☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. The “Standard Responses to Requests” section of the Addendum applies to all requests. If the subject of your request is a person, the “Standard Responses to Requests for Individuals” section also applies. The “General Information” section includes useful information about FBI records.

For questions regarding our determinations, visit the www.fbi.gov/foia website under “Contact Us.”
The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: https://www.foiaonline.gov/foiaonline/action/public/home. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.” Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

☑️ See additional information which follows.

The enclosed negotiated documents represent the first interim release of information responsive to your FOIA request.

Duplicate copies of the same document were not processed.

Inquiries regarding your OGA referral(s) may be directed to the following agency at:

Department of Justice
Executive Office for U.S. Attorneys
3 CON Building
175 N Street, NE
Suite 5400
Washington, DC 20530

Sincerely,

David M. Hardy
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosure(s)
FBI FOIPA Addendum

As referenced in our letter, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. If you submitted a request regarding yourself or another person, Part 2 includes additional standard responses that apply to requests for individuals. If you have questions regarding the standard responses in Parts 1 or 2, visit the www.fbi.gov/foia website under “Contact Us.” Previously mentioned appeal and dispute resolution services are also available. Part 3 includes general information about FBI records that you may find useful.

Part 1: Standard Responses to All Requests: See Below for all Requests

(i) 5 U.S.C. § 552(c). Congress excluded three categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010). FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the fbi.gov website.

(ii) National Security/Intelligence Records. The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1) and (b)(3) and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(j)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3); 50 USC § 3024(j)(1). This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

Part 2: Standard Responses to Requests for Individuals: See Below for all Requests for Individuals

(i) Requests for Records about any Individual—Watch Lists. The FBI can neither confirm nor deny the existence of any individual’s name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.

(ii) Requests for Records for Incarcerated Individuals. The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E) and (b)(7)(F) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

(i) Record Searches. The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. Most requests are satisfied by searching the Central Record System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling its dual law enforcement and intelligence mission as well as the performance of agency administrative and personnel functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (“FBIHQ”), FBI Field Offices, and FBI Legal Attaché Offices (“Legats”) worldwide. A CRS search includes Electronic Surveillance (ELSUR) records.

(ii) FBI Records

Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.

(iii) Requests for Criminal History Records or “Rap Sheets.” The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or “rap sheets.” These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

(iv) The National Name Check Program (NNCP). The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552
(b)(1) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

**SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a**

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FBI/DOJ
Total Deleted Page(s) = 11
Page 368 ~ Duplicate;
Page 423 ~ b6; b7C; b7E;
Page 424 ~ b7E;
Page 425 ~ b6; b7C; b7E;
Page 426 ~ b7E;
Page 427 ~ b6; b7C; b7E;
Page 428 ~ b6; b7C; b7E;
Page 429 ~ b7E;
Page 430 ~ b7E;
Page 431 ~ b6; b7C; b7E;
Page 432 ~ b7E;
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE
Date: 03/16/2000

To: NEW YORK

From: New York
   Squad C1
   Contact: Ext. 2943

Approved By:

Drafted By:

Case ID #: 196C-NY (Pending)

Title: Dana C. Giacchetto dba Cassandra Group Inc.; SFA;

Synopsis: To open New York case file on captioned matter

Details: The captioned matter has been the subject of investigation by both the FBI Divisions in Los Angeles and New York, in conjunction with their respective United States Attorney's Offices. The matter was originally opened by the Los Angeles Division on 12/13/99 under case file number 196C-LA-221242; Dana C. Giacchetto dba; The Cassandra Group Inc.; Cassandra-Chase Entertainment Partners;

The Los Angeles investigation was coordinated with the USAO of the Central District of California. The subject matter of the investigation pertained to alleged criminal conduct by The victims of the criminal activity were movie and television stars, artists and other forms of entertainers.

Simultaneously to the Los Angeles-based investigation, the USAO, SDNY opened their own independent investigation utilizing in-house investigators. During the first week of January 2000, SDNY requested NYO to open an active investigation into Giacchetto and Cassandra Group. A review of ACS determined that FBI-LA already had an opened investigation into this matter. As such, NYO advised SDNY of the opened investigation and that NYO would not open a duplicate investigation at that time.
FBI-NYO discussed this matter on several occasions with FBIHQ SSA and FBI-LA SSA and it was agreed that NYO would be involved in the investigation for the purpose of ensuring FBI presence in the case. It was also determined that the ultimate decision on where the matter would ultimately be prosecuted would be matter for the USAOs to resolve.

In early March 2000, NYO advised LA Division that SDNY was contemplating executing a search warrant on the offices of Cassandra Group. It was agreed that if such a decision was made that NYO should assume responsibility for conducting the search. On March 16, 2000 search warrants were executed on the offices of Cassandra Group and residence of Giacchetto. The search warrants were sworn out in the SDNY.

NYO is expending considerable resources to this investigation and has made the decision to open a parallel investigation. This will allow for the proper documentation of investigative effort conducted. The understanding between LA and NYO is unchanged and if the decision is made by DOJ that this matter should be prosecuted in the Central District of California, then the NYO case file will be closed. NYO will continue to coordinate and share information with the LA case agent.
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Universal Case File Number: 196-C-NY-274697

Field Office Acquiring Evidence: NYO

Serial # of Originating Document

Date Received

From

(Name of Contributor)

(Address of Contributor)

By

(City and State)

To Be Returned: □ Yes □ No

Receipt Given: □ Yes □ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure: □ Yes □ No

Title: DARRA C. GLACERITIO d/b/a CASSANDRA GROUP

Reference: (Communication Enclosing Material)

Description: □ Original notes re interview of

PHOTO & SKETCH LOG FROM SEARCH

OF 561 BROADWAY STE 8C & 12A ON 3/14/00.

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**REMARKS**
A-D, H-J, E-K = Desks
- = File cabinets

**LIGHT**
Available - A
Elec.Strobe - E
Flashbulb - F
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REMARKS
PHOTOGRAPHER (SKETCH)

DATE 03 / 16 / 2000 ROLL # 12th F1R
   Month Day Year

LOCATION 561 BROADWAY APT

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REMARKS

DIAGRAM

- FILE CABINET
- SHOWER
- CLOSET
- FRIDGE
- KITCHEN
- LIVING ROOM
- DINING ROOM
- BEDROOM
- BATHROOM
- GARAGE
PHOTOGRAPHER

DATE 03/16/2000
Month Day Year

ROLL # 3

LOCATION 561 BROADWAY 12th FL

CASE FILE 196C-LA-221242

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**REMARKS**
PHOTOGRAPHER

DATE 03/16/2000 ROLL # 4
Month Day Year

LOCATION 561 BROADWAY 8C

CASE FILE 196C-4A-221242

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<td>from Dona Girochetta's direct on above date.</td>
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<td>Consent to Search Form</td>
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<td>196C-NY-271597</td>
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<td></td>
<td>Search: Yes</td>
<td></td>
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<tr>
<td></td>
<td>Exempt: No</td>
<td></td>
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<td></td>
<td>Sealed: No</td>
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<td>Filed: Yes</td>
<td></td>
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<td></td>
<td>APR 12, 2000</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
This is to certify that on 4/12/00 at 260 FEDERAL PLAZA NY
Special Agents of the Federal Bureau of Investigation, U.S. Department of
Justice, conducted a search of _________________________________.
I certify that nothing was removed from my custody by Special Agents of
the Federal Bureau of Investigation, U.S. Department of Justice.

(Signed) _______________________

Witnessed:

Special Agent
Federal Bureau of Investigation
U.S. Department of Justice

Special Agent
Federal Bureau of Investigation
U.S. Department of Justice
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

CONSENT TO SEARCH

1. I have been asked by Special Agents of the Federal Bureau of Investigation to permit a complete search of:

   (Describe the person(s), place(s), or thing(s) to be searched.)

   BRIEFCASE AND GARMENT BAG INCLUDING ALL CONTENTS THEREIN.

2. I have been advised of my right to refuse consent.

3. I give this permission voluntarily.

   I authorize these agents to take any items which they determine may be related to their investigation.

   [Signature]

   Date: 4/12/00

   Witness: ____________________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 196C-NY-234517

On (date) 08/12/2000 ________________________________________ item(s) listed below were:

☐ Received From
☐ Returned To
☐ Released To
☐ Seized

(Name) Dana Giaccheto

(Street Address) 561 Broadway Apt 124

(City) New York, NY

Description of Item(s): Items w/ enhancement:

- Personal CD player, headphones & cases
- Cell phone
- Laptop computer
- Folders containing various documents (titled "A-TIP")
- Palm Pilot
- $3,500 in cash

Received By: __________________________ (Signature)

Received From: ________________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 1966-NY-274597

On (date) 04/12/2009

item(s) listed below were:
☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Dena Giacchetto

(Street Address) 561 Broadway 12th Fl.

(City) New York, NY

Description of Item(s):

- United Airlines ticket for United Los Angeles to NYC (Kennedy)
- United Airlines ticket for United NYC (Kennedy) to Rome
- United Airlines ticket for DANA GIACCHETTO (DC) United Los Angeles to NYC (Kennedy)
- United Airlines ticket for DANA GIACCHETTO (DC) United NYC to Rome
- United Airlines ticket for DANA GIACCHETTO (DC) United NYC to Denver
- United Airlines ticket for DANA GIACCHETTO (DC) United Denver to Las Vegas
- Open Los Angeles to Las Vegas
- Open Los Angeles to Honolulu
- Open Honolulu to Tokyo
- Open Tokyo to Singapore
- Open Singapore to Frankfurt

- Lufthansa flight coupon for DC - Los Angeles to New York - $125
- British Airways flight coupons for DC - (Various)
- American Airlines flight coupons for DC - (Various)
- Delta Airlines flight coupons for DC - (Various)
- United ticket held w/ various flight coupons - plane # 22 - Pan Am stationary
- Delta Airlines flight coupon for DC United Los Angeles to NYC
- United Airlines boarding pass for DC United Los Angeles to Las Angeles

Received By: ___________________________ Received From: ___________________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 1964-NY-224592

On (date) 04/12/2000

Item(s) listed below were:
☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Donna Braccetto

(Street Address) 501 Broadway (Apt. 12A)

(City) New York, NY

Description of Item(s):
- Delta airlines flight coupons for DC (various) - in Singapore Airlines jacket
- United airlines flight coupons for DC (various) - in South African Airways jacket
- United Airlines lost ticket refund application for DC

Received By: ___________________________ (Signature)  Received From: ___________________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 196C-1274587

On (date) April 12, 2002

item(s) listed below were:
- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s):
- Long wallet
- Hotel key
- various airline club membership cards
- Credit card
- Master card
- Foreign currency: Canadian $5.00; French francs 150
- Various hotel point coupons and airline vouchers (upgrade)
- Italian phone card
- Check book: (The Cassandra Group Inc 01100 733 005-2099465)
  - Dena Giacchetti 021000322 7115 83 0482
  - Dena Giacchetti 1240 846 72 88 000 70741
- Various
- Airline receipt
- Visa
- Visa
- AT&T calling card (The Cassandra Group 927 032 7163)
- Chase account number 2265
- 10 US passport

Received By: ____________________

Received From: ____________________

Examined by SA ____________________

Examined by SA ____________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 196c-271-274557

On (date) April 12, 2000

(Name) DANA C. GIACCHEATO

(Street Address) 561 BROADWAY APT 12A

(City) NY, NY.

Description of Item(s): Items inventoried from bank small leather folder including from outside pocket or credit bag.

$210.00
$250.00
$130.50
$200.00
$480.00
$250.00
$110

$1,630.00

In charge

She

$11.00 dollars

Received By: (Signature) Received From:
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 196C - ny - 274597

On (date) April 12, 2000

Item(s) listed below were:
[ ] Received From
[ ] Returned To
[ ] Released To
[ ] Seized

(Name)

(Street Address)

(City)

Description of Item(s):

Inventoried

To: Dana GIACCHETTO:

Cash on GIACCHETTO: $300.00
Stamps on GIACCHETTO: (3) 32¢ stamps

Items Taken from GIACCHETTO's Wallet:

* $10.00
* Massachusetts D/L
* Various Business Cards
  - Metro Card
  - Rome Telephone Card
  - Continental Boarding Pass
  - Blue Cross/Blue Shield
  - AERO PLAN Card
  - Optima American Express Card
  - Metro Card
  - Blue Cross Card
  - Delta Airline Sky Miles Card
  - NY F/B 2000 Card
  - Aurora Credit Card
  - FLEET Platinum Card
  - American Express Platinum Card
  - NEW TOKYO Card
  - Blue Cross Card

Received By: ___________________________ (Signature)

Received From: ___________________________
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File #  1961-M-274587

On (date)  April 12, 2000

item(s) listed below were:

[ ] Received From
[ ] Returned To
[ ] Released To
[ ] Seized

(Name)

(Street Address)

(City)

Description of Item(s):

- Belled container - inside garment bag
- Sec v. Donna Grodah & The Lessante Group
- Sec v. Donna Grodah & The Lessante Group
- Sec v. Donna Grodah & The Lessante Group
- USA v. Donna Grodah
  (Complaint)
- etc
- garment bag - Few articles of clothing
  - Toiletry kit

Received By: ______________________ (Signature)

Received From: ____________________
Universal Case File Number: 196C-NY-274537
Field Office Acquiring Evidence: N/A
Serial # of Originating Document: __________________________
Date Received: __________________________
From: __________________________
(Name of Contributor)
(Address of Contributor)
By: __________________________
(Signed State)
Law Enforcement Officer)
To Be Returned: □ Yes □ No
Receipt Given: □ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e)
Federal Rules of Criminal Procedure
□ Yes □ No
Title: Dana Eischholtz
The Cassandra Group
SEA
Reference: __________________________
(Communication Enclosing Material)
Description: □ Original notes re interview of
Fingerprint cards) for Dana Eischholtz

196C-NY-274537
APR 12, 2000

searched
SERIALIZED
<table>
<thead>
<tr>
<th>TEST SHEET OF CRIMINAL CASE</th>
<th>STAPLE HERE</th>
</tr>
</thead>
<tbody>
<tr>
<td>STATE USAGE</td>
<td>NO</td>
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<tr>
<td>SUBMISSION</td>
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<td>APPROXIMATE CLASS</td>
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<tr>
<td>AMPUTATION</td>
<td></td>
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<tr>
<td>SCAR</td>
<td></td>
</tr>
<tr>
<td>LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX</td>
<td>Gracchetto, Dana, Colagere</td>
</tr>
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<td>SOCIAL SECURITY NO.</td>
<td>033-54-3639</td>
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<tr>
<td>FBI NO.</td>
<td></td>
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<td>DATE OF BIRTH</td>
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<tr>
<td>HEIGHT</td>
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<tr>
<td>EYES</td>
<td>Blue</td>
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<tr>
<td>HAIR</td>
<td>Blonde</td>
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<tr>
<td>1. R. THUMB</td>
<td></td>
</tr>
<tr>
<td>2. R. INDEX</td>
<td></td>
</tr>
<tr>
<td>3. R. MIDDLE</td>
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<tr>
<td>4. R. RING</td>
<td></td>
</tr>
<tr>
<td>5. R. LITTLE</td>
<td></td>
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<tr>
<td>6. L. THUMB</td>
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<tr>
<td>7. L. INDEX</td>
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<td>8. L. MIDDLE</td>
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<td>9. L. RING</td>
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<td>10. L. LITTLE</td>
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<tr>
<td>LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY</td>
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<td>L. THUMB</td>
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<tr>
<td>R. THUMB</td>
<td></td>
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<tr>
<td>RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY</td>
<td></td>
</tr>
</tbody>
</table>
**Federal Bureau of Investigation, United States Department of Justice**  
**Washington, D.C. 20537**

Privacy Act of 1974 (P.L. 93-579) requires that federal, state, or local agencies inform individuals whose Social Security number is requested whether such disclosure is mandatory or voluntary, basis of authority for such solicitation, and uses which will be made of it.

**Juvenile Fingerprint**

<table>
<thead>
<tr>
<th>Submission</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Treat as Adult</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

**Date of Arrest**

04/04/00

**Contributor**

NYFBINYOO  
FBI  
NEW YORK, NY

**Address**

REPLY YES

**Send Copy To:**

<table>
<thead>
<tr>
<th>Date of Offense</th>
<th>Place of Birth (State or Country)</th>
<th>Country of Citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/31/00</td>
<td>Boston, Mass</td>
<td>USA</td>
</tr>
</tbody>
</table>

**Miscellaneous Numbers**

- Scars, marks, tattoos, and amputations
  - Appendix Scar Right Side

**Residence/Complete Address**

561 Broadway, Suite 12A  
Manhattan, NY

**Official Taking Fingerprints**

- Name or Number

**Local Identification/Reference**

**Photo Available?**

- Yes

**Palm Prints Taken?**

- Yes

**Charge/Citation**

1. Title 18 Securities Fraud

**Occupation**

Self-Employed / Investment Advisor

**Disposition**

1. 
2. 
3. 

**Additional**

**Additional Information/Basis for Caution**

**State Bureau Stamp**

FD-249 (Rev. 12-1-94)  
* U.S. GPO: 1998-432-177 / 60051
<table>
<thead>
<tr>
<th>FBI No.</th>
<th>State Identification No.</th>
<th>Date of Birth</th>
<th>MM DD YY</th>
<th>Sex</th>
<th>Race</th>
<th>Height</th>
<th>Weight</th>
<th>Eyes</th>
<th>Hair</th>
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<tr>
<td></td>
<td></td>
<td>10/15/62</td>
<td></td>
<td>M</td>
<td>White</td>
<td>5'11&quot;</td>
<td>155</td>
<td>Blue</td>
<td>Blonde</td>
</tr>
</tbody>
</table>

**Signature of Person Fingerprinted**

Giacchette, Dana, Colangero

**Social Security No.**

033-54-3639

**Aliases/Maiden**

Last Name, First Name, Middle Name, Suffix

---

**State Usage**

Last Name, First Name, Middle Name, Suffix

---

**Left Four Fingers Taken Simultaneously**

1. R. Thumb
2. R. Index
3. L. Thumb
4. L. Index

**Right Four Fingers Taken Simultaneously**

1. R. Middle
2. R. Ring
3. L. Middle
4. L. Ring

---
| **FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE**  
| **WASHINGTON, D.C. 20537**  
| **PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT.**  
| **JUVENILE FINGERPRINT**  
| **SUBMISSION** | YES |  
| **DATE OF ARREST** | 04/04/00 |  
| **ORI** | NYFBINY00 |  
| **CONTRIBUTOR** | FBI |  
| **ADDRESS** | NEW YORK, NY |  
| **REPLY** | YES |  
| **TREAT AS ADULT** | YES |  
| **SEND COPY TO:**  
| **(ENTER ORI)** |  
| **DATE OF OFFENSE** | 03/13/00 |  
| **PLACE OF BIRTH (STATE OR COUNTRY)** | Boston, Mass |  
| **COUNTRY OF CITIZENSHIP** | USA |  
| **MISCELLANEOUS NUMBERS** | SCARS, MARKS, TATTOOS, AND AMPUTATIONS |  
| **RESIDENCE/COMPLETE ADDRESS** | 561 Broadway, Suite 12A, Manhattan, NY 10012 |  
| **CITY** | Manhattan |  
| **STATE** | NY |  
| **OFFICIAL TAKING FINGERPRINTS** | (NAME OR NUMBER) |  
| **LOCAL IDENTIFICATION/REFERENCE** |  
| **PHOTO AVAILABLE?** | YES |  
| **PALM PRINTS TAKEN?** | YES |  
| **EMPLOYER:** IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO. | Self-employed/Lawyer |  
| **OCCUPATION** | Self-employed/Investment advisor |  
| **CHARGE/CITATION** |  
| 1. Title 18 Securities Fraud |  
| 2. |  
| 3. |  
| **ADDITIONAL INFORMATION/BASIS FOR CAUTION** |  
| **STATE BUREAU STAMP** |  

FD-249 (Rev. 12-1-84)
<table>
<thead>
<tr>
<th>FBI No.</th>
<th>State Identification No.</th>
<th>Date of Birth</th>
<th>MM</th>
<th>DD</th>
<th>YY</th>
<th>Sex</th>
<th>Race</th>
<th>Height</th>
<th>Weight</th>
<th>Eyes</th>
<th>Hair</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/15/1962</td>
<td>033-54-3639</td>
<td>10/15/1962</td>
<td>M</td>
<td>W</td>
<td>5'11&quot;</td>
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<td>BLUE</td>
<td>BLOND</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signatures**

**Aliases/Maiden Name**

**Last Name, First Name, Middle Name, Suffix**

**State Usage**

<table>
<thead>
<tr>
<th>APPROXIMATE CLASS</th>
<th>AMPUTATION</th>
<th>SCAR</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

**Fingerprint Images**

1. R. Thumb
2. R. Index
3. R. Middle
4. R. Ring
5. R. Little
6. L. Thumb
7. L. Index
8. L. Middle
9. L. Ring
10. L. Little

**Left Four Fingers Taken Simultaneously**

**Right Four Fingers Taken Simultaneously**
<table>
<thead>
<tr>
<th><strong>Juvenile Fingerprint</strong></th>
<th><strong>Date of Arrest</strong></th>
<th><strong>Ori</strong></th>
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</thead>
<tbody>
<tr>
<td>Submissions</td>
<td>04/04/2020</td>
<td>Fbi</td>
</tr>
<tr>
<td>Treat as adult</td>
<td></td>
<td>New York, NY</td>
</tr>
</tbody>
</table>

**Send Copy To:** (Enter Ori)

<table>
<thead>
<tr>
<th><strong>Date of Offense</strong></th>
<th><strong>Place of Birth (State or Country)</strong></th>
<th><strong>Country of Citizenship</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>03/31/2020</td>
<td>Boston, Mass</td>
<td>U.S.A.</td>
</tr>
</tbody>
</table>

**Miscellaneous Numbers**

<table>
<thead>
<tr>
<th><strong>Scars, Marks, Tattoos, and Amputations</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix (Right Lower) Scar</td>
</tr>
</tbody>
</table>

**Residence/Complete Address**

- 561 Broadway Suite 12-A
- New York, NY

**Employer:**

- Self
- The Cornsbro Group

**Charge/Citation**

1. Title 18 Securities Fraud

**Disposition**

1.

**Additional**

**Additional Information/Basis for Caution**

**State Bureau Stamp**

☆ U.S. GPO: 1998 432-177 / 60051
FBI TCN: IFCS0005000003554000

Name: GIACCHETTO, DANA CALOGERO

FBI Number: 12799NB5

Search Result Findings: N

Electronic Rap Sheet:

FBI# 12799NB5 SID OCA
GIACCHETTO, DANA CALOGERO W 511 1962/10/15
FPC SEX M
HENRY CLASS API

NYFBI NY00 FBI
NEW YORK NY 2000/04/04

A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS FAILED TO DISCLOSE PRIOR ARREST
DATA.

CJIS DIVISION
2000/04/07 FEDERAL BUREAU OF INVESTIGATION

NYFBI NY00
SPECIAL AGENT IN CHARGE
FEDERAL BUREAU INVEST
23RD FLOOR
26 FEDERAL PLAZA
NEW YORK, NY 10278-0004
Universal Case File Number: 1966-NY-274597
Field Office Acquiring Evidence: N.Y.O
Serial # of Originating Document:
Date Received: 4/21/90
From: 
(Name of Contributor)
(Address of Contributor)
(City and State)
By: 
(Artist)
To Be Returned: ☐ Yes ☐ No
Receipt Given: ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure: ☐ Yes ☐ No
Title:

Dona Groce
Director
The Cassandra Group
S.F.A.

Reference: (Communication Enclosing Material)
Description: ☐ Original notes re interview of

Arrest Photos: Date of Arrest: 4/12/90

[Signature]

[Date: APR 25 2000]
Universal Case File Number: 1962-NY-274597-I90

Field Office Acquiring Evidence:

Serial # of Originating Document:

Date Received: 3/24/00

From:

(Name of Contributor)

(Address of Contributor)

By:

SA

To Be Returned: ☐ Yes ☐ No

Receipt Given: ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure: ☐ Yes ☐ No

Title:

DANA GIACCHETTO

THE CASSANDRA GROUP

SEA

Reference: (Communication Enclosing Material)

Description: ☐ Original notes re interview of

PHOTO'S FROM SEARCH on 3/16/00 of
561 BROADWAY STE. 8C, IC/4

(ROLES 3 AND 4 OF 4).
1900 NY 074597-1AS
1844
Inspection
S1
969240
Universal Case File Number 196C-NY-274597-M6

Field Office Acquiring Evidence

Serial # of Originating Document

Date Received 3/24/00

From
(Name of Contributor)

(Address of Contributor)

By

To Be Returned ☐ Yes ☐ No

Receipt Given ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure ☐ Yes ☐ No

Title: Dana Giaccierto 163
The Cassandra Group 5PA

Reference: (Communication Enclosing Material)

Description: ☐ Original notes re interview of

PHOTO'S FROM SEARCH OF 3/14/00 OF
561 BROADWAY 55F, TC, 12A

(COLLS 1 AND 2 OF 4 1/2 AND NEGATIVES).

(Handwritten Signature)
1907-ը օգոստոս-1-ը
1963-147459-1A4
1966-2A0594-1A0
1966 - 1971

[Handwritten notes and signatures]
1757
DATE       03 14 80  
STREET       561 Broadway 12
PLATE       1966-49-221242
FBI
1266 NY-2N4597-1A4
Title and Character of Case:
GIACCHETTO, DANA, C
CASSANDRA GROUP INC

Date Property Acquired: Source from which Property Acquired:
03/16/2000 RESIDENCE
561 BROADWAY, SUITES BC, 12A
NEW YORK NY 10012

Anticipated Disposition: Acquired By: Case Agent:

Description of Property:

1B 1

ONE CELLOPHANE CONT., COMPAQ PRESARIO 4660 SERIAL
#6806BQS6E255 (AREA D), MACINTOSH PERFORMA 6400/180
SER# XB636165838 (AREA A BY FRONT DOOR), POWER MACINTOSH
9500/120 SER# XB5260VVZQH (AREA B), STARMAX 3000/180
SER# ST047301 (AREA A), TRAVAN-4 MINICARTRIDGE
SER# 0542051688 (AREA B), TRAVAN-4 MINICARTRIDGE
SER# 0432032598 (AREA B), TRAVAN-4 MINICARTRIDGE
SER# 0759032498 (AREA B), 35 MISC. 3.5" FLOPPY DISKS (AREA B
2 MISC. 3.5" FLOPPY DISKS LABELED "BROWN PASSWORDS 1-7-00 &
BROWN PASSWORD CONTROL LIST"

Barcode: E1227936 Location: ECR8 03/24/2000

Case Number: 196C-NY-274597
Owning Office: NEW YORK
On (date) ______________________

Time: ______________________

(Name) ______________________

(Street Address) ______________________

(City) ______________________

Description of Item(s):

- **COMPAQ PRESARIO 4600** Serial # 6806B6656E255 (Area D)
- **MACINTOSH PERFORMA 6400/180** Ser # XB436165838 (Area A)
- **POWER MACINTOSH 9500/120** Ser # XB52601N/2Q4 (Area B)
- **STARMAX 3000/150** Ser # STX4734I (Area A)
- **TRAVAN-4 MINICARTRIDGE** Ser # 0542051898 (Area B)
- **TRAVAN-4 MINICARTRIDGE** Ser # 832032598 (Area B)
- **TRAVAN-4 MINICARTRIDGE** Ser # 0759032498 (Area B)
- **35 MEG 3.5'' FLOPPY DISKS** (Area B)
- **2 - MEG 3.5'' FLOPPY DISKS** labeled "Brown Passwords 1-7 to 7 Brown Password Control List"

Received by: ______________________

Received from: ______________________

(Signature) ______________________
**Title and Character of Case:**

GIACCHETTO, DANA, C  
CASSANDRA GROUP INC

**Date Property Acquired:** 03/16/2000  
**Source from which Property Acquired:** RESIDENCE  
561 BROADWAY, SUITES 8C, 12A  
NEW YORK NY 10012

**Anticipated Disposition:**  
**Acquired By:**  
**Case Agent:**  

**Description of Property:**

**Date Entered: 03/24/2000**

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<th>Location: ECR8</th>
<th>Date Entered</th>
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| ONE CELLOPHANE CONT., COMPAQ PRESARIO 4660 SERIAL #6806BQS6E255 (AREA D), MACINTOSH PERFORMA 6400/160 SER# XB636165838 (AREA A BY FRONT DOOR), POWER MACINTOSH 9500/120 SER# XB5260VVZQH (AREA B), STARMAX 3000/180 SER# ST047301 (AREA A), TRAVAN-4 MINICARTRIDGE SER# 0542051888 (AREA B), TRAVAN-4 MINICARTRIDGE SER# 0432032598 (AREA B), TRAVAN-4 MINICARTRIDGE SER# 0759032498 (AREA B), 35 MISC. 3.5" FLOPPY DISKS (AREA B 2 MISC. 3.5" FLOPPY DISKS LABELED "BROWN PASSWORDS 1-7-00 & BROWN PASSWORD CONTROL LIST"

Barcode: E1227936  
Location: ECR8  
Date Entered: 03/24/2000

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**Case Number:** 196C-NY-274597  
**Owning Office:** NEW YORK
Title and Character of Case:
GIACCHETTO, DANA, C
CASSANDRA GROUP INC

Date Property Acquired: 03/16/2000
Source from which Property Acquired:
RESIDENCE
561 BROADWAY, SUITE 8C
NEW YORK NY

Anticipated Disposition: Acquired By:
Case Agent:

Description of Property:
ONE CELLOPHANE CONT., 12 DISKS IN CLEAR PLASTIC BOX-BOX 13,
18 DISKS IN PLASTIC ZIPLOCK "AREA A-BOX 13, "DANA PAYMENT"
DISK-BOX 24, "FIRST 13 AXYS ACCOUNTS" DISK-BOX 24, ONE
DISK- NO TITLE- BOX 1, ONE DISK-"MMA"- BOX 1

Barcode: E1639349 Location: ECR8

Date Entered: 03/30/2000

Case Number: 196C-NY-274597
Owning Office: NEW YORK

File Case
Precedence: ROUTINE  
Date: 03/30/2000

To: New York  
From: New York

Squad C-1  
Contact: SA ext 3990

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO dba
THE CASSANDRA GROUP;  
SFA

Synopsis: To submit an electronic communication relating to submission of a FD-192 and chain of custody for general evidence into the Evidence Control Unit after ten days of being acquired.

Details: Evidence was seized pursuant to a search warrant executed for the captioned case on March 16, 2000. The seized items constituting general evidence, was immediately put into storage at the offices of the United States Attorney’s Office in the Southern District of New York (SDNY). Computer diskettes were subsequently turned over to Federal Bureau of Investigation (FBI) Special Agent for submission to FBI’s C.A.R.T. team.

The timing of the diskettes turnover by the SDNY, did not enable submission of the FD-192 and chain of custody forms within the ten day requirement by Evidence Control Unit.
Title and Character of Case:

GIACCHETTO, DANA, C
CASSANDRA GROUP INC

Date Property Acquired: 04/18/2000

Source from which Property Acquired:
FBI-CART

Anticipated Disposition: Acquired By:
Case Agent:

Description of Property:

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<td>ONE CELLOPHANE CONT., ZIP 100: FLOPPY DISKS (15-78), M.O.</td>
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Barcode: E01911097  Location: ECR8  04/24/2000
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

To: Los Angeles
Criminal Investigative

From: New York
Squad C1

Contact: Ext. 2943

Case ID #: 196C-NY-274597 (Pending)

Title: Dana C. Giacchetto dba Cassandra Group Inc.; SFA;

Synopsis: To advise Los Angeles Division that New York opened a parallel case file on captioned matter

Details: The captioned matter has been the subject of investigation by both the FBI Divisions in Los Angeles and New York, in conjunction with their respective United States Attorney's Offices. The matter was originally opened by the Los Angeles Division on 12/13/99 under case file number 196C-LA-221242.

Simultaneously to the Los Angeles-based investigation, the USAO, SDNY opened their own independent investigation utilizing in-house investigators. During the first week of January 2000, SDNY requested NYO to open an active investigation into Giacchetto and Cassandra Group. A review of ACS determined that FBI-LA already had an opened investigation into this matter. As such, NYO advised SDNY of the opened investigation and that NYO would not open a duplicate investigation at that time.
FBI-NYO discussed this matter on several occasions with FBIHQ SSA and FBI-LA SSA and it was agreed that NYO would be involved in the investigation for the purpose of ensuring FBI presence in the case. It was also determined that the ultimate decision on where the matter would ultimately be prosecuted would be matter for the USAOs to resolve.

In early March 2000, NYO advised LA Division that SDNY was contemplating executing a search warrant on the offices of Cassandra Group. It was agreed that if such a decision was made that NYO should assume responsibility for conducting the search. On March 16, 2000 search warrants were executed on the offices of Cassandra Group and residence of Giacchietto. The search warrants were sworn out in the SDNY.

NYO is expending considerable resources to this investigation and has made the decision to open a parallel investigation. This will allow for the proper documentation of investigative effort conducted. The understanding between LA and NYO is unchanged and if the decision is made by DOJ that this matter should be prosecuted in the Central District of California, then the NYO case file will be closed. NYO will continue to coordinate and share information with the LA case agent.
Prophet and Loss

A manic money manager with a lust for celebrity, Dana Giacchetto played with Leo and Ben, Cameron and Courteney, while their millions were in safe keeping with his Cassandra Group. But when the party spun out of control, Giacchetto was the last to get the message.

BY KEVIN GRAY WITH NIKKI FINKE

"Will everyone just shut up!" The Times Square ball had dropped, and a minute into the millennium, Dana Giacchetto was struggling to quell the pandemonium in his 3,000-square-foot SoHo loft. Clutching a microphone in one hand and a paperback anthology of Greek plays in the other, the beleaguered money manager had planned to mark the occasion by reading a few portentous words to the 50 guests at his New Year's Eve party. But Giacchetto, who had named his Cassandra Group investment firm after the unheeded prophet, refused to start until his guests were focused on him.

"Just read and they'll shut up," advised a woman in black. Anxiously tugging at his Dolce & Gabbana T-shirt, Giacchetto launched into a passage from Aeschylus' Agamemnon, in which Cassandra declares that despite the machinations of her enemies, her legend will endure. "I am not like a bird," he intoned, "scared at an empty bush, trembling for nothing. Wait: When you shall see my death stoned with death ... then witness for me -- these and all my prophecies were utter truth."

The performance, an observer would later note, was "pure Dana," a melodramatic tour de force that the 37-year-old Giacchetto intended as a rebuke to his ever-widening circle of antagonists.

But most of the revelers, distracted by the televised vision of Dick Clark hugging a blonde, missed the analogy. Smiling weakly at the scattered applause, Giacchetto returned to D.J. duty, no doubt recalling that at last year's bash, it was rapper Q-Tip who was on hand to oversee the music. This time, Giacchetto told a guest, Q-Tip "couldn't make it." Neither could Winona Ryder, Matt Damon, Johnny Depp, or Ben Affleck, all of whom had been present last year. In fact, the lone celebrity in attendance was Alanis Morissette. "You know I'll never leave you," the singer cooed, wrapping her arms around her host. "You don't have to worry about me."

Dana Giacchetto was never the biggest money manager on Wall Street, but by the late nineties, the baby-faced broker was certainly among the most visible. Operating at the nexus of Wall Street and Hollywood, his SoHo-based Cassandra Group claimed to manage $400 million in assets for celebrities on both coasts. At one point, his client list ranged from brat packers like Tim Roth, Cameron Diaz, and Tobey Maguire to art-world stars like Ross Bleckner and David Salle to musicians like Morissette and Michael Stipe. Uniformed in Prada and Helmut Lang, his pet cockatoo perched on his shoulder, the darling of CNBC's Squawk Box became a tabloid staple along with his clients. Courteney Cox flew him home to meet her parents. Leo DiCaprio took him to Cuba. Michael Ovitz whisked him around Italy on his yacht.

"I thought about it a lot, how all this could happen to me," he says. "You know, one day you're on top of the world, and the next, everyone's pissing on you."

Then, last autumn, the wunderkind whom GQ named the Rock-and-Roll Broker found himself in free fall. All summer long, there was growing buzz in New York
and Hollywood that Giacchetto was in trouble. In early October, he was suddenly dumped by two of his closest allies, his partners in a $100 million venture-capital fund backed by Chase Manhattan, triggering a wave of defections from his money-management firm. On December 4, the Los Angeles Times broke the news that top clients were defecting because of undefined financial irregularities, and the article triggered a stampede: Seventeen clients left during a single week.

But the worst blow was the suicide of his friend Jay Moloney in November. Against the advice of friends, Giacchetto had installed the talented but notoriously troubled agent as president of Paradise Music and Entertainment, a company Giacchetto funded with millions of his clients' dollars. Unable to overcome his addiction, Moloney had quietly stepped down last August; on November 16, he hung himself in the shower stall of his home. The night before Moloney's death, Giacchetto spent an hour on the phone with a "Page Six" reporter tearfully trying to kill an item about the agent's relapse.

"Jay's death nearly destroyed me," Giacchetto says. In the month after Moloney's funeral, he stopped going into the office and taking phone calls. Instead, he spent most of his time holed up in his apartment weeping over his mounting losses, both personal and professional. Then, just as his friends were planning an intervention, Giacchetto suddenly bounced back. "You can only lie back and take it for so long," he says. "At some point, you have to fight fire with fire."

Which is why, on a bitterly cold afternoon in January, Giacchetto is entertaining a reporter in his loft. Four minimalist couches form a square in the middle of the airy living room where his friend Leo once played video games before DiCaprio's attorney sent Dana a letter tersely cutting off all contact.

Keeping Dana company today is his new girlfriend, a pair of hyperactive cockatoos, and a newly hired publicist, Peter Brown, a sober, white-haired Brit who once represented the Beatles. "I thought about it a lot, how all this could happen to me," he says. "You know, one day you're on top of the world, and the next, everyone's pissing on you."

Even dressed in a conservative blue suit, he comes off like a precocious schoolboy, shifting in his seat and pulling on his hair as he makes the case that his troubles are a product of a "conspiracy" engineered by his former partners. "This was a power play," he tells me. "A campaign of misinformation against me by people I trusted. By people I thought were my friends."

The friends in question are Jeffrey Sachs and Sam Holdsworth, who were joined with Giacchetto in Cassandra-Chase Entertainment Partners, a $100 million venture-capital fund.

On December 13, Giacchetto filed suit against Sachs, Holdsworth, Chase, and another Cassandra-Chase associate, Robert Egan, charging that they had conspired to eject him from the partnership by ruining his reputation. The suit seeks $100 million in damages and the full dissolution of the Cassandra-Chase partnership, plus repayment of $600,000 Giacchetto says he laid out in rent and expenses.

In his suit, Giacchetto charges that about a year ago, Sachs and Holdsworth started "intentionally, willfully and maliciously" spreading false rumors about him to Hollywood insiders such as DiCaprio's lawyer Steve Warren. He charges that Sachs told Warren and others that Giacchetto "was going to get arrested," that he was being investigated by both the SEC and the FBI. As a result, the suit continues, DiCaprio terminated his account at Cassandra.

"I've heard all kinds of slanderous rumors," Giacchetto says. "That I'm going to jail. That I'm about to be indicted. It's all lies! It's all so dark, I don't want to believe it's true."
Holdsworth and Sachs declined to discuss the charges, but their attorney, former governor Mario Cuomo, who was once Sachs's boss, filed papers last Friday asking the court to dismiss Giacchetto's suit. They claim Giacchetto's allegations are baseless and his problems self-created; they also demand repayment of $950,000 loaned to Giacchetto when his troubles began.

In any case, it seems the manic money manager's troubles are far from over. New York has learned that the Securities and Exchange Commission recently spent six weeks poring over Giacchetto's books. A former vice-president at Cassandra was interviewed by the U.S. Attorney's office about alleged criminal activity at the Cassandra Group. The government's inquiry, says a source close to the situation, centers on charges that Giacchetto misdirected client funds and misled clients about the amount of money in their portfolios. Giacchetto angrily denies reports of any such investigation. The U.S. Attorney's office declines to comment.

But even his staunchest critics doubt he profited personally from his actions. After all, he considered himself an artist, serving creative soulsmates. The consensus seems to be that at some point, Giacchetto, by all accounts a savvy and accomplished investor, lost his way, and unwilling to let down his high-profile clients, struggled to cover his tracks. "This is a naïve individual with very good intentions who simply went out of control," says one associate. "Dana didn't know how to put the brakes on, because he only has an accelerator."

Dana Giacchetto was raised in the Boston suburb of Medford, the oldest son of middle-class parents. His first business enterprise was selling magazines door-to-door when he was 11. "The very first door he knocked on, the woman said no and he ran back home crying," recalls his father, Cosmo, a real-estate broker. "I had to tell him, 'They're not rejecting you; they're rejecting what you're selling.' Dana is a real hustler, but he feels bad when people say no."

After showing early promise on the piano, Giacchetto took lessons and faithfully practiced on the family's upright thirties Fischer. By the time Dana was in his teens, he was staging concerts by his pop band in the family rec room and recording their songs on an eight-track. "He should have made it as a rock star," sighs his father. It wasn't for lack of trying: At the University of Massachusetts in the early eighties, Giacchetto fronted two successive bands that drew a large following in Boston. But his rock career never really took off.

Instead, Giacchetto landed a job as an analyst for the white-shoe Boston Safe & Deposit Company, trading by day and playing gigs late into the night. In a scathing article last December, the New York Observer reported that the company had no record of his employment there. But a spokesman for Boston Safe confirms that Giacchetto was employed there full-time from 1980 to 1987; his former boss, Donna Wong, now works as a systems analyst at Cassandra. The Observer was also unable to find any record of the business courses Giacchetto claimed he took at Harvard. As it turns out, Harvard does have a record of Giacchetto's attendance, but the courses were at Harvard's extension school, not its prestigious business school, as he had claimed.

When Giacchetto left Boston Safe in 1987 to strike out on his own, many of his devoted clients followed suit. Cassandra targeted creative types with a simple pitch: Since artists, actors, musicians, and filmmakers are paid only sporadically for their work, they require specialized investment strategies. Giacchetto's approach was long-term, ultraconservative. "I never started Cassandra thinking, I want to make tons of money," he says. "I started it because I really believe that most of the creative people I knew were ill-advised and didn't have any resources. I thought I could help them find a safe way to grow their money."

Though he'd given up performing, he still thought of himself as an artist, with money his new medium. "When I meet money managers who tell me they're technicians, or it's about science, that's bullshit," he says. "You don't know if a stock is going up or down tomorrow. It's an art, just like writing a song or doing a
painting."

To woo his artsy clients, he and his then girlfriend, Artemis Bradford Willis, held
dance parties on the rooftop deck of his Back Bay apartment and followed up
with a monthly newsletter that offered investment tips along with gallery listings
and art reviews. By the early nineties, he was one of the best-known brokers in
Boston, but typically, he was restless. Packing up his spreadsheets, client lists,
and even the family’s Fischer piano, Giacchetto moved to New York, and from
his loft on Lafayette Street he began his most ambitious assault.

After relentlessly cold-calling the powerful PaceWildenstein Gallery, he wrangled
an audience with its influential president, Marc Glimcher. Amused by the quirky
hustler, Glimcher took Giacchetto under his wing, introducing him to art-world
players like George Condo and Bleckner, who became his earliest clients.

It was his personality as much his business acumen that drew people to
Giacchetto. "He’d stare adoringly into your eyes, loving everything you said," notes a former client. "He has this wonderment that disarms people. An
innocence he exudes."

By 1995, he had charmed his way to the core of New York’s downtown demimonde. "I met him
at this birthday dinner for André Balazs,” says another acquaintance. "There was James Truman,
Lee Radziwill, and Dana. He was sitting across from this famous
gossip columnist and telling him all about this money-management
fund he’d started for musicians and artists who were friends of his."

On long weekend visits, Giacchetto set his sights on Hollywood, where he
networked his way through a daisy chain of parties and premieres to the office of
golden-girl producer Stacey Sher (Pulp Fiction, Get Shorty). Sher hung out with
the under-30 crowd and dated a personal manager named Rick Yorn, who soon
became one of Dana’s closest friends.

Though most of Hollywood was paying Yorn little
attention at the time, Giacchetto sized up the
young manager’s client base and recognized its
potential. At the time, Yorn and his sister-in-law
Julie Yorn had a lock on many young stars,
including Cameron Diaz, Jennifer Lopez, Ed
Burns, Matt Dillon, and Leonardo DiCaprio. In the
face of Giacchetto’s charm offensive, says one friend, "Rick didn’t have a
chance. Not only did Yorn invest his money with Cassandra, but he also
encouraged each of his clients to do so as well."

Helped along by a spirited bull market, Giacchetto promised -- and frequently
delivered -- returns of 40 percent and more for his clients. "Whatever he’s doing,
he’s doing well for me,” Courteney Cox gushed to the Post. "Every time
everyone's panicking about the stock market going down, I just say, 'Go, Dana.'

"When Dana began showing up on 'Page Six' more than I
did," Ed Burns told a friend, "I knew it was time to get out of
there."

As his clients’ portfolios took off, so did Giacchetto’s cachet. He earned a
reputation as someone who could put the right people in the right room -- usually
his own loft. What he wanted to create more than an investment club, he says,
was a salon of his generation’s most important artists, writers, actors, and
musicians. It was a "community," Giacchetto says, where ideas could
cross-pollinate between rock and painting, movies and performance art, and
Giacchetto would play matchmaker. Indeed, in 1994, he put together a deal that
would stagger the industry -- and reveal a sharp edge to Giacchetto’s laid-back
demeanor.
That year, Seattle's influential Sub Pop record label, which had nurtured such seminal grunge acts as Soundgarden and Nirvana, was looking for a major distribution deal. Acting as a high-paid auctioneer, Giacchetto frantically worked his Rolodex, talking up the label to David Geffen and Microsoft. "He'd have these meetings and say, 'If you don't want it, I've got three other people ready to take it right now,'" says a source close to the deal. "Then he'd turn around and start dialing the phone. He was a great negotiator that way. It's a certain magic and balls and timing."

After igniting a seven-month bidding war, Giacchetto delivered 49 percent of Sub Pop to Warner Music for $20 million. "That was just a phenomenal deal," says another insider. "The company was worth a couple million. That deal made people look at him in a whole new light." As reports of his deal-making abilities spread, other labels came calling -- followed by modeling agencies, hoteliers, magazine publishers, and movie studios. "I had an incredible amount of power," he says. "I could deliver anyone to anyone with one phone call."

Though she stuck with him throughout his rise, by 1998, the relentless networking eventually got to his longtime girlfriend, Artemis Willis. The couple sparred often and loudly over his "need to hang with the right crowd," says one pal. "Artemis couldn't stand the people around him. The constant name-dropping and social climbing started to wear her out." Finally, she moved out.

By all accounts, Giacchetto was devastated by the breakup, but his friends helped take away some of the sting. Prime among them was DiCaprio, who, by early 1998, was practically living in Giacchetto's loft. "Leo would wander down around noon, check the Bloomberg, make some calls, and they'd go out to a long lunch," recalls one former Cassandra trader. "Or Gwyneth would come by, and it was all hugs and kisses and 'Love ya, babe.' He was developing this whole cult of personality."

Though he was a decade older than some of the guys in DiCaprio's posse, at night Dana gamely played Pied Piper through the city's downtown club scene, from Cafeteria to Moomba to Veruka and back again. "He was out a lot," recalls a friend. "He'd always be asking, 'Where do we go next?' This was at two in the morning."

Eventually, however, his frenetic socializing took a toll. Sometimes Giacchetto didn't show up to work until 1 p.m., and he became less interested in the day-to-day operation of the Cassandra office, which had by then descended into comic disarray. He bought two cockatoos, one for himself and another for DiCaprio, which he allowed to fly loose through the office. Visitors would find the two birds, Tiberius and Angel, perched on the office's Bloomberg machine, chewing at the wires.

Clients complained that their monthly statements arrived chronically late, or not at all. After a couple of bad deals, including a disastrous foray into the now-bankrupt Iridium, many of them suspected that he was more concerned with maintaining his social profile than with monitoring their investments. His blatant self-promotion had also become an increasing liability. Sources close to Matt Damon and Ben Affleck say the actors decided to pull out because they thought Giacchetto was trading on their names for his own benefit. Another client, Ed Burns, followed them out the door for the same reason. "When Dana began showing up on 'Page Six' more than I did, I knew it was time to get out," he told a friend.

By now, Giacchetto was even dropping the names of clients he didn't have. He once showed a friend a spreadsheet with Steven Spielberg's name on it and claimed to be managing $7 million for the director. A source familiar with Spielberg's finances firmly denies he invested any money with Giacchetto. When informed of this, his pal laughs. "I knew that," he says. "Dana never thinks you'll like him enough."

Giacchetto denies he ever talks out of school about his clients and insists that complaints about his social life are wildly overblown. "Look," he says, "I party,
but mostly it was business. I'm not like a drug addict or anything. Far from it. I was here working my balls off every single day to make money for my clients and put deals together, and the proof is there. I finished all these deals. It's not like a smoke screen. I mean, I really did them. I'm really good at that."

Amid the circuslike environment, news that Giacchetto had taken on a new associate was greeted with some relief at Cassandra. A soft-spoken 47-year-old Richard Gere look-alike with an impressive political pedigree, Jeffrey Sachs was supposed to provide the ballast in Cassandra's flighty offices. Born to a Conservative Jewish family in the Five Towns and trained as a dentist, Sachs instead went into public service, landing high-profile jobs under governors Hugh Carey and Mario Cuomo.

Along the way, he developed a wealth of influential contacts. A close friend of John Kennedy Jr.'s (he was supposed to have been a passenger on JFK Jr.'s tragic last flight but canceled when he felt ill), he also helped Andrew Cuomo found help, the younger Cuomo's affordable-housing initiative.

At the time he and Giacchetto first discussed teaming up, Sachs was heading up a thriving consulting business that offered strategic planning for health-care groups, financial firms, and entertainment conglomerates, including Time Warner and NBC. "My biggest talent," he says, "was to make this happen or make that go away."

The two had known each other socially for a number of years, but by the summer of 1997, tired of consulting, Sachs says, he decided "to get into more transactional activities." He had heard a lot about Giacchetto's deal-making skills during the sale of Sub Pop to Warner Music and was impressed by his manic energy.

For his part, Giacchetto thought that if he fused his personal contacts with Sachs's institutional ones, they could build a powerhouse. To sweeten the arrangement, Giacchetto says, Sachs promised to deliver him a money manager's pot of gold, a lucrative pension fund from the state's health-and-hospital-workers' union, which was being run by Sachs's friend Dennis Rivera. (Sachs denies this.) Though the fund never materialized, in the summer of 1997, Giacchetto invited Sachs to move his operation into Cassandra's offices, where he joined former Billboard publisher Sam Holdsworth -- who would use his connections to look for promising entertainment start-ups -- and his old boss's son, Chris Cuomo, who would "lawyer" the deals.

In the beginning, at least, the partnership went as planned. Several months after arriving at Cassandra, Sachs introduced Giacchetto to his friend Mitchell Blutt, a high-powered executive partner at Chase Manhattan Corporation's $2 billion venture-capital unit. Sachs knew that Blutt's division, Chase Capital Partners, was hungrily looking for alliances to help identify potentially explosive start-up companies in the entertainment field. Enter Dana.

In March, Giacchetto began siring Chase's buttoned-up investment bankers around the tables of Moomba, where between Cosmos he and Blutt talked about putting together a partnership. Their first joint venture was a deal to underwrite the Standard Hotel in Los Angeles, a project of Giacchetto's friend André Balazs, who also owned the Chateau Marmont and New York's Mercer. Then, on October 9, 1998, Giacchetto, Blutt, Holdsworth, and Sachs formed Cassandra-Chase Entertainment Partners, a venture-capital firm backed by $100 million from Chase. The fund's main objective was to ferret out entertainment start-ups and get a first look at the projects conceived by Giacchetto's famous clients. The partners stood to earn 15 to 20 percent of each venture.

Despite the Chase funding, not all was well between the partners. From the start, Giacchetto says, Sachs had trouble adjusting to Cassandra's hypercasual atmosphere. And to Cassandra's employees, who had prided themselves on
their outlaw attitude toward corporate America, Sachs and his buttoned-up team seemed suspiciously old guard. Sachs told Giacchetto he needed to hire people who were more professional. In November 1997, on his recommendation, Giacchetto hired as Cassandra's vice-president Soledad Bastiancich, a Yale-educated lawyer who had worked at the conservative Allen & Company. She is the girlfriend of John Howard, a multimillionaire Bear Stearns venture capitalist and a close friend of Jeff Sachs.

Though she was charmed by her madcap boss, Bastiancich was alarmed at the lax operation he ran. Backed by Sachs, she persuaded Giacchetto to authorize a $250,000 audit of Cassandra. Bastiancich later outlined her concerns in a confidential four-page letter obtained by New York, which included a list of demands that Giacchetto had to meet if he wanted to keep her on. It's a strange document, which veers from fawning regard for Giacchetto's "vision" to anger over his shortcomings. "For all I know," she writes, "you may spit on this letter and tell me you never want to see me again (though I pray you don't ever feel that way)." She signed it with a smiley face.

The letter, which Giacchetto twice denied to me even existed, provides a glimpse inside Cassandra's chaotic offices and reveals an internal struggle over its future. In it, Bastiancich asks Giacchetto to "promise me that you will check with one of us about a client's account value and holdings prior to telling the client. TCG has had several hundred thousand dollars worth of trade errors during the past couple of years. We simply cannot afford anymore [sic]. It is okay not to always have awesome news."

She also complained that the company was paying Giacchetto's personal travel and entertainment expenses and had been making personal loans to clients that were not "professionally papered and at market rates."

Giacchetto denies that he lied about client accounts, and he says that his expenses were normal for someone who traveled frequently with clients. How about the trade errors? I ask. "Yeah, we had trade errors," he sighs. "There are always errors in trading, but I don't think I had any major problems. You call and say, 'Buy me 500 shares of Merck,' and somehow they'd buy 400 instead. That's a trade error. That's what she's addressing. But I don't think that's bad or negative or shocking. Soledad wanted power. All of them wanted power. They got in and they thought, I can do this better than you, because Dana's so flighty and creative and we're these top management people."

In fact, Bastiancich was seeking an equity stake in the company and asking to be named president, with the power to run daily operations and draw up a "conservative" budget to make the company profitable. Giacchetto angrily refused. She left Cassandra a few months later to write a novel.

Bastiancich and Giacchetto's partners in Cassandra-Chase were especially troubled by Giacchetto's involvement in a struggling firm called Paradise Music & Entertainment. In 1998, the company, which produced music videos, commercials, and albums, was about to be de-listed from the nasdaq because its assets were so dismally depleted. To Giacchetto, the company, little more than a shell operation at the time, presented a tempting opportunity. He agreed to pump $6 million of client funds into Paradise to rebuild it into a powerful indie force that would serve as a vehicle for his clients' projects. "It was a shell where I thought I could bring together the kinds of things I always wanted to bring together," Giacchetto says. To run the company, he tapped Jesse Dylan (son of music legend Bob Dylan), a respected commercial producer and a Cassandra client. As president he chose his old friend Jay Moloney, who had, after several attempts at sobriety, been clean for months.

Skittish because of Moloney's drug relapses and rumors of earlier suicide attempts, some clients hesitated to bankroll Paradise, and even Moloney's friends worried that the pressure would send the fragile agent over the edge again. "He could barely hold a job," one friend notes, "much less run a public company. Equally troubling was Giacchetto's stake in the venture. The money manager was given a consultant's title and paid in stock options worth $1.2
million. What made the arrangement problematic was that Cassandra traders were advising clients to trade shares in a company about which their boss possessed inside information.

Large financial firms install barriers between investment bankers and traders to prevent insider trading, but in Giacchetto’s seven-member office the potential for abuse is enormous. "There was a potential conflict," Giacchetto says. "Absolutely. We were very careful. It’s completely disclosed in the [SEC filings] that I owned stock. Everyone knew I owned it." John Heine, a spokesman for the Securities and Exchange Commission, says he can't comment on this case, but insists the issue is not clear-cut. "There's a possibility that his being a consultant and selling shares is a conflict of interest. Simple disclosure may not be enough." Giacchetto denies ever breaking any SEC rules. "If there was someone who has proof that I had, my former so-called partners would have picked it up during the first six months of this torture and put me in my grave."

By now the partners were also clashing over the operation of the Cassandra-Chase fund. Time and again, Giacchetto complains, Sachs and Holdsworth shot down deals he brought them involving major stars — all of whom were Cassandra clients. There was Danny DeVito, looking for funding for an Internet start-up. There was Ovitz, wanting to put together a film-distribution company. There was DiCaprio, Martin Scorsese, and Q-Tip, who jointly planned to set up a film company. Finally, there was Larry Bathgate, the powerful former finance chair of the Republican National Committee, who had agreed to back a $20 million merchandising firm called Artists Marketing Corp., which would market the names and likenesses of such stars as DiCaprio in the lucrative overseas markets. (The AMC deal, which was killed when Bathgate was informed that Giacchetto had used his clients' funds as collateral, a charge Giacchetto denies. It also antagonized Ovitz, whose management company handles DiCaprio.) "Why didn't they do those deals?" says Giacchetto. "I don't know. It was ridiculous. They wanted the glamour of having me tromp all those celebrities through the door of Chase, but they didn't want to work with my clients."

Sachs responds that deals brought in by other partners were frequently turned down as well. "For every hundred deals we looked at, maybe we'd do one," he says.

But Giacchetto believes that once they had used him to establish the partnership, Sachs and Holdsworth decided they no longer wanted him around. In early October, several clients and their attorneys began calling Giacchetto, he says, claiming that Sachs had told them disturbing things about Cassandra. At first, Giacchetto says, he didn't want to believe that Sachs had turned on him. "But people started calling me and saying, 'This guy is not your friend. He's trying to destroy you.' And I said, 'Why? Why?'" His face reddens perceptibly and his voice grows shrill. "The only answer I have is that he didn't understand [my business] and thought there really was bad stuff going on. I don't know. But there wasn't. And there isn't."

On October 21, his partners moved out of the office without informing Giacchetto and set up shop directly across the street. A few days later, Giacchetto received a terse letter informing him that he was being removed from the partnership and his one-third interest in the venture would be reduced to about 8 percent. "Dana went apeshit," a colleague says. "He kept crying and yelling that he'd pay them back."

Giacchetto filed his lawsuit a month later. "I think they hoped we'd all separate and I'd keep my reduced interest and life would go on. I'd be mad for a few days, but they'd keep the fund and I'd keep my clients and everything would be wonderful," says Giacchetto. "They were wrong."

Three weeks ago, Giacchetto hired a Greenwich money-management firm to shape up his back office but then promptly dismissed it because he feared its owners were trying to take advantage of his recent troubles. "They wanted too
much control and access to the star clients," he says. "And I'm never going to give that away again."

In the meantime, Giacchetto says, he's back in the game. He has hired two new portfolio managers for his office; one of them, he lets slip, is Chloë Sevigny's brother. He says four of the seventeen clients who bolted last fall have returned to his firm. Eager to show that he's curbed his penchant for name-dropping, he won't say who they are. He also says he's currently in talks with two banks about backing a new venture-capital fund.

Last week, Giacchetto even surfaced at a screening of his old friend DiCaprio's movie The Beach, where he wandered the aisles kissing old friends. But when the house lights dimmed and he went in search of a seat, none was vacant. He wound up sitting cross-legged on the floor, right up against the screen.

Giacchetto's New Year's performance notwithstanding, the mythological character he's often compared to these days is not Cassandra but Icarus, who got burned flying too close to the sun. "I just had a suspicion it wouldn't last," says one intimate. "He was flying too high, had too many people signing on. You knew that if anything ever went wrong, they'd all start jumping ship. He was a New York Magazine article waiting to happen."

From the February 28, 2000 issue of New York Magazine.
WCC BRANCH SEARCH PLAN

SQUAD: C1

CASE AGENT(s): ext. 3990

CASE TITLE: DANA GIACCHETTO
THE CASSANDRA GROUP INC;
SECURITIES FRAUD

CAUTION STATEMENTS: NONE

SEARCH ADDRESS: 561 Broadway, Suite(s) 8C, 8D, 12A
New York, NY 10012

CASE SYNOPSIS: The above captioned case involves securities fraud and a possible ponzi scheme committed by Dana Giacchetto and The Cassandra Group (TCG), with possible involvement from other individuals and entities. Investigation to date has revealed that among other things, Giacchetto defrauded clients who have entrusted funds to the investment discretion of Giacchetto and TCG. In addition to making material misrepresentations and omission to clients, funds and assets were moved without consent of clients to whom those assets belong. Giacchetto and TCG failed to maintain books and records as required pursuant to federal securities laws. Giacchetto has made false statements to representatives of the Securities and Exchange Commission (SEC), and has withheld documents from the SEC.

Meeting Time and Driving Instructions: All agents will meet on Thursday March 16, 2000 at 8:45 AM on the 23rd floor of 26 Federal Plaza, in the C-1 area.

Search Team: CART
Emergency Notification:
1. New York OPS Center 212-384-3910 (Emergency: 212-384-2222)
2. SSA Phone 212-384-2943; Cell Beeper
3. SA Phone 212-384-3990; Beeper Cell
4. AUSA Phone 212-637-2416
5. NYPD (1 Pct.) Phone 212-334-0611

Case agent will notify NYPD (1 Pct.) upon execution of the search.
WCC BRANCH SEARCH PLAN

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CASE AGENT(s): ext. 3990

CASE TITLE: DANA GIACHETTO
THE CASSANDRA GROUP INC;
SECURITIES FRAUD

CAUTION STATEMENTS: NONE

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Case agent will notify NYPD (1 Pct.) upon execution of the search.
KFBI HINQ DCJS
05541    FILE 15 TYPE 1 NAME SEARCH TO DCJS (AND NCIC) PUR/C & F
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.PUR/C,REASON/CRl/ORI/NYFBINY01,CASE#/SI
.NAM/GIACCHETTO,DANA C  .SEX/M,RAC/U,DOB/000000
.SKIN TONE/*,HGT/* .SOC/* .FBI/* .MNU/*
.ALIAS#1/*
.ALIAS#2/*
.ALIAS#3/*
.ALIAS#4/*
.ALIAS#5/*
.REQUESTOR'S NAME
.COMMENTS/NY FBI

N 2304-2304 03/13/00 ROSQ# KFBI 49408 RDSQ# 01839225 PART 001 OF 001
NYSP HINQ DCJS KFBI 2305
FORWARDED TO DCJS ONLY

N 2304-2304 03/13/00 ROSQ# KFBI 49409 RDSQ# 01839227 PART 001 OF 001
NYSP PTST KFBI 2305
NYFBINY01
NO RECORD - NYSPIN WANTED PERSONS FILE
NAM/GIACCHETTO,DANA C  .SEX/M,RAC/U

NOTE: YOUR INQUIRY WAS PROCESSED BY NYSPIN ONLY
INSUFFICIENT DATA ENTERED FOR DCJS OR NCIC SEARCH

UPLOADED
WITH/TEXT__________
WITH/OUTTEXT__________
BY: __________________
DATE: ________-

N 2304-2304 03/13/00 ROSQ# KFBI 49410 RDSQ# 01839235 PART 001 OF 001
NYSP PARQ KFBI 2305
NYFBINY01
NO RECORD - NYSPIN PAROLE FILE
NAM/GIACCHETTO,DANA C  .SEX/M,RAC/U

N 2304-2305 03/13/00 ROSQ# KFBI 49411 RDSQ# 01839277 PART 001 OF 001
NYIS HINQ KFBI 2305
KFBIO5541 NO SUSPECTS
NO RECORD - NYSP INwanted Personen File
NAM / GIACCHETTO, DANA C
DOB / 101562. SEX / M. RAC / U

NO RECORD - NYSPin WANTED PERSONS FILE
NAM/GIACCHETTO, DANA C
DOB/101562. SEX/M. RAC/U

NO NCIC WANT NAM/GIACCHETTO, DANA C DOB/19621015 RAC/U SEX/M

NO SUSPECTS
NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX (III) FOR NAM/Giacchetto, Dana C. SEX/M. RAC/U. DOB/19621015. PUR/C.

END

NOTE: YOUR INQUIRY WAS PROCESSED BY NYSPIN ONLY.

INSUFFICIENT DATA ENTERED FOR DCJS OR NCIC SEARCH

NO RECORD - NYSPIN WANTED PERSONS FILE

NAM/Giacchetto, Dana
SEX/M. RAC/U

FORWARDED TO DCJS ONLY
*** MULTIPLE RECORDS FIT YOUR SEARCH ARGUMENT(S). ***
YOUR SEARCH ARGUMENT WAS GIACCHETTO, DANA

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<td>715 BOYLSTON ST 4FL</td>
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<td>BOSTON, MA 02116</td>
<td><strong>CROSS REFERENCE</strong></td>
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</table>

NUMBER TO EXPAND, OR NEXT FUNCTION EXP#
GIACCHETTO, DANA, C
715 BOYLSTON ST 4FL
BOSTON MA 02116
DOB: 10/15/1962 SEX: M
COUNTY: OUTS
MI #: 609018 84837 746608-62
NO NY LICENSE

******************** CONVICTIONS/BAIL FORFEITURES ********************
CONVICTION: DISOBEYED TRAF DEV
LOCATION: CLINTON COUNTY, TOWN OF BEEKMANTOWN
PENALTY: FINE-$50 POINTS: 2
COMM VEH: UNKNOWN HAZMAT: UNKNOWN

*** END OF RECORD ***

*** ENTER NEXT FUNCTION CODE MENU ***
MULTIPLE RECORDS FIT YOUR SEARCH ARGUMENT(S).  YOUR SEARCH ARGUMENT WAS GIACCHETTO, DANA

RECORD 1

RECORD 2

RECORD 3

RECORD 4

RECORD 5

NUMBER TO EXPAND, OR NEXT FUNCTION EXP$ ( MORE RECORDS IN RANGE AVAILABLE )
*** MULTIPLE RECORDS FIT YOUR SEARCH ARGUMENT(S). ***
YOUR SEARCH ARGUMENT WAS GIACCHETTO, DANA

RECORD 1

RECORD 2

RECORD 3

RECORD 4

RECORD 5

NUMBER TO EXPAND, OR NEXT FUNCTION EXP$ ( MORE RECORDS IN RANGE AVAILABLE )
*** MULTIPLE RECORDS FIT YOUR SEARCH ARGUMENT(S). ***
YOUR SEARCH ARGUMENT WAS GIACCHETTO,DANA

RECORD 1

NUMBER TO EXPAND, OR NEXT FUNCTION EXP*
YOUR SEARCH RESULTED IN A "NO-HIT" CONDITION.
YOUR SEARCH ARGUMENT WAS GIACETITTO, DANA
PRESS ENTER TO RETURN TO THE MENU.
YOUR SEARCH RESULTED IN A "NO-HIT" CONDITION.
YOUR SEARCH ARGUMENT WAS GIACETITTO,DANA
PRESS ENTER TO RETURN TO THE MENU.
RETURN

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Subscribed, sworn to, and returned before me this date.

U.S. Judge or Magistrate Judge

Date
UNITED STATES DISTRICT COURT

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

(1) THE OFFICES OF THE CASSANDRA GROUP, INC., 561 BROADWAY, SUITES 8C & 8D, NEW YORK, NEW YORK, AND ANY CLOSED CABINETS OR CONTAINERS FOUND THEREIN;

(2) THE RESIDENCE OF DANA C. GIACCHETTO, 561 BROADWAY, SUITE 12A, NEW YORK, NEW YORK, AND ANY CLOSED CABINETS OR CONTAINERS FOUND THEREIN

TO: ___________________________ and any Authorized Officer of the United States

Affidavit(s) having been made before me by ___________________________ who has reason to believe that ☐ on the person of or ☑ on the premises known as (name, description and/or location)

(1) THE OFFICES OF THE CASSANDRA GROUP, INC., 561 BROADWAY, SUITES 8C & 8D, NEW YORK, NEW YORK, AND ANY CLOSED CABINETS OR CONTAINERS FOUND THEREIN;

(2) THE RESIDENCE OF DANA C. GIACCHETTO, 561 BROADWAY, SUITE 12A, NEW YORK, NEW YORK, AND ANY CLOSED CABINETS OR CONTAINERS FOUND THEREIN

in the SOUTHERN District of NEW YORK there is now concealed a certain person or property, namely (describe the person or property)

SEE ATTACHED RIDER

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before _______________ Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime — 6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find reasonable cause has been established) and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to ___________________________ as required by law.

U.S. Judge or Magistrate Judge

MAR 15 2009

3/15/00 5:15 P.m

at, New York, New York

Date and Time Issued

HON. MICHAEL H. DOLINGER
United States Magistrate Judge

SOUTHERN DISTRICT OF NEW YORK

Name and Title of Judicial Officer

Signature of Judicial Officer
Rider

Evidence of the commission of crimes, including fraud under the Investment Advisers Act, securities fraud, mail fraud, wire fraud, and conspiracies to commit those offenses, in violation of Title 15, United States Code, §§ 77q(a), 77x, 78j(b), 78ff, 80b-6, and 80b-17, and Title 18 United States Code, §§ 371, 1341, 1343, and 2, specifically as follows.

a. Binders, known as the "Wire Books" for the current year and all prior years since 1997, inclusive, containing or reflecting, among other things, records of transfers into our out of client accounts and private placements.¹

b. Client files for both current and past CASSANDRA clients, containing, among other things, statements of Client Accounts and Client Portfolios, correspondence, order tickets, confirmations, and other routine paperwork related to individual clients, for all clients who have had investments under CASSANDRA's management since 1997.

c. Files pertaining to private placements in which CASSANDRA's clients' funds have been invested or purportedly invested, including issuers called Global Source, Ford Models, Paper Magazine, Standard Hotels, Great Southern Waterworks, U.S. Utilities, and Good Machine.

d. Account statements from 1997 to date for the Brown CASSANDRA account and for accounts held by CASSANDRA elsewhere, as well as correspondence with the institutions at which CASSANDRA maintains such accounts.

¹ As used herein, the terms "books," "records," and "documents" means any and all tangible forms of expression, in any language or format, including drafts or finished versions, originals, copies, or annotated copies, however created, produced, or stored (manually, mechanically, electronically, electromagnetically, or otherwise), including, but not limited to: books, papers, files, writings, handwritten notes, typewritten notes, letters, correspondence, memoranda, notebooks, ledgers, term sheets, teleexes, telefaxes, telephone message slips, tape recordings, magnetic tapes, electronic recordings, computerized records stored on computer hard-drives, computer disks, disk packs or in any other form, other electronic media, electronic mail messages, voice mail messages, microform, microfilm, microfiches, and storage devices, or any similar item, electromagnetic recordings, optical or digital recordings, and photographs.
e. Computers, laptop computers, hand-held computers, hard drives, diskettes and other magnetic storage media, and files, data and information contained thereon, used to store names, telephone numbers and addresses of co-conspirators, victims and potential witnesses, as well as drafts and final versions of documents and correspondence prepared in furtherance of such wrongdoing since 1997, including such items for the Bloomberg system, the AXYS system, and other systems, and including word processing files and spread sheets.

f. Banking and brokerage-firm account statements, checks, and transaction records, wire transfer instructions and similar documents concerning or reflecting movements of funds, account and account holder information, check numbers, account numbers and Federal Reserve routing numbers, used in collecting, transferring and secreting the proceeds of such wrongdoing, from 1997 to the present;

g. Correspondence, and other documents reflecting communications with co-conspirators and victims of such wrongdoing, and the location of funds and proceeds of such wrongdoing, from 1997 to the present;

h. Marketing and offering materials and brochures, investment agreements, financial statements, new account forms, and other documents concerning, relating to, or describing purported investments, or used to entice potential clients, from 1997 to the present.
146- NY -274597 -

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MAP 27

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WITHOUT TEXT

BY  3129720

DATE
Prophet and Loss

A manic money manager with a lust for celebrity, Dana Giacchetto played with Leo and Ben, Cameron and Courteney, while their millions were in safe keeping with his Cassandra Group. But when the party spun out of control, Giacchetto was the last to get the message.

BY KEVIN GRAY WITH NIKKI FINKE

"Will everyone just shut up!" The Times Square ball had dropped, and a minute into the millennium, Dana Giacchetto was struggling to quell the pandemonium in his 3,000-square-foot SoHo loft. Clutching a microphone in one hand and a paperback anthology of Greek plays in the other, the beleaguered money manager had planned to mark the occasion by reading a few portentous words to the 50 guests at his New Year's Eve party. But Giacchetto, who had named his Cassandra Group investment firm after the unheeded prophet, refused to start until his guests were focused on him.

"Just read and they'll shut up," advised a woman in black. Anxiously tugging at his Dolce & Gabbana T-shirt, Giacchetto launched into a passage from Aeschylus' Agamemnon, in which Cassandra declares that despite the machinations of her enemies, her legend will endure. "I am not like a bird," he intoned, "scared at an empty bush, trembling for nothing. Wait: When you shall see my death atoned with death... then witness for me - these and all my prophecies were utter truth."

The performance, an observer would later note, was "pure Dana," a melodramatic tour de force that the 37-year-old Giacchetto intended as a rebuke to his ever-widening circle of antagonists. But most of the revelers, distracted by the televised vision of Dick Clark hugging a blonde, missed the analogy. Smiling weakly at the scattered applause, Giacchetto returned to D.J. duty, no doubt recalling that at last year's bash, it was rapper Q-Tip who was on hand to oversee the music. This time, Giacchetto told a guest, Q-Tip "couldn't make it." Neither could Winona Ryder, Matt Damon, Johnny Depp, or Ben Affleck, all of whom had been present last year. In fact, the lone celebrity in attendance was Alanis Morissette. "You know I'll never leave you," the singer cooed, wrapping her arms around her host. "You don't have to worry about me."

Dana Giacchetto was never the biggest money manager on Wall Street, but by the late nineties, the baby-faced broker was certainly among the most visible. Operating at the nexus of Wall Street and Hollywood, his SoHo-based Cassandra Group claimed to manage $400 million in assets for celebrities on both coasts. At one point, his client list ranged from brat packers like Tim Roth, Cameron Diaz, and Tobey Maguire to art-world stars like Ross Bleckner and David Salle to musicians like Morissette and Michael Stipe. Uniformed in Prada and Helmut Lang, his pet cockatoo perched on his shoulder, the darling of CNBC's Squawk Box became a tabloid staple along with his clients. Courteney Cox flew him home to meet her parents. Leo DiCaprio took him to Cuba.
Michael Ovitz whisked him around Italy on his yacht. 

"I thought about it a lot, how all this could happen to me," he says. "You know, one day you're on top of the world, and the next, everyone's pissing on you."

Then, last autumn, the wunderkind whom GQ named the Rock-and-Roll Broker found himself in free fall. All summer long, there was growing buzz in New York and Hollywood that Giacchetto was in trouble. In early October, he was suddenly dumped by two of his closest allies, his partners in a $100 million venture-capital fund backed by Chase Manhattan, triggering a wave of defections from his money-management firm. On December 4, the Los Angeles Times broke the news that top clients were defecting because of undefined financial irregularities, and the article triggered a stampede: Seventeen clients left during a single week.

But the worst blow was the suicide of his friend Jay Moloney in November. Against the advice of friends, Giacchetto had installed the talented but notoriously troubled agent as president of Paradise Music and Entertainment, a company Giacchetto funded with millions of his clients' dollars. Unable to overcome his addiction, Moloney had quietly stepped down last August; on November 16, he hung himself in the shower stall of his home. The night before Moloney's death, Giacchetto spent an hour on the phone with a "Page Six" reporter tearfully trying to kill an item about the agent's relapse.

"Jay's death nearly destroyed me," Giacchetto says. In the month after Moloney's funeral, he stopped going into the office and taking phone calls. Instead, he spent most of his time holed up in his apartment weeping over his mounting losses, both personal and professional. Then, just as his friends were planning an intervention, Giacchetto suddenly bounced back. "You can only lie back and take it for so long," he says. "At some point, you have to fight fire with fire."

Which is why, on a bitterly cold afternoon in January, Giacchetto is entertaining a reporter in his loft. Four minimalist couches form a square in the middle of the airy living room where his friend Leo once played video games before DiCaprio's attorney sent Dana a letter tersely cutting off all contact.

Keeping Dana company today are his new girlfriend, a pair of hyperactive cockatoos, and a newly hired publicist, Peter Brown, a sober, white-haired Brit who once represented the Beatles. "I thought about it a lot, how all this could happen to me," he says. "You know, one day you're on top of the world, and the next, everyone's pissing on you."

Even dressed in a conservative blue suit, he comes off like a precocious schoolboy, shifting in his seat and pulling on his hair as he makes the case that his troubles are a product of a "conspiracy" engineered by his former partners. "This was a power play," he tells me. "A campaign of misinformation against me by people I trusted. By people I thought were my friends."

The friends in question are Jeffrey Sachs and Sam Holdsworth, who were joined with Giacchetto in Cassandra-Chase Entertainment Partners, a $100 million venture-capital fund.

("Prophet and Loss" 1 | 2 | 3 | 4 | 5 )

From the February 28, 2000 issue of New York Magazine.
On December 13, Giacchetto filed suit against Sachs, Holdsworth, Chase, and another Cassandra-Chase associate, Robert Egan, charging that they had conspired to eject him from the partnership by ruining his reputation. The suit seeks $100 million in damages and the full dissolution of the Cassandra-Chase partnership, plus repayment of $600,000.

Giacchetto says he laid out in rent and expenses.

In his suit, Giacchetto charges that about a year ago, Sachs and Holdsworth started "intentionally, willfully and maliciously" spreading false rumors about him to Hollywood insiders such as DiCaprio's lawyer Steve Warren. He charges that Sachs told Warren and others that Giacchetto "was going to get arrested," that he was being investigated by both the SEC and the FBI. As a result, the suit continues, DiCaprio terminated his account at Cassandra.

"I've heard all kinds of slanderous rumors," Giacchetto says. "They're going to jail. That I'm about to be indicted. It's all lies! It's all so dark, I don't want to believe it's true."

Holdsworth and Sachs declined to discuss the charges, but their attorney, former governor Mario Cuomo, who was once Sachs's boss, filed papers last Friday asking the court to dismiss Giacchetto's suit. They claim Giacchetto's allegations are baseless and his problems self-created; they also demand repayment of $950,000 loaned to Giacchetto when his troubles began.

In any case, it seems the manic money manager's troubles are far from over. New York has learned that the Securities and Exchange Commission recently spent six weeks poring over Giacchetto's books. A former vice-president at Cassandra was interviewed by the U.S. Attorney's office about alleged criminal activity at the Cassandra Group. The government's inquiry, says a source close to the situation, centers on charges that Giacchetto misdirected client funds and misled clients about the amount of money in their portfolios. Giacchetto angrily denies reports of any such investigation; The U.S. Attorney's office declines to comment.

But even his staunchest critics doubt he profited personally from his actions. After all, he considered himself an artist, serving creative soulmates. The consensus seems to be that at some point, Giacchetto, by all accounts a savvy and accomplished investor, lost his way, and unwilling to let down his high-profile clients, struggled to cover his tracks. "This is a naive individual with very good intentions who simply went out of control," says one associate. "Dana didn't know how to put the brakes on, because he only has an accelerator."

Dana Giacchetto was raised in the Boston suburb of Medford, the oldest son of middle-class parents. His first business enterprise was selling magazines door-to-door when he was 11. "The very first door he knocked on, the woman said no, and he ran back home crying," recalls his father, Cosmo, a real-estate broker. "I had to tell him, 'They're not rejecting you; they're rejecting what
you're selling.' Dana is a real hustler, but he feels bad when people say no."

After showing early promise on the piano, Giacchetto took lessons and faithfully practiced on the family's upright thirties Fischer. By the time Dana was in his teens, he was staging concerts by his pop band in the family rec room and recording their songs on an eight-track. "He should have made it as a rock star," sighs his father. It wasn't for lack of trying: At the University of Massachusetts in the early eighties, Giacchetto fronted two successive bands that drew a large following in Boston. But his rock career never really took off.

Instead, Giacchetto landed a job as an analyst for the white-shoe Boston Safe & Deposit Company, trading by day and playing gigs late into the night. In a scathing article last December, the New York Observer reported that the company had no record of his employment there. But a spokesman for Boston Safe confirms that Giacchetto was employed there full-time from 1980 to 1987; his former boss, Donna Wong, now works as a systems analyst at Cassandra. The Observer was also unable to find any record of the business courses Giacchetto claimed he took at Harvard. As it turns out, Harvard does have a record of Giacchetto's attendance, but the courses were at Harvard's extension school, not its prestigious business school, as he had claimed.

When Giacchetto left Boston Safe in 1987 to strike out on his own, many of his devoted clients followed suit. Cassandra targeted creative types with a simple pitch: Since artists, actors, musicians, and filmmakers are paid only sporadically for their work, they require specialized investment strategies. Giacchetto's approach was long-term, ultraconservative. "I never started Cassandra thinking, I want to make tons of money," he says. "I started it because I really believe that most of the creative people I knew were ill-advised and didn't have any resources. I thought I could help them find a safe way to grow their money."

Though he'd given up performing, he still thought of himself as an artist, with money his new medium. "When I meet money managers who tell me they're technicians, or it's about science, that's bullshit," he says. "You don't know if a stock is going up or down tomorrow. It's an art, just like writing a song or doing a painting."

To woo his artsy clients, he and his then girlfriend, Artemis Bradford Willis, held dance parties on the rooftop deck of his Back Bay apartment and followed up with a monthly newsletter that offered investment tips along with gallery listings and art reviews. By the early nineties, he was one of the best-known brokers in Boston, but typically, he was restless. Packing up his spreadsheets, client lists, and even the family's Fischer piano, Giacchetto moved to New York, and from his loft on Lafayette Street he began his most ambitious assault.

After relentlessly cold-calling the powerful PaceWildenstein Gallery, he wrangled an audience with its influential president, Marc Glitmer. Amused by the quirky hustler, Glitmer took Giacchetto under his wing, introducing him to art-world players like George Condo and Bleckner, who became his earliest clients.

It was his personality as much his business acumen that drew people to Giacchetto. "He'd stare adoringly into your eyes, loving everything you said," notes a former client. "He has this wonderment that disarms people. An innocence he exudes."

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From the February 28, 2000 issue of New York Magazine.
By 1995, he had charmed his way to the core of New York's downtown demimonde. "I met him at this birthday dinner for André Balazs," says another acquaintance. "There was James Truman, Lee Radziwill, and Dana. He was sitting across from this famous gossip columnist and telling him all about this money-management fund he'd started for musicians and artists who were friends of his."

On long weekend visits, Giacchetto set his sights on Hollywood, where he networked his way through a daisy chain of parties and premieres to the office of golden-girl producer Stacey Sher (Pulp Fiction, Get Shorty). Sher hung out with the under-30 crowd and dated a personal manager named Rick Yom, who soon became one of Dana's closest friends.

Though most of Hollywood was paying Yom little attention at the time, Giacchetto sized up the young manager's client base and recognized its potential. At the time, Yom and his sister-in-law Julie Yom had a lock on many young stars, including Cameron Diaz, Jennifer Lopez, Ed Burns, Matt Dillon, and Leonardo DiCaprio. In the face of Giacchetto's charm offensive, says one friend, "Rick didn't have a chance. Not only did Yom invest his money with Cassandra, but he also encouraged each of his clients to do so as well."

Helped along by a spirited bull market, Giacchetto promised — and frequently delivered — returns of 40 percent and more for his clients. "Whatever he's doing, he's doing well for me," Courteney Cox gushed to the Post. "Every time everyone's panicking about the stock market going down, I just say, 'Go, Dana.'"

"When Dana began showing up on 'Page Six' more than I did," Ed Burns told a friend, "I knew it was time to get out of there."

As his clients' portfolios took off, so did Giacchetto's cachet. He earned a reputation as someone who could put the right people in the right room — usually his own loft. What he wanted to create more than an investment club, he says, was a salon of his generation's most important artists, writers, actors, and musicians. It was a "community," Giacchetto says, where ideas could cross-pollinate between rock and painting, movies and performance art, and Giacchetto would play matchmaker. Indeed, in 1994, he put together a deal that would stagger the industry — and reveal a sharp edge to Giacchetto's laid-back demeanor.

That year, Seattle's influential Sub Pop record label, which had nurtured such seminal grunge acts as Soundgarden and Nirvana, was looking for a major distribution deal. Acting as a high-paid auctioneer, Giacchetto frantically worked his Rolodex, talking up the label to David Geffen and Microsoft. "He'd
have these meetings and say, 'If you don't want it, I've got three other people ready to take it right now,'” says a source close to the deal. "Then he'd turn around and start dialing the phone. He was a great negotiator that way. It's a certain magic and balls and timing."

After igniting a seven-month bidding war, Giacchetto delivered 49 percent of Sub Pop to Warner Music for $20 million. "That was just a phenomenal deal," says another insider. "The company was worth a couple million. That deal made people look at him in a whole new light." As reports of his deal-making abilities spread, other labels came calling — followed by modeling agencies, hoteliers, magazine publishers, and movie studios. "I had an incredible amount of power," he says. "I could deliver anyone to anyone with one phone call."

Though she stuck with him throughout his rise, by 1998, the relentless networking eventually got to his longtime girlfriend, Artemis Willis. The couple sparred often and loudly over his "need to hang with the right crowd," says one pal. "Artemis couldn't stand the people around him. The constant name-dropping and social climbing started to wear her out." Finally, she moved out.

By all accounts, Giacchetto was devastated by the breakup, but his friends helped take away some of the sting. Prime among them was DiCaprio, who, by early 1998, was practically living in Giacchetto's loft. "Leo would wander down around noon, check the Bloomberg, make some calls, and they'd go out to a long lunch," recalls one former Cassandra trader. "Or Gwyneth would come by, and it was all hugs and kisses and 'Love ya, babe.' He was developing this whole cult of personality."

Though he was a decade older than some of the guys in DiCaprio's posse, at night Dana gamely played Pied Piper through the city's downtown club scene, from Cafeteria to Moomba to Veruka and back again. "He was out a lot," recalls a friend. "He'd always be asking, 'Where do we go next?' This was at two in the morning."

Eventually, however, his frenetic socializing took a toll. Sometimes Giacchetto didn't show up to work until 1 p.m., and he became less interested in the day-to-day operation of the Cassandra office, which had by then descended into comic disarray. He bought two cockatoos, one for himself and another for DiCaprio, which he allowed to fly loose through the office. Visitors would find the two birds, Tiberius and Angel, perched on the office's Bloomberg machine, chewing at the wires.

Clients complained that their monthly statements arrived chronically late, or not at all. After a couple of bad deals, including a disastrous foray into the now-bankrupt Iridium, many of them suspected that he was more concerned with maintaining his social profile than with monitoring their investments. His blatant self-promotion had also become an increasing liability. Sources close to Matt Damon and Ben Affleck say the actors decided to pull out because they thought Giacchetto was trading on their names for his own benefit. Another client, Ed Burns, followed them out the door for the same reason. "When Dana began showing up on 'Page Six' more than I did, I knew it was time to get out," he told a friend.

By now, Giacchetto was even dropping the names of clients he didn't have. He once showed a friend a spreadsheet with Steven Spielberg's name on it and claimed to be managing $7 million for the director. A source familiar with Spielberg's finances firmly denies he invested any money with Giacchetto. When informed of this, his pal laughs. "I knew that," he says. "Dana never thinks you'll like him enough."

Giacchetto denies he ever talks out of school about his clients and insists that complaints about his social life are wildly overblown. "Look," he says, "I party, but mostly it was business. I'm not like a drug addict or anything. Far from it. I was here working my balls off every single day to make money for my clients and put deals together, and the proof is there. I finished all these deals. It's not like a smoke screen. I mean, I really did them. I'm really good at that."
Amid the circuslike environment, news that Giacchetto had taken on a new associate was greeted with some relief at Cassandra. A soft-spoken 47-year-old Richard Gere look-alike with an impressive political pedigree, Jeffrey Sachs was supposed to provide the ballast in Cassandra's flighty offices. Born to a Conservative Jewish family in the Five Towns and trained as a dentist, Sachs instead went into public service, landing high-profile jobs under governors Hugh Carey and Mario Cuomo.

Along the way, he developed a wealth of influential contacts. A close friend of John Kennedy Jr.'s (he was supposed to have been a passenger on JFK Jr.'s tragic last flight but canceled when he fell ill), he also helped Andrew Cuomo find help, the younger Cuomo's affordable-housing initiative.

At the time he and Giacchetto first discussed teaming up, Sachs was heading up a thriving consulting business that offered strategic planning for health-care groups, financial firms, and entertainment conglomerates, including Time Warner and NBC. "My biggest talent," he says, "was to make this happen or make that go away."

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From the February 28, 2000 issue of New York Magazine.
The two had known each other socially for a number of years, but by the summer of 1997, tired of consulting, Sachs says, he decided "to get into more transactional activities." He had heard a lot about Giacchetto's deal-making skills during the sale of Sub Pop to Warner Music and was impressed by his manic energy.

For his part, Giacchetto thought that if he fused his personal contacts with Sachs's institutional ones, they could build a powerhouse. To sweeten the arrangement, Giacchetto says, Sachs promised to deliver him a money manager's pot of gold, a lucrative pension fund from the state's health-and-hospital-workers' union, which was being run by Sachs's friend Dennis Rivera. (Sachs denies this.) Though the fund never materialized, in the summer of 1997, Giacchetto invited Sachs to move his operation into Cassandra's offices, where he joined former Billboard publisher Sam Holdsworth—who would use his connections to look for promising entertainment start-ups—and his old boss's son, Chris Cuomo, who would "lawyer" the deals.

In the beginning, at least, the partnership went as planned. Several months after arriving at Cassandra, Sachs introduced Giacchetto to his friend Mitchell Blutt, a high-powered executive partner at Chase Manhattan Corporation's $2 billion venture-capital unit. Sachs knew that Blutt's division, Chase Capital Partners, was hungrily looking for alliances to help identify potentially explosive start-up companies in the entertainment field. Enter Dana.

In March, Giacchetto began squiring Chase's buttoned-up investment bankers around the tables of Moomba, where between Cosmos he and Blutt talked about putting together a partnership. Their first joint venture was a deal to underwrite the Standard Hotel in Los Angeles, a project of Giacchetto's friend André Balazs, who also owned the Chateau Marmont and New York's Mercer. Then, on October 9, 1998, Giacchetto, Blutt, Holdsworth, and Sachs formed Cassandra-Chase Entertainment Partners, a venture-capital firm backed by $100 million from Chase. The fund's main objective was to ferret out entertainment start-ups and get a first look at the projects conceived by Giacchetto's famous clients. The partners stood to earn 15 to 20 percent of each venture.

Despite the Chase funding, not all was well between the partners. From the start, Giacchetto says, Sachs had trouble adjusting to Cassandra's hypercasual atmosphere. And to Cassandra's employees, who had prided themselves on their outlaw attitude toward corporate America, Sachs and his buttoned-up team seemed suspiciously old guard. Sachs told Giacchetto he needed to hire people who were more professional. In November 1997, on his recommendation, Giacchetto hired as Cassandra's vice-president Soledad Bastiancich, a Yale-educated lawyer who had worked at the conservative Allen & Company. She is the girlfriend of John Howard, a multimillionaire Bear Stearns venture capitalist and a close friend of Jeff Sachs.
Though she was charmed by her madcap boss, Bastiancich was alarmed at the lax operation he ran. Backed by Sachs, she persuaded Giacchetto to authorize a $250,000 audit of Cassandra. Bastiancich later outlined her concerns in a confidential four-page letter obtained by New York, which included a list of demands that Giacchetto had to meet if he wanted to keep her on. It's a strange document, which veers from fawning regard for Giacchetto's "vision" to anger over his shortcomings. "For all I know," she writes, "you may spit on this letter and tell me you never want to see me again (though I pray you don't ever feel that way)." She signed it with a smiley face.

The letter, which Giacchetto twice denied to me even existed, provides a glimpse inside Cassandra's chaotic offices and reveals an internal struggle over its future. In it, Bastiancich asks Giacchetto to "promise me that you will check with one of us about a client's account value and holdings prior to telling the client. TCG has had several hundred thousand dollars worth of trade errors during the past couple of years. We simply cannot afford anymore [sic]. It is okay not to always have awesome news."

She also complained that the company was paying Giacchetto's personal travel and entertainment expenses and had been making personal loans to clients that were not "professionally papered and at market rates."

Giacchetto denies that he lied about client accounts, and he says that his expenses were normal for someone who traveled frequently with clients. How about the trade errors? I ask. "Yeah, we had trade errors," he sighs. "There are always errors in trading, but I don't think I had any major problems. You call and say, 'Buy me 500 shares of Merck,' and somehow they'd buy 400 instead. That's a trade error. That's what she's addressing. But I don't think that's bad or negative or shocking. Soledad wanted power. All of them wanted power. They got in and they thought, I can do this better than you, because Dana's so flighty and creative and we're these top management people."

In fact, Bastiancich was seeking an equity stake in the company and asking to be named president, with the power to run daily operations and draw up a "conservative" budget to make the company profitable. Giacchetto angrily refused. She left Cassandra a few months later to write a novel.

Bastiancich and Giacchetto's partners in Cassandra-Chase were especially troubled by Giacchetto's involvement in a struggling firm called Paradise Music & Entertainment. In 1998, the company, which produced music videos, commercials, and albums, was about to be de-listed from the nasdaq because its assets were so dismal. To Giacchetto, the company, little more than a shell operation at the time, presented a tempting opportunity. He agreed to pump $6 million of client funds into Paradise to rebuild it into a powerful indie force that would serve as a vehicle for his clients' projects. "It was a shell where I thought I could bring together the kinds of things I always wanted to bring together," Giacchetto says. To run the company, he tapped Jesse Dylan (son of music legend Bob Dylan), a respected commercial producer and a Cassandra client. As president he chose his old friend Jay Moloney, who had, after several attempts at sobriety, been clean for months.

Skittish because of Moloney's drug relapses and rumors of earlier suicide attempts, some clients hesitated to bankroll Paradise, and even Moloney's friends worried that the pressure would send the fragile agent over the edge again. "He could barely hold a job," one friend notes, "much less run a public company." Equally troubling was Giacchetto's stake in the venture. The money manager was given a consultant's title and paid in stock options worth $1.2 million. What made the arrangement problematic was that Cassandra traders were advising clients to trade shares in a company about which their boss possessed inside information.

Large financial firms install barriers between investment bankers and traders to prevent insider trading, but in Giacchetto's seven-member office the potential for abuse is enormous. "There was a potential conflict," Giacchetto says. "Absolutely. We were very careful. It's completely disclosed in the [SEC filings] that I owned stock. Everyone knew I owned it." John Heine, a spokesman for the Securities and Exchange Commission, says he can't comment on this case, but insists the issue is not clear-cut. "There's a possibility that his being a
consultant and selling shares is a conflict of interest. Simple disclosure may not be enough." Giacchetto denies ever breaking any SEC rules. "If there was someone who has proof that I had, my former so-called partners would have picked it up during the first six months of this torture and put me in my grave."

By now the partners were also clashing over the operation of the Cassandra-Chase fund. Time and again, Giacchetto complains, Sachs and Holdsworth shot down deals he brought them involving major stars — all of whom were Cassandra clients. There was Danny DeVito, looking for funding for an Internet start-up. There was Ovitz, wanting to put together a film-distribution company. There was DiCaprio, Martin Scorsese, and Q-Tip, who jointly planned to set up a film company. Finally, there was Larry Bathgate, the powerful former finance chair of the Republican National Committee, who had agreed to back a $20 million merchandising firm called Artists Marketing Corp., which would market the names and likenesses of such stars as DiCaprio in the lucrative overseas markets. (The AMC deal, which was killed when Bathgate was informed that Giacchetto had used his clients' funds as collateral; a charge Giacchetto denies. It also antagonized Ovitz, whose management company handles DiCaprio.) "Why didn't they do those deals?" says Giacchetto. "I don't know. It was ridiculous. They wanted the glamour of having me tromp all those celebrities through the door of Chase, but they didn't want to work with my clients."

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Sachs responds that deals brought in by other partners were frequently turned down as well. "For every hundred deals we looked at, maybe we'd do one," he says. But Giacchetto believes that once they had used him to establish the partnership, Sachs and Holdsworth decided they no longer wanted him around. In early October, several clients and their attorneys began calling Giacchetto, he says, claiming that Sachs had told them disturbing things about Cassandra. At first, Giacchetto says, he didn't want to believe that Sachs had turned on him. "But people started calling me and saying, 'This guy is not your friend. He's trying to destroy you.' And I said, 'Why? Why?'" His face reddens perceptibly and his voice grows shrill. "The only answer I have is that he didn't understand [my business] and thought there really was bad stuff going on. I don't know. But there wasn't. And there isn't."

On October 21, his partners moved out of the office without informing Giacchetto and set up shop directly across the street. A few days later, Giacchetto received a terse letter informing him that he was being removed from the partnership and his one-third interest in the venture would be reduced to about 8 percent. "Dana went apeshit," a colleague says. "He kept crying and yelling that he'd pay them back."

Giacchetto filed his lawsuit a month later. "I think they hoped we'd all separate and I'd keep my reduced interest and life would go on. I'd be mad for a few days, but they'd keep the fund and I'd keep my clients and everything would be wonderful," says Giacchetto. "They were wrong."

Three weeks ago, Giacchetto hired a Greenwich money-management firm to shape up his back office but then promptly dismissed it because he feared its owners were trying to take advantage of his recent troubles. "They wanted too much control and access to the star clients," he says. "And I'm never going to give that away again."

In the meantime, Giacchetto says, he's back in the game. He has hired two new portfolio managers for his office; one of them, he lets slip, is Chloé Sevigny's brother. He says four of the seventeen clients who bolted last fall have returned to his firm. Eager to show that he's curbed his penchant for name-dropping, he won't say who they are. He also says he's currently in talks with two banks about backing a new venture-capital fund.

Last week, Giacchetto even surfaced at a screening of his old friend DiCaprio's movie The Beach, where he wandered the aisles kissing old friends. But when the house lights dimmed and he went in search of a seat, none was vacant. He wound up sitting cross-legged on the floor, right up against the screen.

Giacchetto's New Year's performance notwithstanding, the mythological character he's often compared to these days is not Cassandra but Icarus, who got burned flying too close to the sun. "I just had a suspicion it wouldn't last," says one intimate. "He was flying too high, had too many people signing on. You knew that if anything ever went wrong, they'd all start jumping ship. He was a New York Magazine article waiting to happen."

03/02/2000 12:06 PM
The Rise and Fall of Dana Giacchetto: He Advised DiCaprio, Annoyed Ovitz

by Roger D. Friedman

Six months ago, you might have wanted to be 37-year-old hard-partying money manager Dana Giacchetto. The clients at his Cassandra Group company included A-list movie stars from Hollywood's younger generation: Ben Affleck, Matt Damon, Edward Burns, Cameron Diaz, Tobey Maguire and Heather Graham. Michael Ovitz was his phone friend. Leonardo DiCaprio was living in his SoHo loft (located above the Cassandra offices at Broadway and Spring Street) and photographed at his side during many a night on the town. But how things have changed. In a matter of days, Mr. Giacchetto lost 17 of his clients, many of them now managed by Ovitz's new company, Artists Management Group. Soon after that, he was the protagonist of journalistic horror stories in Daily Variety (“Financial Whiz Kid’s Stock Falls,” went the headline) and the Los Angeles Times (“Problems of Style, Substance Created Exodus From Giacchetto”). Next, Mr. Giacchetto quietly put his money management firm, the Cassandra Group Inc., up for sale, sources said. He also filed a slander suit against his ex-colleagues at the Cassandra-Chase Entertainment Partners L.L.C. And suddenly, you wouldn’t have wanted to be Mr. Giacchetto for all the tables at Balthazar.

And yet, there he was, still standing on the night of Dec. 10, commanding the lobby of the Cineplex Odeon in New York City, where the première of The War Zone, a movie directed by one of his clients, actor Tim Roth, Mr. Giacchetto’s shaggy hair was extremely blood that night. His Prada pants were tight and he was nuzzling a Meg Ryan lookalike. Singer Nona Hendryx was in his entourage.

Where are we going? Ms. Hendryx asked after the movie. “Are we going to the party?”


Decade of Hyped Art Shows, But Not Much Good New Art

by Hilton Kramer

Looking back on the art world in the 1990’s, what stands out as the mountain peaks of artistic achievement has had remarkably little to do with the accomplishments of living artists. This is not to say that there are no gifted artists hard at work on the current scene, but it is to say that these aspiring talents have been condemned to pursue their artistic ambitions in a cultural environment that is now devoid of great living masters. If there are exceptions to be noted—Ball’s, say, among the painters, and Anthony Caro, among the sculptors—then their highest achievements tend to be retrospective in character. Which is to say that they represent the culmination of their respective traditions.

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The Talented Mr. Giacchetto

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"No, no," said Mr. Giacchetto. "We'll go someplace else.

The implication: someplace hotter, better than the Lava Lounge, where the rest of the audience was headed. But 20 minutes later, a comedown: Mr. Giacchetto had been forced to go to the Lava Lounge, since Mr. Roth was obligated to go there.

"I'm only staying a few minutes," Mr. Giacchetto said, giving no indication that he was in any way bothered by the exodus of his clients; the press attention, or the suicide of his friend and colleague, Jay Moloney, the Creative Artists Agency agent with a drug problem.

Mr. Giacchetto's run of bad luck can partly be traced back to investments he made for his clients in three companies: Digital Entertainment Network Inc., still thought to be a potential leader in Internet videos; Paradise Music & Entertainment Inc., a wobbly amalgam of video and music production; and Iridium L.L.C., a Motorola-backed global satellite system.

But perhaps the hipster money manager's recent woes have more to do with the knotted business and personal relationships he has with Mr. Ovitz, Mr. Ovitz's Artists Management Group partner Rick Yorn and the hunk of Titanic himself, Mr. DiCaprio. First off, Mr. Giacchetto introduced Mr. Ovitz to Mr. Yorn, thereby helping to bring along the partnership that would become Artists Management Group. Among Mr. Yorn's client roster was Mr. DiCaprio, whose star power gave legitimacy to the fledgling management company and attracted others to the Ovitz fold. So all was happy among Messrs. Giacchetto, Ovitz, Yorn and DiCaprio for a time—until that Far East deal, according to industry sources.

Last summer, Mr. Giacchetto opened negotiations to merchandise the DiCaprio name and likeness in the Far East, where the matinee idol had been making The Beach. "He was making a deal that would have paid Leo $25 million," Mr. Ovitz said, giving no indication that he was the least bothered by the exodus of Mr. Yorn as a client. (Mr. Yorn was sold with its corporate parent, one of Mr. Ovitz's col leagues, Jay Moloney, the Creative Artists Agency agent with a drug problem.)

The implication: someplace hotter, better. According to industry sources, Mr. Yorn's exodus was to join the Leonardo Dicaprio Partnership, which was a division of Shearson until it was sold to a dance troupe by its parent, Sid Bernstein.

No one at Mellon Bank in Boston contacted by The Observer, including those who worked in personal banking during the Boston Safe Deposit days, had any memory or record of Mr. Giacchetto. Mr. Giacchetto also told GQ magazine that he was a few credits shy of a Harvard M.B.A. The Harvard Business School has no record of him, however.

"Dana likes to embellish," said one lawyer who has worked with him.

According to Nasdaq records, Mr. Giacchetto failed the only test he ever took, for a Series 2 license to make interstate deals, in 1996. Nasdaq also has no employment his-

Mr. Sachs introduced Mr. Giacchetto to Mitchell Blutt, of Chase Partners. "Dana started involving himself in transactions," said someone who witnessed the beginnings of the short-lived Chase-Cassandra partnership.

The investment in Digital Entertainment Network was the partnership's first unlucky turn. Digital Entertainment Network founder Marc Collins-Rector left the company after a lawsuit filed against Digital Entertainment Network accused him of molesting a teenage boy. A planned initial public offering was sidelined.

While trouble was brewing between Mr. Giacchetto and Mr. Sachs et al., he was facing a challenge within Cassandra Group. Soledad Bastianich, a graduate of Yale Law School who joined the SoHo company in '97, convinced him to conduct an out-

Celebrity money manager Dana Giacchetto, right, in better times, earlier this year, with...
as the...name and location in the Far East, when the middle-class...had been making The Beach. He was making a deal that would have paid Leif $25 million, "said one source, and Dana later denied it.

But there was more to the story. It would be a deal that Mr. Glischetto was far less...he was a middle-class guy and more like...Rabinstein could not find Mr. Glischetto about this whole thing. And when Mr. Ovitz found out about it, the sources said, he was not pleased. The short version: He retaliated by cutting off Mr. Glischetto and taking away his clients. "He had to teach him a lesson," said one.

Mr. Ovitz had no comment on the matter of the Far East deal. Neither did Artists Management Group spokesman Howard Rabinstein. Mr. Yorn was traveling and could not be reached for comment. Mr. Glischetto did not return phone calls left at his office or with any of his representatives, including former Beatles publicist Peter Brown and attorney Kent Kaelin.

After the Far East deal delivered Mr. Yorn nothing, he moved to Hollywood to the Glischetto-Ovitz relationship, then that May New York Times Magazine profile of Mr. Ovitz scoffed at it. "All you want to know about Michael. Everyone wants to know about his money. The world is interested in this moronic little management company. All I think is that it makes me realize that Michael Ovitz is the best agent that ever lived. I don't think he even knows what his company is going to be and yet the whole world is interested." In the presence of the writer, he also burked out things to an assistant: "Get me Leo," said one such jewel; "Get me Michael" was another.

Apparently, "Leo" is no longer taking Mr. Glischetto's calls. "He hung up on them all," said one former Cassandra Group staff member of Mr. DiCaprio. And it literally lived in Dana's apartment. And as recently as two months ago, Mr. DiCaprio was seen with George Condo at the Mercer Kitchen Restaurant. Now, however, his friendship has been ruptured, sources said.

Mr. Glischetto, until recently, was also handling investments for Mr. Ovitz and Mr. Yorn. An industry source said Mr. Ovitz did not lose money because of Mr. Glischetto's investing.

As recently as July, Mr. Yorn was a believer in Mr. Glischetto's ability to be the "incredible money manager. ...He's probably one of the few guys that I know that can analyze a spreadsheet as well as run a A&R [artist and repertoire] at a record company."

Which brings us to a simple but baffling question: Who is Dana Glischetto? His friends say he was reared in the lower-middle-class town of Medford, Mass. For three years, from 1980 to 1983, he attended the University of Massachusetts in Boston. What Mr. Glischetto has omitted from his list of notable clients and personal relationships is his past in the pornography industry. In 1992, Boston Herald interview, he said that he'd gone to work at age 21 for Sherman American Express in Boston. To the New York Post and others, he had told stories of the most incredible deals he had managed. But his client list was secret, and he did not reveal to them the real story of his past.

Another thing from Mr. Glischetto's back pages: He returned to the University Massachusetts for one year, in 1989-90, to get his bachelor of arts degree in English, according to university records.

Mr. Glischetto also claimed in interviews that he had control over more than $50 million through the Cassandra Group. But a March filing with the State Attorney General's office shows that the figure was actually $100.2 million.

Sometime around 1987, Mr. Glischetto started buying business in New York and became a regular writer at the then-nascent City Boynton Hopo! He began to meet people who could help him, starting with Arlene Willis, who went to Wellesley College and is now in the media. Mr. Glischetto, according to Reiffs, started investing the Willis's money. Mr. Willis, who he also declined to quote for this article, apparently was his girlfriend for several years.

In 1990, Mr. Glischetto circulated a flyer for a couple in his Boston neighborhood and ended up moving in with Craig Kanarick, a student at the Massachusetts Institute of Technology's labs with whom he lived. Then, in 1992, Mr. Kanarick himself moved to New York and start Raufshite Inc., the hugely successful Web site design firm.

"He used to have meetings on our dining room table," Mr. Kanarick said. "From the beginning, Cassandra was like an investing club."

In 1991, Mr. Glischetto started calling art galleries in New York, looking for someone who would want to invest his idea of helping artists with their cash. Mr. Williams worked on the Pace Gallery. Soon he was meeting the artists who sold their work to the stars through Pace. Some of his earliest clients were Pace clients George Condo and David Salle. Soon he was fervently networking the artists and stars and making money.

By 1993, he was organizing Sweet Relief Musicians Fund, a charity for musicians in need of health insurance. Victoria Williams, that popular alternative music singer who'd been diagnosed with multiple sclerosis, became one of his clients through Sweet Relief.

"He's been very helpful soliciting pledges from people," said Mr. Williams. "He was very cool, too. And maybe in a strange way, he was a star."

Along the way he built his star-studded client roster. In 1995, he moved to New York. He set up Cassandra, a management firm, and the Cassandra Group with a Chase Manhattan Bank investment division called Chase Capital Partners. The result? The short-lived Cassandra Management L.L.C. The group has its roots in the friendship between Mr. Glischetto and Jeffrey Sachs, a 45-year-old Democratic Party operative and friend of the Kennedy clan with a D.O.C. Mr. Sachs was supposed to be on that flight with John F. Kennedy Jr. and the actress, but crashed in the last minute, according to friends.

When the plane artisans turned up empty, many assumed it was her way out of the Kennedy clan. But the plane had no chance. No Cassandras' client interviewed for this article seemed to know about last winter's snafu—and the fact that Mr. Glischetto had a plane was still charged.

Things were still charging along for the talents Mr. Glischetto. He made Moonlight Becomes You. He gave a wild party on the Oscar weekend at the Standard in Los Angeles, a restaurant owned by his friend Andre Balazs.

In the Sweet Relief fund held a 15th anniversary celebration at the Hollywood Athletic Club. The invitation read in part, "Celebrity haircuts by Dana Glischetto, the founding director."

Art Alexakis of Everclear had the group General Public was among those who performed. Mr. DiCaprio was in the audience while Mr. Glischetto worked the room in a black suit.

Over the summer it seemed that Mr. Glischetto was in fact supplestied manager David Blaine in Mr. Glischetto's most photographed companion, Medford, Mass., where his parents Conno and Alina Glischetto, "They'll probably make a movie out of it," said Mr. Williams. But what will she do with her money now that she's no longer one of Mr. Glischetto's clients? "I'm moving into land," she said. "Real estate!"
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

To: New York

From: New York
   Squad C-1
   Contact: SA x3990

Approved By: 

Drafted By: jho

Case ID #: 196C-NY-274597 (Pending)

Title: Dana C. Giacchetto dba
       The Cassandra Group Inc.;
       SFA;

Synopsis: To open subfile (Sub 302) for FD-302's.

Details: Open subfile, 196C-NY-271947 Sub 302, to hold FD-302's.

**
FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 03/15/2000

To: New York

From: New York

Squad C-1

Contact: SA x3990

Case ID #: 196C-LA-221242 (Pending)

Title: DANA GIACCHETTO
THE CASSANDRA GROUP;
SEcurities FRAUD

Synopsis: To request CART assistance on a search taking place on Thursday, March 16, 2000 relating to the captioned case.

Details: The above captioned case involves securities fraud and a possible ponzi scheme committed by Dana Giacchetto and The Cassandra Group (TCG), with possible involvement from other individuals and entities. Investigation to date has revealed that among other things, Giacchetto defrauded clients who have entrusted funds to the investment discretion of Giacchetto and TCG. In addition to making material misrepresentations and omission to clients, funds and assets were moved without consent of clients to whom those assets belong. Giacchetto and TCG failed to maintain books and records as required pursuant to federal securities laws. Giacchetto has made false statements to representatives of the Securities and Exchange Commission (SEC), and has withheld documents from the SEC.

The premises of Dana Giacchetto’s residence and offices of The Cassandra Group located at 561 Broadway Suite 12A, 8C & 8D, New York, will be searched for items not limited to but including any books, business records, bank account records, financial and/or legal documents, and computer files pertaining to the crimes listed above.
Precedence: ROUTINE  

Date: 03/30/2000

To: New York  

Attn: Evidence Control Unit

From: New York  

Squad C-1  

Contact: SA ext 3990

Approved By: 

Drafted By: jho

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO dba  

THE CASSANDRA GROUP;  

SFA

Synopsis: To submit an electronic communication relating to submission of a FD-192 and chain of custody for general evidence into the Evidence Control Unit after ten days of being acquired.

Details: Evidence was seized pursuant to a search warrant executed for the captioned case on March 16, 2000. The seized items constituting general evidence, was immediately put into storage at the offices of the United States Attorney's Office in the Southern District of New York (SDNY). Computer diskettes were subsequently turned over to Federal Bureau of Investigation (FBI) Special Agent for submission to FBI's C.A.R.T. team.

The timing of the diskettes turnover by the SDNY, did not enable submission of the FD-192 and chain of custody forms within the ten day requirement by Evidence Control Unit.

**

**
To: Denver
Honolulu
Las Vegas
Los Angeles

From: New York
Squad C1
Contact: Ext. 2943

Title: DANA GIACCHETTO - Fugitive;
dba CASSANDRA GROUP;
SFA;

ESCAPE RISK

Synopsis: To advise receiving offices of fugitive status of captioned individual and set leads for Los Angeles and Honolulu Divisions.

Details: On April 4, 2000; DANA GIACCHETTO was arrested in New York on a complaint charging multiple counts of fraud. GIACCHETTO, doing business as CASSANDRA GROUP acted as an investment advisor to the "Hollywood and music" crowd. His clients included such individuals as

The criminal complaint filed against Giacchetto cited potential investor losses of approximately ten million dollars. The investigation is continuing in the efforts to determine what monies were stolen by Giacchetto and what losses are attributed to poor investments. Giacchetto was heavily engrossed in the fast paced lifestyle of "rich and the famous" and was often seen traveling and vacation with some of his clients. When his famous client's account began to lose money, he would provide false information to the clients to make it appear that the accounts were profitable.

Giacchetto was arrested and processed in the Southern District of New York on Tuesday, April 4, 2000. He was released on bond with specific travel restrictions. The restricted him to the Eastern and Southern Districts of New York, travel to
To: Denver  From: New York
Re: 196C-NY-274597, 04/11/2000

Massachusetts to visit family and other travel only with the approval of the government.

On April 10, 2000; it came to the attention of the government and the receiver put in place over Giacchetto's business that he had moved monies around and had apparently fled the Districts of New York. Information had been obtained that Giacchetto transferred funds from his bank account to his American Express account. These funds were then used to purchase an a series of airline tickets on United Airlines. According to information provided by Giacchetto purchased a ticket from LaGuardia Airport in New York departing Monday, April 10 at 6:05 A.M. to Denver, Colorado. He then had a connecting flight to Las Vegas and then on to Los Angeles. From Los Angeles he was to continue on to Honolulu with a final destination of Narita, Japan.

At the present time had confirmed that Giacchetto had used the tickets taken him as far as Las Vegas. It was uncertain if he was on the connecting flight to LAX. The flight would had been a smaller commuter plane and at this time has been unable to determine with any certainty that he was on or not on the flight. Further advised that the tickets purchased were First Class and this would make it more difficult to track. According to Giacchetto could use his UNITED First Class ticket with any of the major airlines if he were to attempt to changes flights. It is of the understanding that while he could switch carriers that he would not be able to change the destinations.

As part of his conditions of bail, Giacchetto did surrender his Passport (#154614767) and it was confirmed with the State Department that was the only (U.S.) passport issued to Giacchetto. Based on this information, it is unclear on how Giacchetto plans to exit Honolulu on a flight to Japan.

While many of his victims reside in the Los Angeles, California area and that it would be unclear as to how certain of his ex-clients and prior associates would react if Giacchetto was to contact them. It is feasible that he would still have a few friends that would be sympathetic and might offer assistance to Giacchetto.

NYO will provide any future updates as to Giacchetto's location.
To: Denver  From: New York  
Re: 196C-NY-274597, 04/11/2000

Descriptive Data:

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LEAD(s):

Set Lead 1:

DENVER

AT DENVER, COLORADO

For informational purposes only. Read and Clear.

Set Lead 2:

HONOLULU

AT HONOLULU, HAWAII

Make contact with the Honolulu Airport and attempt to determine if Giacchetto’s name appears on any manifests for any UNITED flights since Monday, April 10.

Set Lead 3:

AT HONOLULU, HAWAII

Through appropriate means ensure that all airline carriers at Honolulu International Airport are aware of the fugitive status of Dana Giacchetto and that a stop placed in their computer systems for Giacchetto if he attempts to purchase a ticket or board a flight.

Set Lead 4:

AT HONOLULU, HAWAII

Conduct logical investigation to determine if Giacchetto is presently staying at a Honolulu hotel, while keeping in mind that he most frequently stays at “five star” establishments.

Set Lead 5:

LAS VEGAS

AT LAS VEGAS, NEVADA

Make contact with the Las Vegas Airport and attempt to determine if Giacchetto was on the Monday, April 10th flight from Las Vegas to LAX. The scheduled departing time of the flight was 11:00AM.
Set Lead 6:

LOS ANGELES

AT LOS ANGELES, CALIFORNIA

Contact at LAX and attempt to determine if Giacchetto's name appears on any incoming or outgoing manifests for United flights since April 10, 2000.

Set Lead 7:

AT LOS ANGELES, CA

Through appropriate means ensure that all airline carriers at LAX International Airport are aware of the fugitive status of Dana Giacchetto and that a stop placed in their computer systems for Giacchetto if he attempts to purchase a ticket or board a flight.

Set Lead 8:

AT LOS ANGELES, CA

Conduct logical investigation to ascertain if Giacchetto has traveled and presently residing in Los Angeles.

ESCAPE RISK
Precedence: Routine

Date: 04/12/2000

To: Denver
Honolulu
Las Vegas
Los Angeles
Newark

From: New York
Squad C1
Contact: Ext. 2943

Approved By:

Drafted By:

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO - Fugitive;
da CASSANDRA GROUP;
SFA;

ESCAPE RISK

Synopsis: To advise receiving offices of arrest of captioned individual and to clear leads previously set for receiving offices.

Details: On April 11, 2000; a bench warrant was issued for DANA GIACCHETTO for violating his conditions of release as set by the Federal court in the Southern District of New York. Giacchetto had been arrested on April 4, 2000 on fraud related charges and as a condition of his release his travel was restricted to the Eastern and Southern Districts of New York. All other travel needed prior approval of the courts.

Giacchetto violated these terms by purchasing airline tickets departing the New York area with the ultimate destination being Frankfort, Germany. Leads had previously been set for receiving offices to conduct logical investigation to ascertain if Giacchetto had traveled into the respective territories. On Tuesday evening April 11, after agents attempted to interview defense counsel for Giacchetto contacted the United States Attorney's Office and was advised of the issuance of the bench warrant and the government's knowledge of Giacchetto's travel. Defense counsel then advised that giacchetto was in Las Vegas and would arrange for his return to New York.
Newark Division was able to verify that Giacchetto was in transit on a Continental flight from Las Vegas to Newark, New Jersey. Arrangements were made with Port Authority Police to assist NYO agents in the arrest of Giacchetto as he deplaned in Newark. At approximately 2:00AM, Giacchetto was placed under arrest and transported back to New York.

All leads set forth in prior EC pertaining to the locating and arrest of Giacchetto are to be discontinued.
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE
Date: 04/17/2000

To: New York
Attn: Squad C1

From: Honolulu
Squad 5
Contact: SA

Approved By: 
Drafted By: 

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO - Fugitive; 
dba CASSANDRA GROUP;
SFA

Synopsis: To report results of lead.

Details: On 4/11/00 Honolulu received three leads in the
captioned case. Upon receiving the leads, the following
investigation was conducted:

Supervisor was contacted at approximately 1:30 pm. At that time
confirmed that Dana Giacchetto had flown from New York to Denver
the day before and had boarded United flight 2703 from Denver to
Las Vegas, arriving in Las Vegas at 10:05 am. Giacchetto failed
to show for his flight to Los Angeles, however, and did not
appear on any United outbound flight at that time. Giacchetto's
name also did not appear on any manifest of any United flight
coming into Honolulu on 4/11/00.

noted that, in addition to the New York, Denver,
Las Vegas, Los Angeles, Honolulu, and Narita legs of his ticket,
Giacchetto had also purchased an open ticket from Narita to
Singapore on Singapore Airlines and an open ticket from Singapore
to Frankfurt, Germany on Lufthansa Airlines. Both airlines have
a code-sharing arrangement with United. The ticket had been
purchased using an American Express credit card, account number
(note: account may be missing one digit); in
purchasing the ticket, Giacchetto had given an address of "The
Cassandra Group, 561 Broadway Apartment 8C, New York, New York
10012."
To: New York  From: Honolulu
Re: 196C-NY-274597, 04/17/2000

also advised that United Airlines' two outbound flights from Honolulu to Tokyo--flight 8225 to Narita and flight 8237 to Nagoya--were done through code sharing with ANA.

stated that she would mark Giacchetto's name in United's computer system and call the investigating agents if it appeared on any inbound flight's manifest. also suggested that the investigating agents check with Hawaiian Airlines, as they have a daily direct flight from Las Vegas to Honolulu.

On 4/11/00 Security, Hawaiian Airlines, was contacted regarding Giacchetto. stated that he would review all manifests of incoming flights from Las Vegas to Honolulu and alert the investigating agents if Giacchetto's name appeared.

On 4/11/00 the United States Customs Service in Honolulu was also advised that a federal arrest warrant existed for Dana Giacchetto, date of birth 10/15/62, SSAN 154-61-4767. Customs agents in Honolulu subsequently agreed to place a detainer on Giacchetto if he arrived in Honolulu on a foreign carrier. At that time Customs also advised that Giacchetto had flown from Narita to Los Angeles on 4/3/00.

On 4/12/00 Honolulu was advised that Giacchetto had surrendered earlier that morning; as such, Honolulu considers the three referenced leads covered.

***
INSTRUCTIONS

1. Caution (MKE) - Check applicable caution type block(s) indicated. The caution statement must also appear in Miscellaneous block, e.g., "armed and dangerous".

2. Name (NAM) - Place name in this block. Aliases are not to be entered in this block but are to be placed in Aliases block.

3. Sex (SEX) - Sex will be designated by one letter, M (male) or F (female).

4. Race (RAC) - Race will be described by one letter, A (Asian or Pacific Islander), I (American Indian or Alaskan Native), B (Black), W (White), U (Unknown).

5. Place of Birth (POB) - Indicate city and state or, if foreign born, city and country. Where multiple birthplaces are reported, list verified birthplace or that which appears most logical in this block.

6. Date of Birth (DOB) - Enter as month, day and year. Where multiple birth dates are reported, enter verified birth date or that which appears most logical in this block. Place other dates of birth in Additional Identifiers block.

7. Date of Emancipation (DOE) - Must be filled in if individual is a juvenile. Otherwise leave blank.

8. Height (HGT) - Express in feet and inches, e.g., 6'0". Round off fractions to nearest inch.

9. Weight (WGT) - Express in pounds. Omit fractions.

10. Eye Color (EYE) - Use appropriate three-character symbol.

11. Hair Color (HAI) - Use appropriate three-character symbol.

12. Skin Tone (SKN) - Use appropriate three-character symbol.

13. Scars, Marks, Tattoos (SMT), and Other Characteristics - Place in this block only appropriate NCIC coding for scars, marks, tattoos, birthmarks, deformities, missing body parts and artificial body parts as defined in NCIC Code Manual. If more than one SMT is to be entered, use Additional Identifiers block for additional appropriately coded items. Use Miscellaneous block to describe all scars, marks, tattoos, and other characteristics, which are not defined in the NCIC Code Manual and to more fully describe SMT's which have been entered in SMT block. For example, an appendectomy scar, not being readily visible, would be described in the Miscellaneous block. A tattoo on right arm, shown as TAT R ARM in block, might be further described in Miscellaneous block as a rose tattoo on inside of lower right arm.

14. NCIC Fingerprint Classification (FPC) - Enter NCIC fingerprint classification.

15. Other Identifying Number (MNU) - Miscellaneous numbers may be entered with appropriate identifiers (prefixes). For first miscellaneous identifying number, use MNU block. When military service number is in fact Social Security Account Number, the number should be entered in both MNU and SOC blocks. Additional Identifying numbers are placed in Additional Identifiers block. The identifier (prefix) should precede the number and be separated from the number by use of a hyphen.

16. Social Security Number (SOC) - Place subject's Social Security Account Number in this block.

17. Operator's License Number - Place subject's operator's license number in OLN block. Also show licensing state (OLS) and year license expires (OLY).

18. Warrant Issued By-On-(DOW) - Enter date warrant issued in DOW block. For juvenile offenders, enter the date of violation.

19. Miscellaneous (MIS) - Enter additional pertinent information in this block. If caution statement used, basis for statement must be set forth as first item in this block.

20. License Plate and Vehicle Information - Place information concerning license plate and/or vehicle known to be in the possession of subject in appropriate blocks under License Plate and Vehicle Information heading.

21. Additional Identifiers - Enter information concerning additional license plates (number, state, year expires, and where applicable, type); Social Security Numbers; operator's license number, state and year expires; vehicle information (VIN, VYR, VMA, VMO, VST, VCO); MNU's (see list in item 14 above); visible scars, marks, tattoos, and other characteristics; and dates of birth. Clearly identify what data is being set forth; e.g., Social Security # 425-56-3294; Michigan operator's license 234567, expires 1999; DOB's 4/5/32, 5/2/32; etc.

22. By making an III inquiry, the entering agency may become knowledgeable of additional DOBs, AKAs, and other significant information which may aid in the location and/or apprehension of wanted persons.

23. Changes and deletions should be so indicated in the appropriate blocks.
From: Director, FBI
At: Criminal Investigative Division
Violent Crime/Fugitive Unit

Subject: Dana Giacchetto, dba Cassandra Group

Date: 4/1/10

INSTRUCTIONS - Reverse Side
NOTE: Priority "A" and "B" Fugitives - with initial submission, set forth a synopsis of crime on reverse side.

Indicate Fugitive Priority
- A
- B
- C
- D (Parental Kidnapping)

CHECK APPLICABLE WARNINGS

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2 - FBIHQ (1 - VC/FU)
1 - Savannah ITC
N 1649-1649 04/11/00 ROSQ# KFBD 02077 RDSQ# 03459006 PART 001 OF 001
NYSP PTST KFBD 1650
NYFBINY03
NO RECORD - NYSPIN WANTED PERSONS FILE
NAM/GIACCHETTO, DANA CALOGERO
DOB/101562 SEX/M. RAC/W

N 1649-1650 04/11/00 ROSQ# KFBD 02078 RDSQ# 03459014 PART 001 OF 001
NYSP PARQ KFBD 1650
NYFBINY03
NO RECORD - NYSPIN PAROLE FILE
NAM/GIACCHETTO, DANA CALOGERO
DOB/101562. SEX/M. RAC/W

N 1649-1650 04/11/00 ROSQ# KFBD 02079 RDSQ# 03459250 PART 001 OF 001
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NYFBINY03
NO NCIC WANT NAM/GIACCHETTO, DANA CALOGERO DOB/19621015 RAC/W SEX/M
N 1649-1650 04/11/00  ROSQ# KFBD 02080  RDSQ# 03459066  PART 001 OF 001
NYIS HINQ KFBD 1650
KFBD00167  NO SUSPECTS

N 1651-1651 04/11/00  ROSQ# KFBD 02081  RDSQ# 03464387  PART 001 OF 001
NCIC HINQ KFBD
ACK
NYFBINY03
THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/GIACCHETTO, DANA CALOGERO SEX/M RAC/W DOB/19621015 PUR/C

NAME
GIACCHETTO, DANA CALOGERO
FBI NO. 12799NBS
INQUIRY DATE 2000/04/11
SEX M RACE W BIRTH DATE 1962/10/15 HEIGHT 5'11" WEIGHT 155 EYES BLU HAIR BLN BIRTH PLACE MASSACHUSETTS PHOTO N

FINGERPRINT CLASS WU WU RS WU WU WU LS LS WU LS
PATTERN CLASS RS WU WU RS WU WU WU LS LS WU LS

SCARS-MARKS-TATTOOS SC ABDOM 033-54-3639

IDENTIFICATION DATA UPDATED 2000/04/07

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
   FBI - FBI/12799NBS

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END
KFBD WENT
\[00168\] FILE 5 FBI NEW YORK OFFICE NYBFINY03 APR 11-00
TO APB

MKE/C : URI/ NYBFINY03: NAM/ GIACCHETTO, DANA CALOGERO : SEX/M
RAC/W: DOB/ 10151962: SID/*: CCH/: SOC/033543639
LCD/: LCT/ F: OFF/ 5013: EXT/ Z: RCV/: PFL/: VIC/: RSP/
OCA/KFBD00168: WTP/ 1: WAR/: DKT/: DOW/ 041100
MIS/ ESCAPE RISK/ WILL EXTR/ NO BOND/ 196CNY274597/ CONTACT SSA AT 2123841000
FBI/12799NB5 : MNU/: OLS/: OLY/
OLN/: LIC/: LIS/: VYR/: VMA/: VMD/: VSI/: VCO/
ADDITIONAL COMMENTS

AUTH SSA

\[\text{FBI/12799NB5} \text{ MNU/} \text{ SMT/} \text{ FPC/} \text{ OLNI/} \text{ LIC/} \text{ LIS/} \text{ LIT/} \text{ VIN/} \text{ VYR/} \text{ VMA/} \text{ VMO/} \text{ VSI/} \text{ VCO/} \text{ Additional Comments} \]

\[\text{AUTH SSA} \text{ 4-56P} \text{ b6 b7C} \]

N 1659-1659 04/11/00 RDSQ# KFBD 02082 RDSQ# 03495044 PART 001 OF 001
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WPR/6970511

N 1700-1700 04/11/00 RDSQ# KFBD 02083 RDSQ# 03495316 PART 001 OF 001
NYSP WENT KFBD
ACK 00168
NYBFINY03

DCJS & NCIC ENTRY RESULTS
ENTERED ON BOTH FILES
NAM/ GIACCHETTO, DANA CALOGERO OCA/KFBD00168 WPR/6970511 NIC/W360638545
** CAUTION ADVISED **
CONFIRM RECORD WITH ORIGINATOR

MKE/WANTED PERSON
ORI/NYFBINY03 - NY FIELD OFFICE US FBI
NAM/GIACCHETTO, DANA CALOGERO
SEX/M RAC/W DOB/101562
SID/. CCH/. SOC/033543639 POB/MA
HGT/511 WGT/155 EYE/BLU HAI/BLN SKN/LGT
LCD/ LCT/F OFF/5013 CONDIT RELEASE VIOLATION-
WST/1 - ACTIVE
WTP/1 - ARREST WARRANT
EXT/2 - WITHIN AND OUTSIDE NEW YORK STATE
NRCV/. PFL/. VIC/. RSP/.
OCA/KFBD00168 WAR/ DKT/. DOW/041100
MIS/ESCAPE RISK/WILL EXTR/NO BOND/196CNY274597/CONTACT SSA
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OLN/. OLS/. OLY/.
LIC/. LIS/. LIY/. LIT/.
ARI/. ACA/. DDA/. RES/.
WPR/6970511

** CAUTION ADVISED **
CONFIRM RECORD WITH ORIGINATOR

MKE/WANTED PERSON
ORI/NYFBINY03 - NY FIELD OFFICE US FBI
NAM/GIACCHETTO, DANA CALOGERO
SEX/M RAC/W DOB/101562
SID/. CCH/. SOC/033543639 POB/MA
HGT/511 WGT/155 EYE/BLU HAI/BLN SKN/LGT
LCD/ LCT/F OFF/5013 CONDIT RELEASE VIOLATION-
WST/1 - ACTIVE
WTP/1 - ARREST WARRANT
EXT/2 - WITHIN AND OUTSIDE NEW YORK STATE
NRCV/. PFL/. VIC/. RSP/.
OCA/KFBD00168 WAR/ DKT/. DOW/041100
MIS/ESCAPE RISK/WILL EXTR/NO BOND/196CNY274597/CONTACT SSA
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LIC/. LIS/. LIY/. LIT/.
ARI/. ACA/. DDA/. RES/.
WPR/6970511
NYFBINY03

MKE/WANTED PERSON - CAUTION
ORI/NYFBINY03 NAM/GIACCHETTO, DANA CALGERO SEX/M RAC/W POB/MA DOB/19621015
HGT/511 WGT/155 EYE/BLU HAI/BLN FBI/12799NB5 SKN/LGT
SOC/033543639
OFF/CONDIT RELEASE VIOLATION
DOW/20000411 OCA/KFBD00168
MIS/ESCAPE RISK/WILL EXTR/N0 BOND/196CNY274597/CONTACT SSA
MIS/ 2123841000
NIC/W360638545 DTE/20000411 1659 EDT
KFBD WMOD
00169 FILE 5 FBI NEW YORK OFFICE NYBFINY03 APR 11-00 ADDED INFO TO COMPUTER

REF

WANTED PERSON MODIFICATION

:MK~/*:URI/NYBFINY03
:NAM/GIACCHETTO,DANA CALOGERO :OCA/KFBD00168
:SMT/SC ABDOM.

ADDITIONAL COMMENTS

AUTH SSA 5-05P

N 1708-1708 04/11/00 ROSQ# KFBD 02087 RDSQ# 03523381 PART 001 OF 001
NYSP KFBD
ACK SEQ NUM 00169
WMOD NAM/GIACCHETTO,DANA CALOGERO OCA/KFBD00168
WPR/6970511

N 1708-1708 04/11/00 ROSQ# KFBD 02088 RDSQ# 03524725 PART 001 OF 001
NYIS WMOD KFBD
ACK 00169
NYBFINY03

DCJS & NCIC MODIFY RESULTS

MODIFIED ON DCJS FILE ONLY
NAM/GIACCHETTO,DANA CALOGERO OCA/KFBD00168
DATA MODIFIED: SMT

NCIC UNAVAILABLE. MODIFY WILL BE MADE WHEN NCIC BECOMES AVAILABLE.

YOUR RECORD AS IT NOW APPEARS ON FILE WILL FOLLOW.
WANTED PERSON

ORI/NYFBINY03 FBI - NYC FIELD OFF
NAM/GIACCHETTO, DANA CALOGERO SEX/M RAC/W DOB/10/15/62
SOC/033543639 POB/MA HGT/5'11 WGT/155 EYE/BLU HAI/BLN SKN/LGT SMT/SC ABDOM
LAW CAT/F NCIC OFF/5013 CONDIT RELEASE VIOLATION
OCA/KFBD00168 WARRANT TYPE/ARREST WARRANT
WARRANT STATUS/ACTIVE
DOW/04/11/00 EXT/Z
FBI/12799NB5
MIS/ESCAPE RISK/WILL EXTR/NO BOND/196CNY274597/CONTACT SSA
   SQD C1 AT 2123841000

WPR/6970511 NIC/W360638545

THE WANTING AGENCY HAS INDICATED IT WILL EXTRADITE THROUGHOUT NEW YORK STATE AND OUTSIDE THE STATE.
KFBD WTST
ORI/.*
.NAM/GIACCHETTO, DANA CALOGERO
.SEX/M. RAC/W. DOB/10151962
INQ/MIS/SSA

N 1710-1710 04/11/00 ROSQ# KFBD 02090 ROSQ# 03532124 PART 001 OF 001
NYSP WTST KFBD 1711
NYFBINY03
NAM/GIACCHETTO, DANA CALOGERO
.SEX/M. RAC/W. DOB/101562

** CAUTION ADVISED **
CONFIRM RECORD WITH ORIGINATOR

MKE/WANTED PERSON
ORI/NYFBINY03 - NY FIELD OFFICE US FBI 212-384-1000
NAM/GIACCHETTO, DANA CALOGERO SEX/M RAC/W DOB/101562
SID/. CCH/. SOC/033543639 P0B/MA
HGT/511 WGT/155 EYE/BLU HAIR/BLN SKN/LGT
LCT/F OFF/5013 CONDIT RELEASE VIOLATION-
WST/1 - ACTIVE
WTP/1 - ARREST WARRANT
EXT/Z - WITHIN AND OUTSIDE NEW YORK STATE
RCV/. PFL/. VIC/. RSP/
OCA/KFBD00168 WAR/. DKT/. DOW/041100
MIS/ESCAPE RISK/ W2L EXTR/ND BOND/196CNY274597/CONTACT SSA

AT 2123841000
FB1/12799NB5 MINU/. SMT/SC ABDOM FPC/.  
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LIC/. LIS/. LIV/. LIT/.  
ARI/. ACA/. DOA/. RES/.  
WPR/6970511
N 1710-1710 04/11/00  ROSQ# KFBD 02091  RDSQ# 03532142  PART 001 OF 001
NYSP PARQ KFBD 1711
NYFBINY03
NO RECORD - NYSBIN PAROLE FILE
NAM/GIACCHETTO, DANA CALOGERO
SEX/M. RAC/W. DOB/10/15/62

N 1710-1711 04/11/00  ROSQ# KFBD 02092  RDSQ#, 03532348  PART 001 OF 001
NCIC W/ST KFBD 1711
NYFBINY03
MKE/WANTED PERSON - CAUTION
ORI/NYFBINY03 NAM/GIACCHETTO, DANA CALOGERO SEX/M RAC/W POB/MA DOB/19/62/10/15
HGT/5'11" WGT/155 EYE/BLU HAI/BLN FBI/12799NB5 SKN/LGT
SOC/033543639
OFF/CONDIT RELEASE VIOLATION
DOW/20000411 OCA/KFBD00168
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MIS/ 2123841000
NIC/W360638545 DTE/20000411 16:59 EDT
KFBD WTST
NAM/GIACCHETTO, DANA CALOGERO
SEX/M RAC/U DOB/10151962
INQ/*/MIS  C1

KFB0 WTST
NAM/GIACCHETTO, DANA CALOGERO
SEX/M RAC/U DOB/10151962
INQ/*/MIS  C1

N 1439-1439 04/12/00 ROSQ# KFBD 02596 RDSQ# 00962058 PART 001 OF 001
NYSP WTST KFBD 1439
NYFBIN03
NAM/GIACCHETTO, DANA CALOGERO
SEX/M RAC/U DOB/101562

** CAUTION ADVISED **
CONFIRM RECORD WITH ORIGINATOR

MKE/WANTED PERSON
ORI/NYFBIN03 - NY FIELD OFFICE US FBI 212-384-1000
NAM/GIACCHETTO, DANA CALOGERO SEX/M RAC/W DOB/101562
SID/. CCH/. SOC/033543639 POB/MA
HGT/511 WGT/155 EYE/BLU HAI/BLN SKN/LGT
LCD/ LCT/F OFF/5013 CONDIT RELEASE VIOLATION-
WST/1 - ACTIVE
WTP/1 - ARREST WARRANT
EXT/Z - WITHIN AND OUTSIDE NEW YORK STATE
MIS/ESCAPE RISK/WILL EXTR/ND BOND/196CNY274597/CONTACT SSA 3QQ C1
AT 2123841000
FBI/12799NB5 MNU/. SMT/SC ABDOM FPC/.
OLN/. DLS/. OLY/.
LIC/. LIS/. LIY/. LIT/.
ARI/. ACA/. DDA/. RES/.
WPR/6970511
RECORD - NYSPIN PAROLE FILE
NAM/GIACCHETTO, DANA CALOGERO
SEX/M. RAC/W. DOB/101562

MKE/WANTED PERSON - CAUTION
ORIG/NYSPIN PAROLE FILE
NAM/GIACCHETTO, DANA CALOGERO
SEX/M. RAC/W. DOB/101562
WGT/5'11" WGT/155 EYE/BLU HAI/BLN FBI/12799NB5 SKN/LGT SMT/SC ABDOM
SOC/033543639
OFF/CONDIT RELEASE VIOLATION
DOW/20000411 OCA/KFBD00168
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NIC/W360638545 DTE/20000411 1659 EDT
NO RECORD - NYSIN wanted persons file
NAM/GIACCHETTO, DANA CALOGERO
.SEX/M. RAC/U. DOB/101562
KFBD WCAN
00198 FILE 5 FBI NEW YORK OFFICE NYBFINY03 APR 12-00 CANCEL
TO APB

VOID

WANTED PERSON CANCELLATION
:MKE/*:ORI/NYFBINY03:NAM/GIACCHETTO, DANA CALOGERO
:OCA/KFBD00168 :RSN/Z.

ADDITIONAL COMMENTS

AUTH

N 1440-1440 04/12/00 ROSQ# KFBD 02599 RDSQ# 00966083 PART 001 OF 001
NYSP KFBD
ACK SEQ NUM 00198
WCAN NAM/GIACCHETTO, DANA CALOGERO OCA/KFBD00168 WPR/6970511

N 1440-1440 04/12/00 ROSQ# KFBD 02600 RDSQ# 00966290 PART 001 OF 001
NYIS WCAN KFBD
ACK 00198
NYFBINY03

DCJS & NCIC CANCEL RESULTS

CANCELLED FROM BOTH FILES
NAM/GIACCHETTO, DANA CALOGERO OCA/KFBD00168 WPR/6970511
THE FALL OF CELEBRITY BROKER DANA

Giacchetto has gone from Greek tragedy to Hollywood comedy. On April 12, the mop-topped money manager — who stands accused of looting at least $6 million from such celeb investors as Leonardo DiCaprio, Matt Damon and Courteney Cox Arquette (see US weekly, April 24) — was thrown in jail after jetting to Las Vegas with $44,000 in first-class airline tickets, $4,000 in cash and an altered passport.

Giacchetto, 37, had been released, April 4 on $1 million bail; his parents had put up their $500,000 Medford, Massachusetts, home as bond collateral. At a hearing after his April 12 arrest, Giacchetto's attorney, Andrew Levander, insisted his client wasn't fleeing, just taking his girlfriend, Allegra Brasco, to Italy. "He wanted to propose and thought Rome would be a great place," Levander said in court.

Federal authorities were not buying it. "That's patently absurd," said Assistant U.S. Attorney David Lewis. According to the terms of his bail, Giacchetto was allowed to travel to Los Angeles to start a career as a talent agent but was ordered not to leave the country and to surrender his passport. He was apprehended carrying an old passport with a doctored expiration date, 80 plane tickets to destinations such as Tokyo and Frankfurt and a bag stuffed with $5 and $10 bills. After hearing this, U.S. Magistrate James C. Francis IV called Giacchetto "a substantial flight risk" and sent him to Manhattan's Metropolitan Correctional Center. If convicted on multiple counts of fraud, Giacchetto could be sentenced to up to 20 years in prison. JD HEYMAN

CONCLUDED THAT WE WERE UNABLE TO CONTINUE" THE SHOW.

Bo Diddley, 71, filed a lawsuit in Manhattan Federal Court, April 12, against Nike, claiming the sneaker maker used the legendary guitar player's name and image without permission. Diddley says a 1989 T-shirt deal featuring the phrase YOU DON'T KNOW DIDDLEY expired in 1991. Nike began negotiating in 1999 to reissue the shirts but, Diddley alleges, started selling them before finalizing an agreement. He is seeking $500,000 in punitive damages.

Recovering

Gavin Rossdale, 32, lead singer of the band Bush, after reportedly collapsing for unknown reasons at a concert in Mount Pleasant, Michigan, on April 13.
**WARRANT FOR ARREST**

**United States District Court**

**SOUTHERN DISTRICT OF NEW YORK**

<table>
<thead>
<tr>
<th>UNITED STATES OF AMERICA</th>
<th>DOCKET NO.</th>
</tr>
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<tbody>
<tr>
<td>v.</td>
<td></td>
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</tbody>
</table>

**NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED**

Dana C. Giacchetto  
561 Broadway, Apartment 12A  
New York, New York

**WARRANT ISSUED ON THE BASIS OF:**  
☑ Order of Court  
☐ Indictment  
☐ Information  
☐ Complaint  

**DISTRICT OF ARREST**  
Southern District of New York  
CITY  
New York, New York

**TO:** UNITED STATES MARSHAL OR ANY OTHER AUTHORIZED OFFICER

You are hereby commanded to arrest the above-named person and bring that person before the nearest available magistrate to answer to the charge(s) below.

**DESCRIPTION OF CHARGES**

Violation of bail conditions

**IN VIOLATION OF**  
UNITED STATES CODE TITLE  
SECTION

**BAIL FIXED BY COURT**  
OTHER CONDITIONS OF RELEASE

ORDERED BY  
James C. Francis IV,  
U. S. Magistrate Judge

**SIGNATURE (JUDGE/MAGISTRATE)  
DATE**  
4/11/00

**CLERK OF THE COURT**  
BY DEPUTY CLERK  
DATE ISSUED  
4/11/00

**RETURN**

This warrant was received and executed with the arrest of the above-named person.

**DATE RECEIVED**  
**NAME AND TITLE OF ARRESTING OFFICER**  
**SIGNATURE OF ARRESTING OFFICER**  
1966-NY-274052  
APR 17 2000

**WITH/TEXT**  
**WITH/OUT TEXT**

**DATE**  
United States Judge of a State Court of Record
Investor to stars indicted in $9M theft

By DEVLIN BARRETT

A high-flying investor to the stars stole from famous clients to bankroll a lifestyle of lavish parties, hotel suites, and helicopter rides — and even loaned millions to his glitterati friends, prosecutors said yesterday.

Dana Giacchetto, 37, was formally indicted yesterday in Manhattan federal court on charges he stole a total of $9 million and then jumped bail after he was caught.

Giacchetto allegedly swiped money from investment accounts of Ben Stiller, Courtney Cox, Matt Damon, and others — including a $4.8 million chunk from the rock band Phish.

The indictment charges Giacchetto blew over $120,000 of the money on hotel bills, $55,000 on restaurant tabs, $8,000 for helicopter trips, and $30,000 on high-tech stereo and computer equipment, artwork and clothes.

He also "loaned" huge sums of money to friends and associates, the indictment charges.

Giacchetto had been out on $1 million bond, but was re-arrested April 4 at Newark Airport because prosecutors feared he was about to flee the country.
The three co-founders of an Internet start-up about to go public hastily resigned yesterday amid questions about their extravagant compensation and lifestyle.

The creators of the Digital Entertainment Network - who still own over 70 percent of the company - announced they were leaving the fledgling operation early yesterday evening, after the company was asked about their status by The Post.

Marc Collins-Rector, chairman of the board, stepped down along with Executive Vice-President and co-founder Chad Shackley.

Eighteen-year-old Brock Pierce - a director and executive vice president who helped develop the idea of the company - also left the company.

As The Post reported earlier this month, Hollywood insiders were buzzing about the high salaries at the start-up when SEC filings revealed the top four execs at the company paid themselves a combined $3.7 million a year, not including bonuses, warrants, stock options and advances.

The 146-employee company - which makes TV-style shows for its own website - has lost $27 million since its inception and has not pulled in a single dollar of revenue, the filing said.

Chase Manhattan's Chase Capital Partners and the Cassandra Group - run by Dana Giacchetto, the financial adviser to stars like Leonardo DiCaprio - have put significant investments into the company through an entertainment venture capital partnership.

Cassandra and Chase each own 8.09 percent of the company and have representation on the
the company and have representation on the board.

Sources have told The Post the buttoned-down types on the board were less than pleased with the free-spending ways and Hollywood lifestyle of Shackley, 24, and Collins-Rector, 39.

The pair live together in a mansion in Encino that used to belong to notorious Death Row records exec Suge Knight, who is now in jail.

"I've spent some time at the Playboy mansion and this place makes it look like a trailer," said one insider.

A spokesman for DEN said she had not heard of any dissatisfaction with the three departed execs on the part of the board.

Jim Ritts, formerly head honcho of the Ladies Professional Golf Association and now CEO of DEN, will replace Collins-Rector as chairman of the board.

In a statement, the company said Collins-Rector - who also started Concentric Networks - had left to pursue another start-up.

A spokesman for the company did not know if the departing trio would receive severance pay.

Pierce - who hooked up with Shackley and Collins-Rector when he was 17 - was on a yearly salary of $250,000 and had signed an agreement with the company to stay until 2002.
NEW YORK (CNNfn) - On a sunny midsummer morning, Sandra Bullock is shooting 28 Days on Broadway outside Dana Giacchetto's SoHo loft. It could be a perfect time for Giacchetto -- money manager to the stars and Leonardo DiCaprio's lad about town when he comes to the Big Apple -- to troll for clients.

But he's blasé about the bustle on his doorstep. Giacchetto is holed up in the eighth floor office of his investment boutique, The Cassandra Group Inc., flitting from phone to laptop, keeping tabs on his trades and the stock market. Though he isn't out scouring the set, you might think you've stumbled onto another performance as you settle in and eavesdrop on a conversation you can't quite help but overhear.

With a rattle of ice, Giacchetto sets down his iced Starbucks and stands up, a cool-meets-conservative blur of navy blue suit, steel-rimmed glasses and feathered blond hair. A clip-boarded assistant enters stage left.
Money manager Dana Giacchetto at Cassandra

"You've got $12 million here, we've got 400,000 shares. How much did we send them, $4 million? So we need more," Giacchetto rapid fires as he studies the spreadsheet. "So we put in Ben Affleck, Courteney Cox, Matt Damon ... if we took 500,000 shares, maybe that would be right."

"That sounds safer," the assistant says on cue. They're done, end of scene, and Giacchetto strides over to his computer. It's the perfect opening shot of his fast-lane life. It races from Wall Street, through the worlds of art and music, right out to Sunset Boulevard and Mulholland Drive.

Giacchetto, 36, is president and founder of 10-year old Cassandra, an investment advisory firm that he says manages or advises on some $430 million for 305 clients. They're mostly artists and entertainers, with a smattering of athletes and entertainment executives, not least of them Artists Management Group (AMG) founders Michael Ovitz and Rick Yorn.

"He's an incredible money manager" and a savvy assessor of artistic talent, said Yorn, a former Wall Street executive. "He's probably one of the few guys that I know that can analyze a spreadsheet as well as run A&R [artists and repertory] at a record company."

Giacchetto is a charmer and a shaker whose laid-back bicoastal drawl slips off a silver tongue. His clients, some of them breaking the big time and coming to him with their first $100,000, praise him for patiently breaking down the basics of stocks and bonds.

"Demystifying the capital markets," is how he describes his mission. As a bonus, through his parties, vacation trips and connections, some hope he can boost their careers.

"It's a salon," Giacchetto said. "I put together artists, filmmakers, directors, agents, screenwriters." He introduced Yorn, a top movie-star manager, to former Creative Artists Agency head Ovitz, sowing the seeds of AMG after Ovitz left Disney. Yorn returned the favor, hooking him up...
with DiCaprio, Cameron Diaz and Claire Danes, all now Cassandra Group clients.

From a list that started in the '80s art world with painters such as David Salle and George Condo, Giacchetto has networked his way through record labels like Matador and Nirvana's Sub Pop to movies, giving him a roster divided among the visual arts, music and film.

He has two or three meetings with prospective clients a day and takes on those he thinks have potential. It's an impressive Rolodex of top-bill or top-bill-potential young talent. So impressive that it attracted Chase Capital Partners to bankroll an entertainment venture-capital fund with Giacchetto, Cassandra Chase Entertainment Partners, with Chase investing up to $100 million. Chase is hoping not just for returns on its investment but entree, through Giacchetto, to Ovitz and other entertainment industry power-brokers, people familiar with the investment said.

### Giacchetto's holdings

| Merck (MRK) | AT&T (T) |
| American Express (AXP) | Intel (INTC) |
| Abbott Laboratories (ABT) | Pfizer (PFE) |
| Chase Manhattan (CMH) | Walt Disney (DIS) |
| Coca-Cola (KO) | America Online (AOL) |

The fund is distinct from Giacchetto's investment advisory business. It has cut six deals so far, funding music marketer Artistdirect, recapitalizing Paradise Music & Entertainment (PDSE), a music production company, and splitting a $26 million stake in Digital Entertainment Network, an interactive TV company, with Dell, Microsoft and Lazard Freres. Giacchetto says other deals are pending, the biggest of them forming a production company with a director and actor he declined to name.

Giacchetto wants, through the investment banking role, to give artists more control of their product.
"I'm encouraging artists to take equity instead of cash in things, because often artists end up with no equity. They get exploited and they get a paycheck and they think it's great because they need the money, and they realize they don't own anything."

Giacchetto says his desire to give artists more control over their finances -- through their investments and equity stakes in entertainment companies -- does not win him many friends on Wall Street.

It's too early to tell how the venture-capital fund's investments are performing, and Giacchetto is little-known among bankers on Wall Street. One investment banker at Lazard, for example, said he didn't know Giacchetto and dealt with Chase investment bankers on the Digital Entertainment deal.

"But they're going to hear about him right now," Yom said.

Giacchetto, the son of a novelist-radio script writer and a registered nurse, was born near Boston and grew up in a pleasantly middle-class Italian family before he studied English and economics at the University of Massachusetts. After he graduated, he cut his investing teeth at Boston Safe Deposit & Trust, a respected money management firm that moved him to New York.

He left after it sold out and the market crashed in 1987, when he says "by force and sheer luck" he was short the market and made enough money to start his own company. He had been playing in punk bands by night and hanging out at art galleries.

Though his musical career was short-lived, he saw a way to mesh his training and his passions.

"I had this wacky idea that I would start an investment bank for artists," he recalls.

GQ magazine paints a picture of him cold calling galleries and band managers, "peeling off his suit and donning hipster mufifi for late-night sit-downs with rockers."

Through his early contacts in art and an interest in collecting, Giacchetto met Jay Moloney, then a top agent who helped ensure his palm met the right hands in Hollywood. Giacchetto filled a void for his clients.

"He introduces them to a whole new world they're not in," Yom said, noting even entertainment-world figures with
finance training don't have the time to manage their money. "It's madness over here. Without Dana I don't know what would happen with my finances."

Giacchetto's strategies are simple. He's stuck with 20 or so blue-chip stocks over 10 years and typically puts his clients, whose accounts Cassandra manages individually, into 10 at any one time. Right now he's split 50-50 between bonds and stocks, with around 10 percent of his equity stakes in each of nine U.S. companies, including his partner Chase (CMB), his only entertainment holding Disney (DIS), and 4 percent of his portfolio in America Online (AOL).

Other than AOL, he thinks the Internet is too risky for his clients, who often invest for income and have unpredictable earnings and career trajectories. He tries to be politically correct and won't invest in defense, oil or tobacco stocks, but he doesn't really push that angle. Most socially conscious funds are just marketing gimmicks, he thinks.

To pick stocks, he looks at three things -- technical charts of the stock's historical movement, the company's record on hitting earnings projections and the "beta," which measures how volatile a stock is.

"And then there's the intangible or the ephemeral element, which is how do you feel about this?"

He sets price targets and sticks to them. His favorite stock right now is Merck, which he plans to sell when it hits 100. The Dow will hit 12,500 in the near term and by next July, it'll crash to 9,500, he predicts.

"But first we're going to 12,500. And then I'll move to about 10, 15 percent in cash. On the downside, if we break 11,000 I'll move to about 25 to 35 percent cash. And I will increase my fixed-income position and decrease my stock position. Probably if you come in here in December, I will be 25 percent cash, 50 percent corporate debt and 25 percent stock. Which will be my most conservative weighting since 1995."

Giacchetto is an endearing blend of frankness and ego, and old money slash New Age.

"I'm a Libra. Balance," he said. He talks freely and at length, albeit with a slightly rehearsed air of a salesman. He gets most animated and, well, real when he talks about his extensive art collection, which he

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clearly loves.

"I'm a very serious financial person. I am social, but this is a business that relies on relationships.

"I don't know, what do you think?" he sometimes asks, and he wants to know. It helps set besieged new stars at ease. Yes, his investment strategies are simple; he admits. Yes, his clients could do this on their own. "I think they could. But most people don't know about it."

Either they're daunted by investing or they throw money at mutual or hedge funds they don't understand.

"I say, 'Why are you doing all these things? Why do you need to be invested in short options in Turkey, when you can just buy AT&T stock in the U.S. and get a 15 or 20 percent return?"

Cassandra takes 1.5 percent a year of the assets under management. It's had just one down year, 1992, but has been around only during the current bull market. Several clients such as Yorn and Moloney are happy with his performance.

"First and foremost they come to me to make money. And if they're not making money, they fire me and get another money manager," Giacchetto said. Only after his stock picking, he said, is it that he "adds value" with his connections and social links.

Later this year, he and his "Cassandra team," with DiCaprio likely a part of it, will vacation in Africa, maybe Zimbabwe. And that won't be the last of those candid photo ops with an arm around Leo's shoulder. They went to Cuba last year.

But if Giacchetto thrives on that image, at least it's a symbiotic relationship. He provides the one thing entertainment industry bows to.

"My primary focus is making money, and I think I've done a good job of that. Hah!" And he giggles and looks up.↓
Hollywood Advisor Surrenders to FBI in Alleged Fraud Case

By JAMES BATES, PAUL LIEBERMAN, Times Staff Writers

NEW YORK--A stocking cap pulled to his nose to hide his face, Dana Giacchetto surrendered to FBI agents Tuesday in New York City to face federal fraud charges while his lawyers argued that the Gen-X Hollywood money manager should be allowed to continue to use his "schmooze factor" as a "finder" of deals for entertainment clients.

Giacchetto, 37, charged with three criminal counts for allegedly looting more than $6 million of his clients' funds, gave himself up shortly before noon. News photographers captured the bizarre sight of Giacchetto in the stretched-out stocking cap being led by FBI agents. According to reporters on the scene, Giacchetto made an obscene hand gesture at photographers trying to take his picture.

At an afternoon hearing, Giacchetto was released on a $1-million personal bond secured by his parents' signatures and their $500,000 home in Medford, Mass.

A onetime money manager to such stars as Ben Affleck, Matt Damon, Ben Stiller, Leonardo DiCaprio and Courteney Cox Arquette as well as entertainment power broker Michael Ovitz, Giacchetto was named in a criminal complaint Monday that alleged he funneled some $20 million of client funds through his own account as part of an elaborate fund-kiting scheme. He also is being accused of lying to the U.S. Securities and Exchange Commission.

Authorities allege he used the money to finance a posh lifestyle that often involved traveling the world to hang out with DiCaprio and other celebrities. They also claim he used the funds to cover the tracks of his failed investments and even what authorities allege was outright theft by paying off one group of defrauded clients with funds from other clients. Giacchetto was out of the country at an undisclosed location Monday when the complaint was filed.

Dressed in a brown sport coat, the boyish Giacchetto appeared nervous at the hearing, frequently glancing back at his parents who were
sitting in the packed courtroom. Giacchetto spoke only to confirm to U.S. Magistrate Andrew Peck that he understood his rights.

Giacchetto's lawyer, Andrew Levander, argued at Monday's hearing that Giacchetto should be allowed to travel and earn money through "finder's fees" in a vaguely described business of introducing his Hollywood contacts to people. Giacchetto needed to be able to travel to Los Angeles to use "the schmooze factor" to personally introduce his contacts to each other. "He has made lots of contacts over the years with people who still have confidence in him," Levander said.

The work, said his attorney, would not involve giving investment advice or handling money. Levander also argued that Giacchetto is not a flight risk, citing his voluntary return to the U.S. to face the charges.

Assistant U.S. Atty. David Raymond Lewis expressed skepticism, citing "a pattern of extraordinary brazenness by Mr. Giacchetto with other people's money" and Giacchetto's alleged use of forged documents.

Peck, who expressed skepticism that anyone would do business with Giacchetto at this point, said a court order freezing Giacchetto's assets would prevent him from escaping.

"Assuming Mr. Giacchetto can get on a Greyhound bus and stay in a Motel 6 with the last suit he owns on his back, to go schmooze with someone in California in the business, why should we all care?" Peck said.

Lieberman reported from New York. Bates reported from Los Angeles.
Financial Adviser Accused of Theft

By LARRY NEUMEISTER
Associated Press Writer

NEW YORK (AP) -- Dana Giacchetto, who was hauled into court this week to answer federal swindling charges, wants a new career as an entertainment agent.

At a hearing Tuesday where Giacchetto was released on $1 million bail, U.S. Magistrate Judge Andrew J. Peck suggested that no one "in their right mind will make a deal with him with the current charges."

However, Peck agreed to let Giacchetto travel around the country if he first obtains permission from the government, observing that "a lot of the business is based on the schmooze factor."

Giacchetto, 37, allegedly stole as much as $5 million from the band Phish and $1 million more from others while misappropriating as much as $20 million entrusted to him.

Some of the money allegedly went to support a lavish lifestyle that Assistant U.S. Attorney David Lewis said demonstrated "a pattern of extraordinary brazenness by Mr. Giacchetto with other people's money."

He is charged with securities fraud and with making false statements to the Securities and Exchange Commission. If convicted, he could face a decade in prison and $12 million in fines.

He allegedly committed the crimes while serving celebrities including Matt Damon, Cameron Diaz and singer Alanis Morrisette with an investment business, The Cassandra Group, run from a SoHo loft. He explained to reporters last year that he founded the business to help "friends" in the entertainment business who were unfamiliar with investing.

Lewis said it was an "alarming proposition" that Giacchetto could make his living as an entertainment agent charging substantial fees.

But Andrew Levander, Giacchetto's lawyer, said his client was trying "to put his life back together" by using contacts in the entertainment business to help actors and actresses get movie deals or other business.

Noting that Giacchetto's assets have been frozen, the judge was reluctant to interfere.

He added: "Assuming Mr. Giacchetto can get on a Greyhound bus, stay in a Motel 6 with the last suit he owns on his back, go schmooze with someone in California in the business, why should we all care?"
Money Man Charged in Celeb Scam

Hey Matt Damon, can I buy you a drink? Don't worry, it's on you...

Such is the alleged M.O. for Dana Giacchetto, the hipster financial guru for celebs like Damon, Ben Stiller, Cameron Diaz and Hollywood power broker Michael Ovitz who has been charged with stealing at least $6 million from his own people.

In yet another case of "my investment broker has a bigger house than me," authorities say the hard-partying, name-dropping Friend of Leo shuffled some $20 million from clients' accounts into his own, while his New York investment company, the Cassandra Group, has been bleeding red ink since 1997.

In charges filed Monday in U.S. District Court in Manhattan, the feds accused Giacchetto of running his own Ponzi scheme to keep his company afloat, while supporting a very un-bean-counter-like lifestyle. Authorities say he routinely pulled money from celebrities' accounts to pay off other account debts--all while telling people their cash was being invested conservatively.

But his business began falling apart at the end of last year, when clients like Damon and Ben Affleck grew skeptical of his dealings and couldn't get straight answers about where their money went. Others grew wary of his rock 'n' roll ways. "I want a button-down financial adviser who's always watching the ticker tape," one agent told Time magazine. "Not someone who's flying off to hang with Leo in Thailand."

The biggest victims in his alleged pilfering could be the Vermont hippie rockers, Phish. Court papers reportedly show that Giacchetto took some $3 million from the band's account. (He later promised to pay them $4.7 million after admitting his mishandling.)

The criminal complaint alleges securities fraud, investment advisory fraud and lying to the U.S. Securities and Exchange Commission.

Giacchetto's lawyer, Andrew Levander, did not immediately return a call for comment.

Giacchetto's expected to surrender to the FBI today, and he could face 20 years in prison and millions of dollars in fines if convicted.
NEW YORK (Reuters) - Money manager Dana Giacchetto, charged with allegedly stealing $6 million from his celebrity clients, was released on a $1 million bond Tuesday after announcing plans to start a new business "finding" actors for producers and studios.

Giacchetto, owner of the Cassandra Group investment firm that once touted a star-studded clientele of rock bands, actors and artists, surrendered to authorities late Tuesday morning. He later appeared at a bond hearing in Manhattan federal court looking disheveled in a brown pinstriped suit and pastel checkered shirt.

At the hearing, his lawyer Andrew Levander said Giacchetto would agree to post a $1 million personal recognizance bond if he could travel within the United States to promote his new business as a "finder" in the entertainment industry.

"He has lots of contacts over the years with people who still have confidence in him," Levander said.

Giacchetto's bond was secured by his parents' $500,000 home in Massachusetts. He will be allowed to travel only after getting permission from the court's pretrial services department and submitting his travel plans to prosecutors.

Although the government argued that Giacchetto could flee if allowed to travel, U.S. Magistrate Judge Andrew Peck said that a court order issued on Monday freezing his assets except for living expenses would prevent him from escaping.

"Assuming Mr. Giacchetto can get on a Greyhound bus and stay in a Motel 6 with the last suit he owns on his back to go schmooze with someone in California in the business, why should we all care?" Peck said.

On Monday, Giacchetto, 37, was charged in a criminal complaint filed by the federal prosecutors and a civil suit filed by the U.S. Securities and Exchange Commission with orchestrating a scheme in which he allegedly siphoned off clients' funds to pay for everything from loft space in New York's trendy Soho district for Cassandra's operations, to his own personal expenses for travel, dining and entertainment.

The charges allege that Giacchetto also used money to make unauthorized donations, including $90,000 to the New York Arts Academy and $12,000 to a law enforcement officer for a down payment on a Mercedes Benz.
Once, Giacchetto was a top financial adviser to the Hollywood and New York jet set. His client list had included superagent Michael Ovitz, the rock group Phish and actors Matt Damon, Leonardo DiCaprio, Ben Affleck and Cameron Diaz.

But the list began to dwindle when allegations surfaced last fall that he was mishandling money and was under investigation by federal authorities.

Assistant U.S. Attorney David Lewis told Peck that the government was also concerned that provisions of the bond would allow Giacchetto to commit new crimes by starting the "finders fee" business.

He said that evidence against the money manager shows a "pattern of extraordinary brazenness by Mr. Giacchetto with other people's money." Lewis said that Giacchetto allegedly continued to break the law even after his home was searched by authorities last month.

Defense lawyer Levander argued that the business Giacchetto proposes would involve taking finder's fees for his services, not managing other people's money.

Peck questioned why Giacchetto would need to travel saying he thought that much of the entertainment business is "based on the schmooze factor" and could be accomplished on the phone.

But Levander said personal contact is essential in that field. "The schmooze factor is the business...it is the essence of that business."
Advisor to Stars Charged With Stealing Millions

By JAMES BATES, CLAUDIA ELLER, Times Staff Writers

Dana Giacchetto, the boyish New York City money manager renowned for his ability to ingratiate himself with such young stars as Leonardo DiCaprio, Matt Damon, Ben Affleck and Hollywood power broker Michael Ovitz, was charged Monday with three criminal counts for allegedly stealing at least $6 million of his clients' funds.

"Wholesale looting" is how authorities described the way Giacchetto allegedly shuffled more than $20 million belonging to such clients as Damon, Affleck, Ovitz, actors Ben Stiller and Courteney Cox Arquette and the rock group Phish into his own account. Giacchetto, who is expected to surrender to the FBI in New York today, faces a maximum of 20 years in prison, as well as millions of dollars in fines, if convicted.

Andrew Levander, Giacchetto's lawyer, did not return calls. Hollywood celebrities have a long history of being hustled by confidence men who take advantage of their bank accounts by exploiting their personal insecurities and ignorance of their own financial affairs. Despite scores of stories of business managers stealing from their star clients, Giacchetto was allegedly successful in pulling off a garden-variety scam.

Giacchetto, 37, allegedly used the stolen money to fund a lavish lifestyle. Some of his star clients were eventually paid off with money taken from other clients' accounts, court papers allege.

A Boston native, Giacchetto is president of the investment firm the Cassandra Group, housed in his trendy loft in New York's SoHo district. DiCaprio and other...
Adviser to Stars Charged With Stealing Millions

http://www.calendarlive.com/.../t000031392.html

district. DiCaprio and other A-list clients often stayed in the loft. Giaccheto sold himself to Hollywood as a savvy, conservative investor, becoming "Hollywood's Gen-X money manager." He was especially close to agents at Creative Artists Agency, including the late Jay Moloney, who committed suicide last year after struggling with drug addiction. Giaccheto also charmed his way into New York's art world, befriending and advising such artists as George Condo, David Salle and Ross Bleckner.

Not Just a Money Man but a "Life Advisor"

Blond and slender with wire-rim glasses, Giaccheto grew up middle-class outside Boston in Medford, Mass., the son of a radio writer and a nurse. At one time, he was an aspiring rock keyboard player and vocalist.

Giaccheto the money manager relished hanging out with stars, visiting DiCaprio on film sets and dropping the names of Hollywood figures whenever a reporter was within earshot. In a New York Times Magazine story, Giaccheto is quoted as yelling commands to an out-of-sight assistant to "Get me Leo!" as in DiCaprio, and "Get me Michael!" as in Ovitz.

Giaccheto became especially close to Ovitz and Rick Yorn, Ovitz's partner in Artists Management Group who represents such stars as Cameron Diaz and DiCaprio. In an interview last year with Manhattan File magazine, Ovitz called Giaccheto "a life advisor. He's very full of ideas and very connected to a lot of people who I find stimulating."

But Giaccheto's operation began unraveling late last year. In December, The Times reported that droves of clients were leaving, including Damon and Affleck, complaining that they were unable to get answers to questions about their investments, that financial statements were slow to come and that Giaccheto maded risky moves with their money.

The criminal complaint, involving securities fraud, investment advisory fraud and lying to the U.S. Securities and Exchange Commission, was filed by the U.S. attorney's office in New York, supplemented by a civil suit filed by the SEC that resulted
In a freezing of Giacchetto's funds and the appointment of a receiver for his operation.

Giacchetto's alleged lies to the SEC include statements that he graduated in 1984 from the University of Massachusetts and did two years of graduate course work at Harvard University. The SEC says he only took undergraduate extension courses at Harvard that he applied toward his bachelor's degree at Massachusetts, which he finally earned in 1990.

Among the allegations is that through Cassandra, Giacchetto engaged in an elaborate check kiting routine similar to a Ponzi scheme in which he reimbursed money taken from the accounts of some clients with money from the accounts of others.

As an example, Giacchetto allegedly took $250,000 from Gordon Baird to help cover a $251,033 check he had already written to "Erin Brockovich" producer Stacy Sher. In another case, Giacchetto allegedly took $75,000 from Margaret Martin to cover a $39,275 payment he had made to Stiller, using most of the remaining money to pay credit card bills.

Court papers also state that starting in June 1997 and continuing until as recently as two weeks ago—even after authorities served him with a search warrant—Giacchetto ordered 58 checks from his clients' accounts at the investment firm Brown & Co. without their permission. Giacchetto allegedly did so even though his promotional literature claimed that he did not have custody of any of his clients' money "for maximum safety" which "assures the client security of his or her account."

Giacchetto allegedly had the checks sent to him personally via Federal Express, endorsing them without authorization. As an example, Giacchetto allegedly had $100,000 taken out of the account of Damon, star of such films as "The Talented Mr. Ripley" and "Good Will Hunting."

Giacchetto told authorities from the SEC who later questioned him that Damon had endorsed the checks, and that the money went into an investment. But the check bears only Giacchetto's signature, and was deposited
Advisor to Stars Charged With Stealing Millions

http://www.caleve.com/music/20000403/t000031392.html

into a Cassandra bank account, court papers show. Courtpapers allege that Giacchetto frequently told clients that the missing money had been used to purchase conservative investments such as AT&T bonds. The New York production company Good Machine, producers of such films as "The Ice Storm," discovered $150,000 missing from the profit-sharing plan Giacchetto structured and managed for the company. Giacchetto said it was used to invest in AT&T bonds, going so far as to show co-founder Ted Hope what authorities allege was a phony purchase order.

In fact, the SEC alleges, the Good Machine money had helped pay off other clients whose money Giacchetto had taken.

Good Machine was then paid back with money taken from the account of the band Phish, authorities said. According to the SEC, Giacchetto "maintained his charade by writing 'AT&T 7.125%' on the check issued to Good Machine to make it appear as if it had been used to buy bonds.

Phish Allegedly Lost Millions
Phish's account appears to be one of the largest tapped by Giacchetto, according to court papers.

After the group's accountant discovered the withdrawals and demanded the money back, Giacchetto told him he was sending replacement checks that never arrived. Instead, the SEC alleges, Giacchetto withdrew even more money from Phish, bringing the total to $3 million. After band members complained, Giacchetto agreed in writing to pay the group and the group's manager $4.7 million he had taken from them, admitting in writing that Cassandra had misappropriated the money, SEC documents show.

Far from being an investment success, court papers now show that Giacchetto's operation was hemorrhaging red ink since 1997 and was insolvent by late last year. Giacchetto is known to have invested money in such risky investments as Indium, which is liquidating, and Paradise Music & Entertainment, whose stock sank after he bought it
Advisor to Stars Charged With Stealing Millions

http://www.calendarlive.com/music/20000403/t00031392.htm

for clients.

One of the more risky ventures Giacchette put his clients' money into was the Pickens Capital Fund, headed by Tom Pickens, son of corporate raider T. Boone Pickens Jr. Giacchette had apparently promised Tom Pickens that he would raise as much as $90 million for the fund, which bought up small water utility companies in the South under the holding company Great Southern Water Works.

Sources said Giacchette wound up raising only $5 million.

While it is unclear how many of his clients invested in Great Southern, one investor estimates it may be a group of 15 to 20.

Moloney, for one, invested hundreds of thousands of dollars in the fund.

According to the accountant for the Jay Moloney Trust, Moloney invested $346,000 in the fund. When the accountant questioned Giacchette about the original amount and current status of Moloney's investment, "Dana wasn't sure." He told him he thought Moloney had invested about $340,000 and it was now worth $600,000. "If I send you $600,000 would you stop digging around?" the accountant recalled Giacchette asking him. "He sent me a rounded off, clean $600,000."

The Moloney Trust accountant said that all told, Giacchette had managed around $2 million of the former agent's money, which was invested in various other ventures.

Daniel Duvel, the outside corporate counsel for Great Southern Water Works, said, "The company is cooperating with the SEC and U.S. attorney's office. We are trying to access whether or not this has had any impact on the company and it's too early to tell."
April 3, 2000

Financial Adviser Accused of Theft

Filed at 9:02 p.m. EDT

By The Associated Press

NEW YORK (AP) -- Actors Leonardo DiCaprio, Matt Damon, Ben Affleck and singer Alanis Morissette are among the rich and famous clients of an investment adviser accused of stealing millions to support a lavish lifestyle.

Dana C. Giacchetto, a 37-year-old New Yorker, allegedly diverted $20 million from clients. The band Phish -- along with their manager -- may have lost as much as $5 million.

Giacchetto is also accused of failing to return at least $4 million in money maneuvered through the accounts in his investment business, The Cassandra Group, which he ran from a loft in the city's chic Soho section.

Federal prosecutors brought criminal securities charges against Giacchetto in U.S. District Court in Manhattan while the Securities and Exchange Commission charged him in a civil lawsuit and obtained a freeze of his assets.

In court papers unsealed Monday, prosecutors and the SEC said Giacchetto stole from clients to pay for his apartment, hotels, travel, dining and entertainment. Giacchetto is also accused of using money belonging to entertainment's A-list to make unauthorized donations such as $90,000 to the New York Arts Academy and $5,000 to the New York Police Scholarship Fund.

For at least the last three years, he "sought to attract clients from the arts and entertainment industry, many of whom lacked financial sophistication," the SEC said.

Company literature promised a "conservative investment strategy" focused on large companies but he "knowingly or recklessly" deposited more than $20 million of his clients' money in bank accounts permitting him to pay the expenses of his business and
Financial Adviser Accused of Theft

himself, the SEC said.

The SEC accused him of issuing fake portfolio statements or other false documents to clients who wanted proof of their purchases.

Giacchetto's lawyer, Andrew Levander, told Judge Lawrence McKenna on Monday that his client was returning from a trip abroad. Outside court, Levander said he couldn't comment further because he had not yet had a chance to read the court papers or talk to his client.

He said his client was expected back in New York on Tuesday and that Giacchetto sent a letter to his customers a week ago telling them he was getting out of the investment business.

As for his client's next move, Levander said to "stay tuned."

U.S. Attorney Mary Jo White said the case demonstrated that "no one is immune from any kind of scheme, securities or otherwise."

Giacchetto was the sole owner, president, chief investment officer and treasurer of his company, Cassandra Group, since the time he registered with the SEC in April 1991.

Federal prosecutors charged Giacchetto with securities fraud, fraud and making false statements to the SEC. They said in court papers that he signed an affidavit in December admitting that he misappropriated $3.9 million from the band Phish and its members and another $968,900 from accounts held by the band's manager. They said he pocketed more than $6 million illegally.

If convicted, Giacchetto faces a maximum of 10 years in prison on the most serious charge and $1 million or twice the gross gain or loss resulting from the crime.
Adviser to the stars charged with theft

By Gail Appleson, Law Correspondent

NEW YORK (Reuters) - High-flying money manager Dana Giacchetto, whose Cassandra Group advised such entertainers as rock group Phish and actor Matt Damon, was charged Monday with illegally transferring $20 million out of celebrity clients' accounts and stealing at least $6 million of it.

Giacchetto, 37, was charged in a criminal complaint filed by the Manhattan U.S. Attorneys Office and a civil suit filed by the U.S. Securities and Exchange Commission with orchestrating a scheme in which he siphoned off clients' funds to pay for everything from 10ft space in New York's trendy Soho district for Cassandra's operations, to his own personal expenses for travel, dining and entertainment.

The charges allege that Giacchetto also used money to make unauthorized donations, including $90,000 to the New York Arts Academy and $12,000 to a law enforcement officer for a down payment on a Mercedes Benz.

When clients began complaining about activity in their accounts, Giacchetto paid them off with other investors' funds in a Ponzi-type scheme, authorities alleged.

The criminal complaint charges him with three counts of securities fraud and lying to the SEC. If convicted of all counts, Giacchetto would face a possible maximum prison term of 20 years and fines of $1.5 million.

During a court hearing later Monday, a federal judge granted a request by the SEC to freeze accounts belonging to both Giacchetto and Cassandra. He also appointed a receiver to oversee the funds.

Andrew Levander, Giacchetto's lawyer, told the judge that his client notified investors in a March 23 letter that "He's getting out of the business of being an investment advisor."

He told the court that his client was out of the country but was on his way back to the United States. Levander would not comment further to reporters.

The criminal complaint did not identify investors who were allegedly defrauded by Giacchetto and Cassandra, which specializes in clients from the arts and entertainment industry. However, papers filed along with the SEC suit named at least three: Phish, Damon and actor Ben Stiller.

Once, Giacchetto was a dazzling financial star with the Hollywood and New York jet set who bragged he managed up to $1 billion belonging to hundreds of elite clients. His client list had included superagent Michael Ovitz and actors Leonardo DiCaprio, Ben Affleck and Cameron Diaz.

But the list began to dwindle when allegations surfaced last fall that he was mishandling money and
Adviser to the stars charged with theft was under investigation by federal authorities.

SEC papers allege that Giacchetto had overstated the amounts Cassandra managed in its 1998 filings with the commission. In those filings the defendant allegedly said the firm managed 351 portfolios containing assets with a market value of $315 million. However the SEC said that based on commissions reported in Cassandra's tax returns, the firm would have managed assets of about $110 million.

The suits allege that Giacchetto promoted his services by claiming Cassandra followed a conservative investment strategy. He claimed that Cassandra never took custody of client assets but left them instead in the hands of an independent custodian.

From September 1997 until the present, Giacchetto unlawfully gained possession of $20 million of investors' funds by transferring them from clients accounts to brokerage accounts held by Cassandra, authorities alleged. The SEC documented at least 100 such wrongful transfers from dozens of client accounts, including those held by Ovitz.

While he used some of the money to make investments for clients, Giacchetto diverted at least $6 million for his own personal expenses and his firm's operating costs, law enforcement agencies charged.

Authorities alleged that Giacchetto stole money by diverting checks issued from his clients' individual accounts at Brown & Co., which served as the independent custodian for most of Cassandra's clients. He allegedly directed Brown to issue checks payable to particular Cassandra clients, drawing on those funds held in clients' accounts at Brown.

Rather than having those checks sent to the unsuspecting clients who were the named payees, Giacchetto caused Brown to deliver the checks to Cassandra, authorities alleged. Giacchetto then allegedly endorsed the checks himself, in his own name, and deposited the funds in Cassandra's corporate banks accounts.

In recent months as some clients began to question activity in their accounts, Cassandra allegedly paid complaining clients with funds stolen from other clients.

Reuters/Variety
Broker to Stars Busted on Fraud Charges

NEW YORK (APBnews.com) -- The former money manager for A-list celebrities such as Leonardo DiCaprio, Matt Damon and Ben Stiller was charged today with securities fraud and other financial crimes, officials said.

Dana C. Giacchetto, 37, of Manhattan, allegedly misused more than $6 million of his clients' money to pay personal and company expenses, then tried to cover up his deeds when investigators from the Securities and Exchange Commission (SEC) came calling.

Mary Jo White, the U.S. attorney for the Southern District of New York, announced the charges in a statement today.

As of this afternoon, however, Giacchetto was still a free man.

"He has not been taken into custody yet," said Marvin Smilon, a spokesman for the U.S. attorney's office. "Possibly tomorrow."

Boutique for celebrity investors

Giacchetto is the president and owner of the Cassandra Group Inc., a boutique personal investment firm that caters to a long list of celebrity clients, including the band Phish and the actor Ben Affleck.

While representing himself as a conservative investment strategist, Giacchetto allegedly endorsed checks drawn on client accounts and used the money to pay for his company's SoHo loft, payroll expenses and entertainment costs.

The criminal complaint against the money manager contends that at least 15 Cassandra clients have confirmed that they were victims of unauthorized transfers from their accounts. In total, investigators say, there were more than 100 unapproved transfers from dozens of client accounts, totaling more than $20 million.

Not all the money went to Giacchetto, but he allegedly used some client funds to pay his own loft rent, take out cash advances and pay his personal credit card bills, which included travel and entertainment costs.

Hobnobbed in hot spots

A self-employed financial consultant since 1989, the young, blond Giacchetto spent the late 1990s hobnobbing with his celebrity clientele in Manhattan hot spots. But as the financial manipulations went deeper, prosecutors charge that Giacchetto often used the money of one client to repay the pillaged

account of another.

Some of Giacchetto's other alleged financial hijinks included giving more than $12,000 to a law enforcement officer to furnish the down payment for a new Mercedes-Benz and loaning millions of dollars in client funds to his own friends and associates.

Indicted for securities fraud, giving fraudulent investment advice and lying to the SEC, Giacchetto faces up to 20 years in prison and maximum possible fines of either $1 million or double the amount he's accused of swindling -- theoretically a fine of more than $12 million.

**Maintained his innocence**

Giacchetto maintained his innocence when SEC investigators visited Cassandra's offices in December and January. He showed the SEC a balance sheet that showed the company owed no money when in fact the company was insolvent by more than $2.2 million, prosecutors charge.

At the time of the SEC visit, Giacchetto also hid the fact that his company owed millions to the rock band Phish, its members and associates. After the band discovered unauthorized transfers in its accounts, it threatened legal action against Giacchetto. The money manager relented and signed a confession of wrongdoing, making him liable for the full $4.7 million.

Despite the legal agreement, however, "Giacchetto and Cassandra have repaid to the Phish clients only a small fraction of those misappropriated funds," according to a legal memo the SEC has filed in the case.

Kent Karlsson, an attorney for Giacchetto, did not return a call for comment. The Cassandra Group also did not return a call for comment.

By Joe Beaum, an APBnews.com staff writer.

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Financial Adviser Accused of Theft

By LARRY NEUMEISTER, Associated Press Writer

NEW YORK (AP) - Dana Giacchetto, who was hauled into court this week to answer federal swindling charges, wants a new career as an entertainment agent.

At a hearing Tuesday where Giacchetto was released on $1 million bail, U.S. Magistrate Judge Andrew J. Peck suggested that no one "in their right mind will make a deal with him with the current charges."

However, Peck agreed to let Giacchetto travel around the country if he first obtains permission from the government, observing that "a lot of the business is based on the schmooze factor."

Giacchetto, 37, allegedly stole as much as $5 million from the band Phish and $1 million more from others while misappropriating as much as $20 million entrusted to him.

Some of the money allegedly went to support a lavish lifestyle that Assistant U.S. Attorney David Lewis said demonstrated "a pattern of extraordinary brazeness by Mr. Giacchetto with other people's money."

He is charged with securities fraud and with making false statements to the Securities and Exchange Commission. If convicted, he could face a decade in prison and $12 million in fines.

He allegedly committed the crimes while serving celebrities including Matt Damon, Cameron Diaz and singer Alanis Morrisette with an investment business, The Cassandra Group, run from a SoHo loft. He explained to reporters last year that he founded the business to help "friends" in the entertainment business who were unfamiliar with investing.

Lewis said it was an "alarming proposition" that Giacchetto could make his living as an entertainment agent charging substantial fees.

But Andrew Levander, Giacchetto's lawyer, said his client was trying "to put his life back together" by using contacts in the entertainment
Financial Adviser Accused of Theft

"to put his life back together" by using contacts in the entertainment business to help actors and actresses get movie deals or other business.

Noting that Giacchetto's assets have been frozen, the judge was reluctant to interfere.

He added: "Assuming Mr. Giacchetto can get on a Greyhound bus, stay in a Motel 6 with the last suit he owns on his back, go schmooze with someone in California in the business, why should we all care?"

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Off to a fresh start?

By REUTERS, April 5, 2000

NEW YORK — Money manager Dana Giacchetto, charged with allegedly stealing $6 million from his celebrity clients, was released on a $1 million bond Tuesday and announced plans to start a new business of "finding" actors for producers and studios.

Giacchetto, owner of the Cassandra Group investment firm that once touted a star-studded clientele of rock bands, actors and artists, surrendered to authorities Tuesday morning. He later appeared at a bond hearing in Manhattan Federal Court looking disheveled in a brown pinstriped suit and pastel checkered shirt.

At the hearing, his lawyer, Andrew Levander, said Giacchetto would agree to post a $1 million personal recognizance
bond if he could travel within the United States to promote his new business as a "finder" in the entertainment industry.

"He has lots of contacts over the years with people who still have confidence in him," Levander said.

Parents bailed him out

Giacchetto’s bond was secured by his parents’ $500,000 home in Massachusetts. He will be allowed to travel only after getting permission from the court’s pretrial services department and submitting his travel plans to prosecutors.

Although the government argued that Giacchetto could flee if allowed to travel, U.S. Magistrate Judge Andrew Peck said that a court order issued Monday freezing his assets except for living expenses would prevent him from escaping.

"Assuming Mr. Giacchetto can get on a Greyhound bus and stay in a Motel 6 with the last suit he owns on his back to go schmooze with someone in California in the business, why should we all care?" Peck said.

On Monday, Giacchetto, 37, was charged — in a criminal complaint filed by the federal prosecutors and a civil suit filed by the U.S. Securities and Exchange Commission — with orchestrating a scheme in which he
allegedly siphoned off clients' funds to pay for everything from loft space in New York's trendy Soho district for Cassandra's operations to his own personal expenses for travel, dining and entertainment.

The charges allege that Giacchetto also used money to make unauthorized donations, including $90,000 to the New York Arts Academy and $12,000 to a law enforcement officer for a down payment on a Mercedes-Benz.

Once, Giacchetto was a top financial adviser to the Hollywood and New York jet set. His client list had included superagent Michael Ovitz, the rock group Phish and thesps Matt Damon, Leonardo DiCaprio, Ben Affleck and Cameron Diaz.

But the list began to dwindle when allegations surfaced last fall that he was mishandling money and was under investigation by federal authorities.

**Fear of more crimes**

Assistant U.S. Attorney David Lewis told Peck that the government was also concerned that provisions of the bond would allow Giacchetto to commit fresh crimes by starting the "finder's fee" business.

He said evidence against the money manager shows a "pattern of extraordinary brazenness by Mr. Giacchetto with other people's money." Lewis said Giacchetto allegedly continued to break the law even after his home was searched by authorities last month.

Defense lawyer Levander argued that the business Giacchetto proposes would involve taking finder's fees for his services, not managing other people's money.

Peck questioned why Giacchetto would need to travel, saying he thought that much of the entertainment business is "based on the schmooze factor" and could be accomplished on the phone.

But Levander said personal contact is essential in that field. "The schmooze factor is the business ... it is the essence of that business."
Stars' finance guru charged with fraud

By MICHAEL FLEMING, April 4, 2000

NEW YORK — Dana Giacchetto, the 37-year-old high-profile Gotham-based financier who invested funds for movie stars and Hollywood dealmakers, has been charged with securities fraud in a federal criminal complaint that alleges a scheme in which he misappropriated at least $6 million in client funds.

The three-count complaint, unsealed Monday in Manhattan Federal Court, also charges Giacchetto with fraud under the Investment Advisers Act as well as lying to the U.S. Securities and Exchange Commission.

If convicted on all charges, Giacchetto faces up to 20 years in prison and a fine of $1.5 million.
Separately, in a civil action unveiled by the SEC Monday, the commission charged Giacchetto with diverting $20 million from the accounts of his clients and stealing more than $4 million of it.

Giacchetto was out of the country Monday and is expected to fly back to New York as early as today to turn himself in, at which time he will be arrested and formally charged, the U.S. Attorney’s Office said.

Meanwhile, a U.S. District Court judge granted an SEC request to freeze assets of Giacchetto and his financial firm the Cassandra Group Inc., and appointed a receiver to manage the accounts of any clients with money still controlled by Cassandra. Another hearing is scheduled for April 12. A spokesman for Giacchetto said he had no comment.

The federal complaint is the latest blow in a downward spiral for Giacchetto that began last year (Daily Variety, Dec. 6) when he abruptly lost as many as 17 high-profile clients from a list that once included Matt Damon, Ben Affleck, Leonardo DiCaprio, Tobey Maguire, Edward Burns, Cameron Diaz, Heather Graham, directors like Brian Gibson, dealmakers like Mike Ovitz and Rick Yorn and a host of other managers, producers and studio executives.

According to the charges unveiled Monday
by the SEC, Giacchetto and his Cassandra Group unlawfully gained possession of at least $20 million in client funds, diverting more than $4 million to pay Cassandra's operating expenses as well as Giacchetto's own living expenses. The SEC charged Giacchetto with using those funds to repay other clients who had been defrauded earlier.

Much of the contents of the criminal and civil complaints is similar, but the criminal complaint goes into explicit detail on how Giacchetto allegedly misappropriated millions in client funds.

The particulars

While the identities of specific clients were kept secret, the complaint provides details on eight out of 15 instances of misappropriation, plus another one after a search warrant was executed at Cassandra offices and Giacchetto's apartment on March 16. In that instance, Giacchetto is alleged to have diverted $121,850 from an unsuspecting client to Cassandra's account to pay for Cassandra's operating expenses.

The feds also charged Giacchetto with lying to SEC examiners by fraudulently providing a portion of Cassandra's balance sheet altered to appear as an entire balance sheet. It falsely represented no liabilities for Cassandra and more than $1 million in capital, when Cassandra actually had more than $9.3 million in liabilities and was insolvent by more than $2.2 million, per the federal complaint.

Giacchetto also used more than $12,000 in client funds for a downpayment on a Mercedes-Benz provided for a law enforcement officer, according to the SEC and the U.S. Attorney's Office. Lead federal prosecutor Assistant U.S. Attorney David Raymond Lewis said he was "not in a position to elaborate" on the relationship between Giacchetto and the law enforcement official.

Unauthorized

This kind of direct, unauthorized access to client money was entirely inappropriate, per the charges, since Cassandra touted itself as never taking custody of client assets, but
rather bestowing them on an independent entity to safeguard against the very improprieties of which Giacchetto is accused.

Giacchetto is charged with stealing money by diverting checks issued from client accounts at Brown & Co., the independent custodian. He is alleged to have gotten Brown to issue checks payable to particular Cassandra clients that went into the coffers of the firm instead. Giacchetto endorsed the checks in his own name, and deposited them in Cassandra's corporate bank accounts at U.S. Trust Co., per the federal complaint.

Both the SEC and the U.S. attorney essentially charge that Giacchetto engaged in an "asset-kiting" scheme, with Giacchetto using one unwitting client's funds to pay another who complained about inconsistent investment reports.

While reports were rife about sloppy and inconsistent accounting practices back when Daily Variety and the Los Angeles Times published the first articles, Alex Vasilescu, senior trial counsel for the SEC, indicated there was more at issue than undisciplined bookkeeping.

"An investment adviser who advertises himself by touting that he does not have custody of their funds to emphasize how safe it is to invest with him, should not be signing his own name to checks," Vasilescu said. "This is not a situation where maybe somebody cut a corner for an innocent purpose. This is an extensive scheme that goes back to 1997 to steal people's money."

False representations

Advisers, said Vasilescu, who want direct access to client funds must meet strict criteria to ensure money is protected. "He represented to the SEC and to his clients that he wasn't going down that road because he didn't want to have to do all those things."

The investigation uncovered that Giacchetto allegedly concealed this diversion of funds by telling clients Cassandra had invested their monies in securities transactions that never took place; and that monies had been put in "private placements" when they actually were held by Cassandra.
Giaccheto also allegedly provided false order tickets and portfolio statements to some clients who asked pointed questions about where their money was going. He also, according to the indictment, falsely stated that client funds were held in “trust” or “escrow” accounts that didn’t exist.

Musician’s notes

Giaccheto is a former musician who learned the investment ropes at an old-money Boston bank and ascended in Hollywood by applying conservative investment tactics to the portfolios of young stars and dealmakers who found themselves flush with cash with little idea of how to grow that money.

As his reputation for picking winning investments grew, Giaccheto’s client list swelled — and so did his glamorous reputation. He became a staple of gossip columns for his hard-partying travails with the Damons and DiCaprios, was oft photographed for magazine articles with a bird perched on his shoulder and made ill-advised mogul-in-the-making comments in a New York Times Magazine article about Mike Ovitz.

Last year, Giaccheto was profiled in GQ magazine as the coolest money cat on the block, “donning hipster mufti for late-night sit-downs with rockers.” CNNfn’s rhapsodic portrait of Giaccheto described him as “an endearing blend of frankness and ego and old money/New Age,” wrapping up with his plans for a Zimbabwe vacation, certain to provide “candid photo ops with an arm around Leo’s shoulder. They went to Cuba last year.”

Speculative investments

While clients tired of those antics, many grew particularly wary when Giaccheto strayed from blue-chip investments and put many of his customers into speculative investments like a telecommunications satellite venture that went bankrupt. Worse, according to the SEC, he put them into speculative investments in which he had a personal stake.

According to the SEC and U.S. Attorney’s Office, Giaccheto led clients into such
high-risk securities as Paradise Music & Entertainment, engaging in a blatant conflict of interest because he had a personal stake in stock and warrants in the troubled enterprise that briefly was headed by former CAA agent Jay Moloney, who committed suicide last year.

Giacchetto is alleged to have bought Paradise securities at escalated market prices for clients who had told him they did not want a stake in the company even at the substantially lower prices that had been available in a private placement.

The SEC investigation, Vasilescu said, was completed despite Giacchetto’s unwillingness to be cooperative. “One thing that developed in the course of the investigation was that it was clear that Mr. Giacchetto was not maintaining or refused to provide financial records that advisers are required to maintain.”

Asked if the rumors were true that high-profile clients lost large amounts of money and that Giacchetto might have engaged in cherry-picking winning investments to show high returns to bigger clients while lesser investors were stuck with the bad bets, Vasilescu replied only that they will exhibit in court exactly what monies were taken in, how they were invested and what funds were ultimately paid out.

“Various of his clients are likely to figure out that they lost money, and they’ll take whatever course they want to take,” he said. “The exhibits speak for themselves, in terms of who was getting money back.”
A financial adviser to young celebrities cheated his clients out of more than $9 million, giving millions to friends and associates and splurging on hotels and helicopters, federal prosecutors charged yesterday.

In an indictment, the prosecutors said Dana C. Giacchetto, 37, misappropriated the money through Cassandra, a company he ran from a SoHo loft. Federal prosecutors had earlier put the amount stolen at $6 million.

In the last year alone, Giacchetto allegedly spent at least $8,000 on helicopters, $1,400 on limousines, $12,000 to lease a new Mercedes Benz and more than $30,000 on stereo, computers, art and clothing, according to the indictment filed in U.S. District Court in Manhattan.

He allegedly rang up more than $120,000 in hotel bills, including one stint at a Hollywood hotel that cost more than $80,000 for 10 suites, the indictment said. Restaurant bills added another $85,000.

The comforts allegedly supported his ability to flash the pearls of success at Hollywood parties where he could pad a client list that included Leonardo DiCaprio, Ben Stiller and Courteney Cox Arquette.

The indictment said Giacchetto promised clients he employed a conservative investment strategy and did not take custody of their money although he actually was looting the accounts.

When federal authorities noticed, he allegedly lied to them, altering a crucial portion of a Cassandra balance sheet from examiners for the Securities and Exchange Commission, which has alleged he misappropriated as much as $20 million.

Giacchetto surrendered and was released on bail last month, only to be later ordered held without bail after prosecutors said he was caught at an airport with an expired passport, a bag of cash and $44,000 in airplane tickets.

If convicted, he faces a maximum sentence on a securities fraud count of 10 years in prison and a fine of up to $18 million.

Andrew Levander, Giacchetto's lawyer, did not immediately return a telephone message for comment.
To: New York

From: New York

Squad C1

Contact: SA x3990

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO dba
THE CASSANDRA GROUP;
SECURITIES FRAUD

Synopsis: To submit press articles from newspapers, magazines, and the internet, relating to the captioned case.

Enclosures: Copies of newspaper, magazine, and internet articles.

Details: The following press articles relating to the captioned case are being presented for case file submission:

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Giacchetteto, Financial Adviser to Stars, Is Charged With Securities Fraud, Lying

BY FRANCIS A. McMorris
Staff Reporter of The Wall Street Journal

NEW YORK—Dana Giacchetteto, a financial adviser and club-hopping croný to young movie stars such as Matt Damon, Ben Affleck and Leonardo DiCaprio, was hit with criminal and civil charges that he allegedly transferred $20 million of his clients’ money and stole about $6 million of that amount.

Mr. Giacchetteto, 37 years old, was charged by federal prosecutors here with securities fraud and lying to the Securities and Exchange Commission, both criminal offenses.

In addition to his star-studded client list, Mr. Giacchetteto was known for an entertainment-investment venture he formed in 1998 with Chase Manhattan Corp.’s private-equity arm. The joint venture, Cassandra Chase Entertainment Partners Fund, at first added greatly to Mr. Giacchetteto’s credibility, but Chase soon began to have worries about its partner and severed its relationship with him in September. During roughly the same period, many of his celebrity clients began to distance themselves from him.

Neither Chase Manhattan nor its restructured Chase Capital Entertainment Partners fund were named in either the criminal or civil government actions, which didn’t refer to the activities of the short-lived Cassandra Chase fund. A Chase spokeswoman declined to comment, citing pending litigation.

A federal judge here froze the assets of Mr. Giacchetteto and his firm, Cassandra Chase LLC, which also is named as a defendant in the SEC’s separate civil lawsuit. A receiver was appointed as well. More than $4 million of client money remains unaccounted for, the SEC said.

Mr. Giacchetteto couldn’t be reached to comment yesterday. His lawyer, Andrew Levander, said in a court hearing on the civil issue of asset freezing that his client was out of the country, but flying back. Mr. Levander didn’t directly address in court his client’s culpability, and the lawyer didn’t return a telephone call seeking comment. Mr. Levander said in court that he wanted time to talk to his client about the judgment and civil allegations.

The defendant “has begun to close down his advisory business,” the attorney added in court.

Mr. Giacchetteto, the sole owner and president of Cassandra Group, built his celebrity clientele by portraying himself as someone who spoke the language of the entertainment community but favored safe investments. Among the other glamorous clients whose business and friendship put him in “the gossip columns were actors Courteney Cox and Ben Stiller and musicians such as Fred Schneider, the lead singer of the B-52s, and two members of the Smashing Pumpkins rock group.

In their court papers, federal prosecutors painted a different portrait. The government alleged that from June 1997 until last month, Mr. Giacchetteto, or his firm, made “over 100 wrongful transfers from dozens of client accounts, totaling more than $20 million.” He called Boston-based Brown & Co., where clients had custodial accounts, and had client checks sent to him, the government alleged. Mr. Giacchetteto then allegedly endorsed those checks and deposited them into Cassandra Group’s main account.

For example, 12 checks from the accounts of the rock band Phish, totaling about $3 million, were issued from the client accounts and endorsed and deposited by Mr. Giacchetteto in November and December 1999, prosecutors contended. But, the bank’s accountant allegedly told law-enforcement agents that those transfers weren’t authorized. In fact, Phish had sued Mr. Giacchetteto last year, and he had quietly signed two judgments acknowledging he unlawfully took $3.9 million from the band members and an additional $982,000 from the band’s manager. He unlawfully failed to disclose those judgments to other clients and to the SEC, the government alleged.

Since 1997, Mr. Giacchetteto’s firm “became little more than an asset-fixing scheme,” as Mr. Giacchetteto paid complaining clients with funds stolen from other clients,” the SEC alleged in its suit.

Mr. Giacchetteto faces 10 years in prison on the securities fraud count and at least $1 million in fines in the criminal case.

U.S. Attorney Mary Jo White called the case “a stark reminder to professional investment advisors that they will be held to the strict fiduciary, standard applicable to issuers, brokers, accountants and other securities professionals.”

As of last year, Cassandra Group managed $21 million in client securities portfolios with an aggregate market value of more than $100 million, rather than the $300 million that Mr. Giacchetteto claimed, the SEC said.

In addition to using the SEC and its clients, Mr. Giacchetteto also handled investments for Hollywood agents and managers. Michael Ovitz of Artists Management Group at one point had nearly $300,000 invested with Mr. Giacchetteto’s advice, although he withdrew the money in the summer. Mr. Ovitz declined to comment on the charges against Mr. Giacchetteto.

Similarly, representatives of the stars once affiliated with Mr. Giacchetteto either didn’t return calls or had no comment.

—Bruce Orwell in Los Angeles contributed to this article.
Investment Adviser to Stars Faces Stock Fraud Charges

By JOHN SULLIVAN

As recently as a year ago, Dana C. Giacchetto was an investment adviser to the stars, counting actors, rock bands and artists among his clients. He moved in a world of high-powered entertainment deals, and his boyish face stared from the pages of national magazines.

But his small investment company began losing a string of clients during the winter, and in March, federal agents searched his home and office. Yesterday, federal prosecutors in Manhattan charged that Mr. Giacchetto, 37, looted more than $6 million from clients and lied to securities investigators about financial problems at his company, the Cassandra Group.

Although prosecutors would not identify which clients lost money, Mr. Giacchetto, who was charged with stock fraud, has listed Matt Damon, Ben Stiller and the rock group Phish among his clientele, according to records filed in court. Mr. Giacchetto's company managed more than $100 million for 305 clients in 1999, according to records filed with the Securities and Exchange Commission.

Yesterday, a federal judge granted a request by securities officials to freeze his company's assets.

S.E.C. lawyers say that Mr. Giacchetto billed himself as a safe and conservative money manager as appeal to artists and entertainers who had considerable wealth but lacked financial sophistication.

The company's brochures said that the Cassandra Group made money from the custodians of the clients' money and therefore "assures the client security of his or her account.

Instead, the company deposited the money with a separate company.

Mr. Giacchetto was allowed to make stock trades with the money, but he was never supposed to take custody of the clients' money, and therefore "assures the client security of his or her account.

Instead, the company deposited the money with a separate company.

Mr. Giacchetto was allowed to make stock trades with the money, but he was never supposed to take custody of the money, and therefore "assures the client security of his or her account.

But Mr. Giacchetto did not abide by the terms of the bargain, federal prosecutors from the Southern District of New York said.

They said that from 1997 until March 20, 2000, Mr. Giacchetto improperly transferred $20 million from his clients' bank accounts into his company's accounts.

Once it was there, prosecutors charged, Mr. Giacchetto took about $5 million in various ways. He used some of the money to pay Cassandra's business expenses, and other money to pay his own bills, including travel, dining and rent at his SoHo loft, the prosecutors said. Other money was used to repay clients whose money had previously been taken, they said.

Prosecutors also charged that Mr. Giacchetto made hundreds of thousands of dollars in unauthorized loans to friends. They said he also donated $90,000 to the New York Philharmonic, $5,000 to the New York Police Scholarship Fund. Mr. Giacchetto also took $12,000 to make a down payment for a leased Mercedes-Benz, prosecutors said.

Examiners from the Securities and Exchange Commission began to uncover problems at the Cassandra Group during an examination in December, said Wayne Carlin, a regional director for the S.E.C.

Officials would not say why they conducted the examination, but several newspapers published articles about the company at about the same time. During the review, examiners were struck by the lack of financial records.

"A lot of the basic financial records Mr. Giacchetto either claimed he did not have or failed to make available," Mr. Carlin said.

He said that the S.E.C. eventually obtained the records from clients or from a search warrant that the F.B.I. executed on Mr. Giacchetto's home and office in March.

Mr. Carlin said that Mr. Giacchetto did not stop making the transfers once the S.E.C. examiners began work. In fact, he said, Mr. Giacchetto made transfers even after the F.B.I. searched his business.

Mr. Giacchetto, who did not turn up in court yesterday, was put on the country and was expected to return today, his lawyer, Andrew Levander, said.

Mr. Levander would not comment on the criminal case, saying he has not had a chance to speak with his client or fully read the documents. If convicted on all charges, Mr. Giacchetto would face up to 10 years in federal prison.

The New York Times
72,000 slots cut for summer school

By ALISON GEMBR

The number of students attending summer school in the city has been cut by 72,000, citing an expected shortage of teachers.

"This is just not enough," said the chairman of the Board of Education, Harold Levy. "We need to make sure that we have enough teachers to meet the needs of our students." He added that he was disappointed with the decision, but that it was necessary to maintain the quality of education.

Levy said that the board had considered various options, including reducing the number of students in each class, but ultimately decided to cut the number of slots.

"We have to be careful not to overspend," he said. "We need to ensure that we are providing the best possible education for our students."
A high-living Wall Street broker to the stars was charged yesterday with stealing $6 million from his celebrity clients to pay for an intoxicating international lifestyle.

Dana Giacchetto, 37, once the hottest financial guru to young Hollywood, was scheduled to appear in Manhattan Federal Court today to face securities fraud charges that could put him 10 years in prison.

The fraud-and-laundering fund manager allegedly took up to $30 million from accounts without telling clients such as actors Matt Damon, Ben Affleck, Ben Stiller and Tobey Maguire, actress Courteney Cox Arquette and Lauren Holly, artist David Salle, and disgraced Wall Street tycoon Ivan Boesky's daughter, Marimann.

The one-time rock musician also took nearly $5 million from the accounts of the rock band Phish and smaller amounts from Fred Schneider of the B-52's, Smashing Pumpkins' guitarist James Iha, and bass player D'Arcy Wretzky-Brown, according to documents filed by the Securities and Exchange Commission.

Investigators said that $225,000 of Cox Arquette's money went into a general fund, operated by Giacchetto, where it was used to pay bills and cover losses in the accounts of other Giacchetto investors.

Salle saw $200,000 of his funds used to pay bills or transferred into other investors' accounts, including those of singer Alannah Mousseau, according to the SEC. Nearly $200,000 of Marianne Boesky's money allegedly was used to pay bills or was transferred to other investors' accounts.

Claiming he was two credits shy of a Harvard MBA when in fact he had only graduated with a bachelor's degree from the University of Massachusetts, Giacchetto charmed his way into the fast-paced world of movies, music, and gr8 art celebrity.

He promised high-profile clients he would invest their money only conservatively, but regulators said he turned to high-risk investments and began losing big bucks.

According to the charges, he then tried to hide losses by using the funds of one client to pay off others — akin to a Ponzi scheme. As more clients grew suspicious and pulled out, his glittering empire crumbled.

Late yesterday the SEC asked a federal judge to appoint a receiver, saying Giacchetto's Casandra Group has $6 million in assets and $9 million in liabilities. Judge Lawrence McKenna said he would rule soon.

According to SEC documents, Salle lost all his money, but it was not clear how much, if any, the other victims were unsealed by Assistant U.S. Attorney David Lewis.

Levander declined to comment, except to tell McKenna that Giacchetto last week notified his clients he would no longer be investing their money. The criminal and civil complaints filed by the SEC and Manhattan U.S. Attorney Mary Jo White mark a drastic turning point for a man whose name was often in the gossip columns months after his crimes.

Giacchetto was photographed nightclubbing with clients like actor Leonardo DiCaprio, actresses Cameron Diaz and Madonna.

But court papers filed by the SEC charge that while Giacchetto was dropping the celebs' names, he was losing their accounts.

It appears the rock band Phish suffered the most — $4.7 million — and the members Recovered. The complaint dates to 1997, but court papers include only a sampling of transfers in 1999.

Giacchetto's lawyer, Andrew Levander, said his client was overseas when the charges were unveiled.

From others, the SEC complaint, he made secret trips to pay off Casandra Fund's debts and fuel an opulent lifestyle, which included a penthouse loft in SoHo, dinners, hotels and American Express bills incurred around the world.

Actress Courtney Cox Arquette, whose financial clients, includ­ ing her family, were indicated to have invested in Giacchetto's empire in December 1999, did not return a message seeking comment.

Before forming the New York-based Casandra Group in 1997, the native of Medford, Mass., worked as a rock keyboard player.

Dana Giacchetto was a high-living Wall Street broker to the stars was charged yesterday with stealing $6 M from his celebrity clients to pay for an intoxicating international lifestyle.

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By CRISTA ELIOT

Once the hottest financial guru to young Hollywood, was scheduled to appear in Manhattan Federal Court today to face securities fraud charges that could put him 10 years in prison.

The fraud-and-laundering fund manager allegedly took up to $30 million from accounts without telling clients such as actors Matt Damon, Ben Affleck, Ben Stiller and Tobey Maguire, actress Courteney Cox Arquette and Lauren Holly, artist David Salle, and disgraced Wall Street tycoon Ivan Boesky's daughter, Marimann.

The one-time rock musician also took nearly $5 million from the accounts of the rock band Phish and smaller amounts from Fred Schneider of the B-52's, Smashing Pumpkins' guitarist James Iha, and bass player D'Arcy Wretzky-Brown, according to documents filed by the Securities and Exchange Commission.

Investigators said that $225,000 of Cox Arquette's money went into a general fund, operated by Giacchetto, where it was used to pay bills and cover losses in the accounts of other Giacchetto investors.

Salle saw $200,000 of his funds used to pay bills or transferred into other investors' accounts, including those of singer Alannah Mousseau, according to the SEC. Nearly $200,000 of Marianne Boesky's money allegedly was used to pay bills or was transferred to other investors' accounts.

Claiming he was two credits shy of a Harvard MBA when in fact he had only graduated with a bachelor's degree from the University of Massachusetts, Giacchetto charmed his way into the fast-paced world of movies, music, and art celebrity.

He promised high-profile clients he would invest their money only conservatively, but regulators said he turned to high-risk investments and began losing big bucks.

According to the charges, he then tried to hide losses by using the funds of one client to pay off others — akin to a Ponzi scheme. As more clients grew suspicious and pulled out, his glittering empire crumbled.

Late yesterday the SEC asked a federal judge to appoint a receiver, saying Giacchetto's Casandra Group has $6 million in assets and $9 million in liabilities. Judge Lawrence McKenna said he would rule soon.

According to SEC documents, Salle lost all his money, but it was not clear how much, if any, the other victims were unsealed by Assistant U.S. Attorney David Lewis.

Levander declined to comment, except to tell McKenna that Giacchetto last week notified his clients he would no longer be investing their money. The criminal and civil complaints filed by the SEC and Manhattan U.S. Attorney Mary Jo White mark a drastic turning point for a man whose name was often in the gossip columns months after his crimes.

Giacchetto was photographed nightclubbing with clients like actor Leonardo DiCaprio, actresses Cameron Diaz and Madonna.

But court papers filed by the SEC charge that while Giacchetto was dropping the celebs' names, he was losing their accounts.

It appears the rock band Phish suffered the most — $4.7 million — and the members Recovered. The complaint dates to 1997, but court papers include only a sampling of transfers in 1999.

Giacchetto's lawyer, Andrew Levander, said his client was overseas when the charges were unveiled.

From others, the SEC complaint, he made secret trips to pay off Casandra Fund's debts and fuel an opulent lifestyle, which included a penthouse loft in SoHo, dinners, hotels and American Express bills incurred around the world.
HAT TRICK: Dana Giacchetto wears a knit cap to shield his face as FBI agents lead him to federal court (right) yesterday but later (above) he was ready to face the press. The disgraced money manager, who allegedly stole more than $60 million from his clients, now wants to be a Hollywood agent.

By DEVIN BARRETT

A celebrity broker accused of stealing millions from his Hollywood star clients now wants to pursue a new role while he’s free on bail: an agent in Tinseltown.

Dana Giacchetto was released on $1 million bond yesterday after appearing in Manhattan federal court on fraud charges. Giacchetto allegedly raised more than $30 million—and perhaps much more—from the accounts of his famous clients, including actors Courtney Love, Matt Damon and Ben Stiller, and the rock band Phish.

His lawyer, Andrew Lavender, told the judge yesterday that his client wanted to reinvent himself as a “fresh new agent” and get on with his life.

The new career path left Giacchetto’s former clients out of pocket, forcing them to pay his legal fees. Lavender said the judge should consider a reduction in bond, which he thought was “unusual.”

The City

ALBANY — The state’s top court yesterday upheld the repeal of the New York City commuter tax.

In a unanimous decision, the Court of Appeals also ruled that the city cannot charge commuters from New Jersey and Connecticut since the tax was repealed for in-state residents in July.

The decision affects more than 800,000 daily commuters and means a loss of $350 million annually for the city.

In the 16-page decision written by Judge Richard Wesley, the city is ordered to refund $105 million to Jersey and Connecticut commuters who sued the city for the commuter tax.

Judge Richard Wesley, speaking for a unanimous court, said that the city could not use its taxing power to impose a tax on commuters who do not live in New York City.

The judge said: “The city’s argument is that the commuter tax is ‘congruent’ with the city’s interest in reducing the number of commuters, but this is not the case. The commuter tax is a tax on the right to use the city’s streets and sidewalks, not a tax on the right to commute.”

The court held that the city could not use its taxing power to impose a tax on commuters who do not live in New York City.

The decision affects more than 800,000 daily commuters and means a loss of $350 million annually for the city.

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$1M Bond for Stars’ Money Man

By Patricia Hurtado

A high-flying money manager accused of ripping off actors, artists and musicians was released on $1-million bond yesterday after announcing he wants to reinvent himself as a “finder” for the stars.

Dana Giacchetto, 37, surrendered at the FBI’s lower Manhattan headquarters yesterday morning after returning home from a vacation in France. His parents agreed to put up their $500,000 home in Medford, Mass. and co-signed Giacchetto’s personal-recognition bond.

Giacchetto, a boyish-looking man who bears a striking resemblance to Microsoft’s Bill Gates, was arraigned before U.S. Magistrate Judge Andrew Peck.

Assistant U.S. Attorney David Lewis charged in a federal complaint unsealed Monday that Giacchetto and The Cassandra Group, an investment firm he ran from a Soho loft, looted more than $6 million from the accounts of his celebrity clients and illegally transferred at least $20 million of their funds between various accounts to cover up his crimes.

A debate erupted yesterday when Giacchetto’s lawyer, Andrew Levander, told Peck that his client was seeking a new kind of employment as a “finder,” or agent and wanted to travel freely in the U.S. and abroad.

“The nature of the business would entail a great deal of travel in the U.S. and even internationally,” Levander said. “There are still people in the business that have faith in him.”

Levander said his client, as a finder, would meet with celebrity A and celebrity B to put them together in an entertainment deal for a fee. Lewis objected, saying Giacchetto’s travel should be limited to New York. He also objected to Giacchetto’s proposed line of work, given the accusations of fraudulent practices. Lewis noted that the criminal complaint against Giacchetto charges that he illegally misapplied and spent client’s funds.

Dana Giacchetto, center, accused of bilking celebrity clients out of millions of dollars, sports a low-visibility look yesterday as he surrenders to the FBI at their lower Manhattan headquarters.

“We continue to come across documents of truly lavish spending of money that is not Mr. Giacchetto’s,” Lewis said. Peck evoked laughter several times when he wondered aloud why Giacchetto needed to travel when he could easily use the phone “except for the fact that a lot of the [Hollywood] business has to do with the ‘schmooze factor.’”

Peck also asked Lewis why he was objecting to Giacchetto’s new line of work, saying, “Are you saying he can’t do it, or nobody in their right mind would let him?”

Peck granted the prosecution’s request on travel restrictions and ordered Giacchetto to seek prior approval from his Federal Pretrial Services officer and notify prosecutors before taking a trip.

If convicted, Giacchetto faces as much as 10 years in prison and $12 million in fines. He refused comment as he left the courthouse.
LOS ANGELES, April 4 – A New York City money manager, whose clients include actor Leonardo DiCaprio and Hollywood power broker Michael Ovitz, has been charged with stealing at least $6 million of his clients’ funds.

Dana Giacchetto, 37, was charged Monday in New York with three criminal counts and is expected to surrender to the FBI today, a local newspaper reported. His lawyer was not available for comment.

"Wholesale looting," is how authorities described the way Giacchetto allegedly shuffled more than $20 million belonging to clients that also included actors Matt Damon, Ben Stiller and Courteney Cox Arquette into his own account, the paper reported.

And the rock group Phish’s account appears to be one of the largest allegedly tapped by Giacchetto, according to court papers.

A Boston native, Giacchetto is president of the investment firm the Cassandra Group, based in his trendy loft in New York’s SoHo district.

DiCaprio and other A-list clients often stayed in the loft, and Giacchetto allegedly sold himself to Hollywood as a savvy, conservative investor, becoming "Hollywood's Gen-X money manager," the newspaper reported.

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Celebrity money manager charged

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Grounded
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Accused of Bilking Stars Stopped at Airport
With Bag of Cash, Doctored Passport
Page A5
Financier Grounded
Accused of jumping bond, cash in hand

By Patricia Hurtado

Dana Giacchetto, the high-flying money manager accused of looting millions of dollars from his celebrity clients, was jailed yesterday after prosecutors said he was caught with a doctored passport, a bag of cash and scores of airline tickets for foreign destinations.

His arrest on charges of violating the terms of his $1 million bail bond was the latest twist in the saga of a money manager who befriended and allegedly bilked young stars such as Leonardo DiCaprio, Ben Affleck, Matt Damon and members of the music group Phish.

Federal magistrate James Francis ordered Giacchetto, 37, to jail after prosecutor David Lewis complained of the defendant's "extraordinary conduct," which he said began soon after his release last week on securities fraud charges.

But Giacchetto's lawyer said his client wasn't trying to escape prosecution. He just wanted to go to Rome as a romantic backdrop to propose marriage to his girlfriend, the lawyer said.

"He was shocked to find he was wanted, and he returned to face the music," defense lawyer Andrew L. Vander said.

The prosecutor retorted that the explanation did not "meet the straight-face test."

Giacchetto, who lives in a SoHo loft, was ordered jailed until a trial date was set. He was in the Metropolitan Correctional Center in lower Manhattan last night, said Deputy U.S. Marshal Tim Gill.

Giacchetto, who was wearing a rumpled lavender V-neck sweater and jeans in court, showed no expres-

Sheppard Case Closed
Ohio jury rejects wrongful-imprisonment claim

By The Associated Press

Cleveland — A jury yesterday rejected the claim of Dr. Sam Sheppard's son that his father was wrongfully convicted for his mother's 1954 beating death.

The decision was a major victory for prosecutors who believe Sheppard killed his wife in one of America's most notorious slayings.

The jury's decision means the couple's son, Sam Sheppard, failed to meet the burden of proof in an $8 million civil lawsuit against the state of Ohio. To win, Sheppard needed to convince the jury in Cuyahoga County Common Pleas Court that the majority of evidence showed his father was innocent.

Dr. Sheppard claimed he was sleeping downstairs at the time of the murder and awoke to hear a man in the house screaming. He ran to help her but was knocked unconscious by a badly-behaved intruder, he said.

The case of the wealthy and handsome doctor on trial for murder riveted the nation. A jury convicted Sheppard, and he spent nearly three years in prison.

But the U.S. Supreme Court overturned the verdict, ruling that the trial judge failed to shield jurors and witnesses from a crush of negative media reports.

Sheppard was acquitted at a retrial in 1966 but the public remained divided on whether he was guilty. He died four years later.

S.C.V. To Rebell
State Sena bill; House

By The Associated Press

Columbus, S.C. — Senate today took the first step toward passage of the bill that authorizes the formation of a ski resort in South Carolina. Despite the objections of the ski industry, the Senate passed the bill by a vote of 29-25.

The bill is up for final reading Wednesday, but the House adjourned until next week when the Senate reconvenes.

The vote was 29-25, with Republicans voting yes and Democrats voting no. The bill had the support of both the ski industry and the state's ski resort operators.

"The hour has come, as And The Army Of Northern..."
Stars' Money Man Grounded

GIACCHETTO from A5

$44,000. He said the most significant item recovered from Giacchetto was an expired passport that had been mutilated, with the expiration date altered and a page ripped out.

Lewis charged that Giacchetto had also violated travel restrictions, noting that Giacchetto had been ordered to notify federal court officials about his travel outside New York and obtain prior approval from prosecutors. Giacchetto had merely left messages on the agency's answering machine that he was going to Las Vegas, Los Angeles and possibly Washington, D.C., and made no mention of foreign travel, Lewis said.

He said that Giacchetto had also violated a $100-a-day spending cap a federal judge imposed in a civil case brought by the Securities and Exchange Commission.

And, the prosecutor continued, Giacchetto tried unsuccessfully to withdraw money from accounts frozen under court order, using an ATM at LaGuardia Airport Sunday night.

Levander, Giacchetto's lawyer, urged that his client be allowed to remain free, saying, "I think the government has overreacted."

Levander said his client was using the old passport for identification purposes only and had been on a business trip for his new vocation as a talent agent. Giacchetto returned voluntarily, he said, Lewis, the prosecutor, responded by noting that Giacchetto had been previously ordered to surrender all travel documents as part of the terms of his release.

"Clearly, Mr. Giacchetto violated the conditions of this bail," Lewis said. "This kind of behavior demonstrates that there are no conditions which could ensure his return."

Magistrate Francis agreed, saying that the amount of cash Giacchetto was carrying was troubling, adding, "Small bills in a bag indicate behavior that is not consistent with a business trip."

S.C. Senate Vote: Take Down Flag

FLAG from A5

20 feet. That element was added to satisfy black lawmakers and other flag opponents who did not want the flag in a position prominent to passers-by.

The bill also would remove the Confederate flags hanging in the House and Senate chambers, and it would protect all monuments, memorials and buildings erected or named in honor of the Confederacy or civil-rights movement.

Opponents of the flag say it is a racist symbol, while supporters say it represents Southern heritage and honors Confederate war dead.

Not all senators were on board.

"Race relations will not be the same in this state in my lifetime if you take that flag down," said Republican Sen. Harvey Peeler. He said "the rebels would yell" if the flag was removed because they do not want to be told what to do.

Hundreds of people with Confederate relatives lined up to get inside the Senate gallery for the debate.

"We need a nonpartisan binding referendum," Steven Foard said. "The people who lost their lives for that flag didn't know anything about politics. They just knew they had to pick up the squirrel gun and fight for the farm."
Celebrity broker has bail yanked

By GREG B. SMITH

A broker to the stars charged with cheating his glittering clients was in jail last night after he was busted for skipping town with $7,000 in small bills and an altered passport in hand.

Dana Giacchetto, 37, allegedly bought nine of the tickets to places like Tokyo, Singapore and Rome after he was charged last week in Manhattan with stealing $6 million from clients such as Courteney Cox and Ben Stiller.

A federal magistrate, rejecting Giacchetto's explanation that he was planning to propose marriage to his girlfriend in Rome, quickly revoked Giacchetto's $1 million bail and tossed him into jail.

Giacchetto's attorney, Andrew Lebenthal, was unexpected when told of the arrest.

"He's a confused young man that made an error of judgment," Lebenthal said.

But Giacchetto's conduct after April 8, when he was charged with massive securities fraud, was "absolutely extraordinary," said Assistant U.S. Attorney David Lewis.

Although Giacchetto's assets were frozen at the point of allowing him only a $100 daily allowance, that didn't stop him from several unsuccessful tries to make automated-teller machine withdrawals last weekend in amounts ranging from $500 to $1,000.

About 8 p.m. Sunday, while at LaGuardia Airport, he allegedly bought $8,500 worth of tickets for a round-trip world tour: from Denver to Las Vegas to Los Angeles to Honolulu to Tokyo to Singapore to Frankfurt.

An hour later, he charged a $7,622 trip from Los Angeles through New York to Rome for a flight leaving Tuesday.

Prosecutors had him to his hotel in Las Vegas, and out of his lawyer's instructions, he quickly flew back to New York.

When he was arrested, agents found $4,000 in cash in a bag, plus 71 more tickets to global destinations that had been purchased before the fraud charges.

Although Giacchetto had been arrested to extradite his passport after his arrest, agents also found a passport with the page showing the expiration covered.

Late yesterday, Giacchetto, who once lunched with Leonardo DiCaprio and partied with Matt Damon, was remanded to the Metropolitan Correctional Center in Manhattan.

Hil to skip Arab dinner because Israelis left out

By KENNETH R. BAZINET

WASHINGTON - Hillary Rodham Clinton tried to head off a controversy with the Jewish community last night when she abruptly withdrew as Honorary Chairman of an Arab American event.

She was invited.

The first lady has supported the charity work of the Metropolitan Council of Jewish Organizations, which is sponsoring the dinner.

"Hillary Clinton's campaign called the action 'an overreaction,'" said Tom Hirsch, a spokesman for the council.

"Her spokesperson said she was invited as a private citizen, and she is happy to accept the invitation to support charitable organizations," Hirsch said.

However, a White House official said Clinton's withdrawal was prompted by the council's decision to honor a group that included an Arab American who has been critical of Israel.
MOVIES
What a Total Psychopath

Bret Easton Ellis's state-of-the-art killer lives on

BY DAVID ANSEN

In the world of the narcissistic lady-killer Patrick Bateman (Christian Bale), appearance is everything, whether it's the perfectly designed nouvelle cuisine he consumes at the chic Yuppie restaurant du jour or his own sculpted and pampered body, as gleaming and flawless as a Calvin Klein ad. In Mary Harron's bold, coolly satiric adaptation of Bret Easton Ellis's infamous novel "American Psycho," we are wittily plunged back into the soulless excesses of Reagan-era Wall Street, where the reigning emotions are greed and disgust, and the "inside no longer matters."

Our tour guide is Bateman himself, a white-collar serial killer who flies into a panic when a colleague produces a business card with better lettering than his own but is curiously unruffled when he must carve up his latest victim with a chain saw. Harron ("I Shot Andy Warhol"), who adapted the book with Guinevere Turner, is smart to tone down the book's violence and play up the dark humor. Her stylish movie has the sleek, chilly design of those minimalist offices favored by the masters of the universe. Bale plays the blankly beautiful Bateman with just the right tone of vapid menace. But after an hour of dissecting the '80s culture of materialism, narcissism and greed, the movie begins to repeat itself. It becomes more grisly and surreal, but not more interesting. Conceptually, this savage cartoon ends up as trapped in surfaces as its shallow antithesis: it's all dressed up with nowhere to go.

American Psycho
Lions Gate
Opens April 14

HOLLYWOOD
Take the Money and Run

An alleged con man to the stars surrenders to the FBI

BY TARA WEINGARTEN AND JEFF GILES

Leonardo DiCaprio used to hang out at Dana Giacchetto's loft. Courteney Cox took him on vacation. Everyone—Ben Affleck, Cameron Diaz, Alanis Morissette—gave the hip investment adviser money. Giacchetto promised to invest it conservatively. "A lot of numbers make me nervous," Cox said once, "but Dana really cares about helping me understand how it works." According to the Securities and Exchange Commission, Giacchetto borrowed $825,000 from Cox's money. Giacchetto never explained that part to Cox—that would have made her really nervous.

Last week Giacchetto, 37, surrendered to authorities at the FBI office in Manhattan. The Feds say that the money manager, who ran an investment company called the Cassandra Group, allegedly began funneling his clients' money into risky investments. Clients began asking questions about inconsistencies in their financial statements. Late last year at least 17 of them dropped him. According to court papers, the Cassandra Group is $2.2 million in the red. Giacchetto is believed to be penniless. "He is an investment adviser with no long-term planning for himself," says the source. Not to worry. The government has plans for him.

Cash He 'Borrowed'

Phish recuperated their money. The others? Unclear. Some of what's reportedly at stake:

- Phish, rock band
  Returned: $4.8 mil.

- Ben Stiller, actor
  Lost? $250,000

- Matt Damon, actor
  Lost? $100,000

- Lauren Holly, actor
  Lost? $300,000
Dana bids to take flight, but lands in jail, feds say.

More on Glachetto / Business Page 37

GiacchettO ended: He also bought a ticket to Honolulu, Tokyo, Singapore, Frankfurt, and Moscow, which were missing and some were wanted. The passport had a condition that he get air tickets.

The first flight was to leave when GiacchettO left the airport. He was on bail in the 102 (A). The defense attorney said he was just looking for work.

He said there was no argument. He had been on bail in Manhattan for the past week.

The passport had a condition that he get air tickets.

The plane was to leave. The defense attorney said he was just looking for work.

He was on bail in the 102 (A). The defense attorney said he was just looking for work.

He said there was no argument. He had been on bail in Manhattan for the past week.
SPENDING OTHER PEOPLE'S MONEY

Broker to the stars Dana Glacchetto allegedly used his celebrity clients' money to fuel his jet-set life. The feds yesterday provided some examples of his largess:

- An $80,000 bill for 10 hotel suites in a luxurious Hollywood
  hotel.
- A $15,000 tab for a party at the Flamingo East restaurant in the
  East Village.
- A $10,000 first-class ticket on the Concorde.
- A $8,000 for helicopter service.
- A $3,400 for limousine service.
- A $30,000 tab for social expenses such as artwork, stereo
  equipment and suits.

DEEPER TROUBLE

Dana Glacchetto, who allegedly took investment funds belonging to actors such as Ben Stiller and Matt Damon, after arraignment downtown earlier this month.

Celeb ripoff put at 9M

Broker facing new charges over spending

By GREG B. SMITH

When it came to illegally spending his clients' cash, stockbroker-to-the-stars Dana Glacchetto was a generous man.

In new charges against Glacchetto, authorities allege he once spent $10,000 on a Hollywood hotel for a week studding $30,000.

The allegations surfaced yesterday as a Manhattan grand jury indicted Glacchetto on expanded charges. He was charged April 3 with stealing $6 million from his high-profile clients. Yesterday's indictment increased the total to $9 million.

The indictment alleges he ran up $55,000 in restaurant bills, including a $15,000 one-night check at the trendy East Village bistro Flamingo East.

He also allegedly spent $100,000 on airline tickets, including $10,000 round-trip international flights on the Concorde.

He dropped $5,000 on helicopter flights and $12,000 to lease a Mercedes-Benz under an employee's name, the indictment claims.

Giacchetto, 37, was charged by Manhattan U.S. Attorney Mary Jo White with removing funds from the investment accounts of big-name clients like the rock band Phish. Actor Ben Stiller and Matt Damon and actress Courteney Cox.

He allegedly used the money to cover gaping investment losses, but also spent it on personal expenses, according to papers filed by Assistant U.S. Attorney David Raymond Lewis.

The one-time pal of actor Leonardo DiCaprio was initially released on $1 million bail but he promised he would not leave the country.

Yesterday, Giacchetto was facing another charge of altering a passport to fly out of town.

Giacchetto's bail was revoked and he is being held at the Metropolitan Correctional Center in Manhattan.

He faces up to 10 years in prison.
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**SOCIAL SECURITY**

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UNITED STATES

1-ARRESTED OR RECEIVED 2000/04/04
AGENCY-FBI NEW YORK (NYFBINY00)
CHARGE 1-TITLE 18 SECURITIES FRAUD

2-ARRESTED OR RECEIVED 2000/04/12
AGENCY-FBI NEW YORK (NYFBINY00)
NAME USED-GIACCHETTO, DANA C
CHARGE 1-18 USC 3148 - VIOLATION OF A RELEASE CONDITION

RECORD UPDATED 2000/04/20

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE
Date: 05/03/2000

To: New York
Attn: SSA

From: Los Angeles
WCC-4
Contact: SA Ext 3912

Approved By:

Drafted By: lle

Case ID #: 196C-LA-221242 (Closed)

Title: Dana C. Giacchetto dba Cassandra Group Inc.; FBW; MF; SF

Synopsis: Request the closure of the above referenced file number and to advise New York of action.

Details: It is requested that the above referenced file number be closed due to the pending investigation being conducted by the New York Division which has resulted in the arrest of captioned subject on April 4, 2000. All further documentation concerning captioned subject will be forwarded to file number 196C-NY-274597.

**
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE  Date: 02/25/2000

To: New York  Attn: SSA Squad C-1

From: Los Angeles  WCC-4
Contact: SA (310) 996-3912

Approved By:  
Drafted By: 

Case ID #: 196C-LA-221242 (Pending)

Title: Dana C. Giacchetto;  
dba The Cassandra Group Inc.;  
Cassandra-Chase Entertainment Partners;  
FBW; MF; Securities Fraud

Synopsis: Set lead to attend

Reference: Tel call from SSA to SSA on 02/23/00.

Details: Captioned subject is a New York based investment and financial advisor doing business as The Cassandra Group Inc. (Cassandra). Giacchetto claimed to have over 600 clients and $300 million to $400 million under management. At one point, Giacchetto's client list included numerous high-profile clients.

Investor complaints have surfaced which include Giacchetto's speculative investment practices and the possible misappropriation of customer funds.

The New York office of the Securities and Exchange Commission (SEC) commenced an examination of the office of Giacchetto/Cassandra in mid-December 1999. The audit is ongoing and numerous witness interviews are being conducted.

Assistant United States Attorney has been contacted by at the offices of the United States Attorney, Southern District of New York. Also present will be of the SEC. It is requested that an Agent from the New York office of the Federal Bureau of Investigation be present for this interview.

UPLOADED WITH TEXT 
WITH/OUT TEXT  
BY  
DATE 6/16/00
To: New York  From: Los Angeles
Re: 196C-LA-221242, 02/25/2000

LEAD (s):

Set Lead 1:

NEW YORK
AT NEW YORK CITY

Attend ________

Contact AUSA for details.
IF you're tired of giving money to breast cancer or AIDS research, we've got a real charity case for you. Disgraced investment guru Dana Giacchetto is soliciting donations for his legal defense fund. The accused swindler lists instructions for would-be benefactors on his website, www.giacchetto.com, reports Inside.com. Those who give more than $100 to Giacchetto's cause will receive a copy of either Dana's father's book, "When the Act Accuses Him," or Dana's rock album, "Australian Coffee."
Cassandra Group goes bust

By TRACY CONNOR

The investment fund run by accused swindler-to-the-stars Dana Giacchetto has filed for bankruptcy — and named a slew of A-list celebs as potential creditors.

The Cassandra Group said in court papers filed in Manhattan Bankruptcy Court that it has assets of less than $25,000.

The filing included a 16-page list of unsecured creditors — the rich and famous clients of the firm, which allegedly looted millions from accounts, Variety reported today.

 Those named include movie stars Leonardo DiCaprio, Ben Affleck, Cameron Diaz, Courtney Cox Arquette and Matt Damon.

Directors Kathryn Bigelow and Ed Burns are on the list, along with two of Bob Dylan's kids, filmmaker Jesse Dylan and singer Jakob Dylan.

Other creditors include Christopher Cuomo, son of former Gov. Mario Cuomo, artist Ross Bleckner, hotelier Andre Balazs and rockers from the Afghan Whigs and Phish.

Some of Cassandra's prominent clients were not listed — including actors Ben Stiller, Tobey Maguire and Lauren Holly, and rockers from the Afghan Whigs and Phish.

It was unclear if they were left off because they recovered the money they invested with Giacchetto. If they did lose money, they can make a claim against the firm.

The filing did not list the amounts owed to the creditors, but at his height, Giacchetto managed $100 million for about 300 clients.

He was indicted in Manhattan federal court in April on charges he swiped $9 million from the accounts to finance a lavish life-style and "loans" to his celeb pals.

Prosecutors say he was running an elaborate shell game, moving money out of some accounts to cover deficits in others, while his firm hemorrhaged cash.

For example, he allegedly took $500,000 from singer Alanis Morissette's funds to pay back Phish, which lost $6 million in the scheme.

Initially free on $1 million bond, Giacchetto was re-arrested at Newark Airport and tossed behind bars in April after prosecutors claimed he planned to flee the country.

He has pleaded not guilty to the federal charges. The case is set to go to trial in September.
NEW YORK (CNNfn) - On a sunny midsummer morning, Sandra Bullock is shooting *28 Days* on Broadway outside Dana Giacchetto's SoHo loft. It could be a perfect time for Giacchetto -- money manager to the stars and Leonardo DiCaprio's lad about town when he comes to the Big Apple -- to troll for clients.

But he's blasé about the bustle on his doorstep. Giacchetto is holed up in the eighth floor office of his investment boutique, The Cassandra Group Inc., flitting from phone to laptop, keeping tabs on his trades and the stock market.

Though he isn't out scouring the set, you might think you've stumbled onto another performance as you settle in and eavesdrop on a conversation you can't quite help but overhear.

With a rattle of ice, Giacchetto sets down his iced Starbucks and stands up, a cool-meets-conservative blur of navy blue suit, steel-rimmed glasses and feathered blond hair. A clip-boarded assistant enters stage left.

By Staff Writer Andrew McMahan

July 17, 1999: 9:11 a.m. ET

NEW YORK - Hollywood or bust

Dana Giacchetto at Cassandra shoots to profit for his A-list clients

By Staff Writer Andrew McMahan

July 17, 1999: 9:11 a.m. ET
Money manager Dana Giacchetto at Cassandra

"You've got $12 million here, we've got 400,000 shares. How much did we send them, $4 million? So we need more," Giacchetto rapid fires as he studies the spreadsheet. "So we put in Ben Affleck, Courteney Cox, Matt Damon ... if we took 500,000 shares, maybe that would be right."

"That sounds safer," the assistant says on cue. They're done, end of scene, and Giacchetto strides over to his computer. It's the perfect opening shot of his fast-lane life. It races from Wall Street, through the worlds of art and music, right out to Sunset Boulevard and Mulholland Drive.

Giacchetto, 36, is president and founder of 10-year old Cassandra, an investment advisory firm that he says manages or advises on some $430 million for 305 clients. They're mostly artists and entertainers, with a smattering of athletes and entertainment executives, not least of them Artists Management Group (AMG) founders Michael Ovitz and Rick Yorn.

"He's an incredible money manager" and a savvy assessor of artistic talent, said Yorn, a former Wall Street executive. "He's probably one of the few guys that I know that can analyze a spreadsheet as well as run A&R [artists and repertory] at a record company."

Giacchetto is a charmer and a shaker whose laid-back bicoastal drawl slips off a silver tongue. His clients, some of them breaking the big time and coming to him with their first $100,000, praise him for patiently breaking down the basics of stocks and bonds.

"Demystifying the capital markets," is how he describes his mission. As a bonus, through his parties, vacation trips and connections, some hope he can boost their careers.

"It's a salon," Giacchetto said. "I put together artists, filmmakers, directors, agents, screenwriters." He introduced Yorn, a top movie-star manager, to former Creative Artists Agency head Ovitz, sowing the seeds of AMG after Ovitz left Disney. Yorn returned the favor, hooking him up
with DiCaprio, Cameron Diáz' and Claire Danes, all now Cassandra Group clients.

From a list that started in the '80s art world with painters such as David Salle and George Condo, Giacchetto has networked his way through record labels like Matador and Nirvana's Sub Pop to movies, giving him a roster divided among the visual arts, music and film.

He has two or three meetings with prospective clients a day and takes on those he thinks have potential. It's an impressive Rolodex of top-bill or top-bill-potential young talent. So impressive that it attracted Chase Capital Partners to bankroll an entertainment venture-capital fund with Giacchetto, Cassandra Chase Entertainment Partners, with Chase investing up to $100 million. Chase is hoping not just for returns on its investment but entree, through Giacchetto, to Ovitz and other entertainment industry power-brokers, people familiar with the investment said.

**Giacchetto's holdings**

- Merck (MRK)
- AT&T (T)
- American Express (AXP)
- Intel (INTC)
- Abbott Laboratories (ABT)
- Pfizer (PFE)
- Chase Manhattan (CM)
- Walt Disney (DIS)
- Coca-Cola (KO)
- America Online (AOL)

The fund is distinct from Giacchetto's investment advisory business. It has cut six deals so far, funding music marketer Artistdirect, recapitalizing Paradise Music & Entertainment (PDSE), a music production company, and splitting a $26 million stake in Digital Entertainment Network, an interactive TV company, with Dell, Microsoft and Lazard Freres. Giacchetto says other deals are pending, the biggest of them forming a production company with a director and actor he declined to name. Giacchetto wants, through the investment banking role, to give artists more control of their product.
"I'm encouraging artists to take equity instead of cash in things, because often artists end up with no equity. They get exploited and they get a paycheck and they think it's great because they need the money, and they realize they don't own anything."

Giacchetto says his desire to give artists more control over their finances -- through their investments and equity stakes in entertainment companies -- does not win him many friends on Wall Street.

It's too early to tell how the venture-capital fund's investments are performing, and Giacchetto is little-known among bankers on Wall Street. One investment banker at Lazard, for example, said he didn't know Giacchetto and dealt with Chase investment bankers on the Digital Entertainment deal.

"But they're going to hear about him right now," Yorn said.

Giacchetto, the son of a novelist-radio script writer and a registered nurse, was born near Boston and grew up in a pleasantly middle-class Italian family before he studied English and economics at the University of Massachusetts. After he graduated, he cut his investing teeth at Boston Safe Deposit & Trust, a respected money management firm that moved him to New York.

He left after it sold out and the market crashed in 1987, when he says "by force and sheer luck" he was short the market and made enough money to start his own company. He had been playing in punk bands by night and hanging out at art galleries.

Though his musical career was short-lived, he saw a way to mesh his training and his passions.

"I had this wacky idea that I would start an investment bank for artists," he recalls.

GQ magazine paints a picture of him cold calling galleries and band managers, "peeling off his suit and donning hipster mufti for late-night sit-downs with rockers."

Through his early contacts in art and an interest in collecting, Giacchetto met Jay Moloney, then a top agent who helped ensure his palm met the right hands in Hollywood. Giacchetto filled a void for his clients.

"He introduces them to a whole new world they're not in," Yorn said, noting even entertainment-world figures with
finance training don't have the time to manage their money. "It's madness over here. Without Dana I don't know what would happen with my finances."

Giacchetto's strategies are simple. He's stuck with 20 or so blue-chip stocks over 10 years and typically puts his clients, whose accounts Cassandra manages individually, into 10 at any one time. Right now he's split 50-50 between bonds and stocks, with around 10 percent of his equity stakes in each of nine U.S. companies, including his partner Chase (CMB), his only entertainment holding Disney (DIS), and 4 percent of his portfolio in America Online (AOL).

Other than AOL, he thinks the Internet is too risky for his clients, who often invest for income and have unpredictable earnings and career trajectories. He tries to be politically correct and won't invest in defense, oil or tobacco stocks, but he doesn't really push that angle. Most socially conscious funds are just marketing gimmicks, he thinks.

To pick stocks, he looks at three things -- technical charts of the stock's historical movement, the company's record on hitting earnings projections and the "beta," which measures how volatile a stock is.

"And then there's the intangible or the ephemeral element, which is how do you feel about this?"

He sets price targets and sticks to them. His favorite stock right now is Merck, which he plans to sell when it hits 100. The Dow will hit 12,500 in the near term and by next July, it'll crash to 9,500, he predicts.

"But first we're going to 12,500. And then I'll move to about 10, 15 percent in cash. On the downside, if we break 11,000 I'll move to about 25 to 35 percent cash. And I will increase my fixed-income position and decrease my stock position. Probably if you come in here in December, I will be 25 percent cash, 50 percent corporate debt and 25 percent stock. Which will be my most conservative weighting since 1995."

Giacchetto is an endearing blend of frankness and ego, and old money slash New Age.

"I'm a Libra. Balance," he said. He talks freely and at length, albeit with a slightly rehearsed air of a salesman. He gets most animated and, well, real when he talks about his extensive art collection, which he
clearly loves.

"I'm a very serious financial person. I am social, but this is a business that relies on relationships."

Still, despite the glitz, he's often frank and solicitous.
"I don't know, what do you think?" he sometimes asks, and he wants to know. It helps set besieged new stars at ease. Yes, his investment strategies are simple, he admits. Yes, his clients could do this on their own. "I think they could. But most people don't know about it."
Either they're daunted by investing or they throw money at mutual or hedge funds they don't understand.
"I say, 'Why are you doing all these things? Why do you need to be invested in short options in Turkey, when you can just buy AT&T stock in the U.S. and get a 15 or 20 percent return?'"
Cassandra takes 1.5 percent a year of the assets under management. It's had just one down year, 1992, but has been around only during the current bull market. Several clients such as Yorn and Moloney are happy with his performance.
"First and foremost they come to me to make money. And if they're not making money, they fire me and get another money manager," Giacchetto said. Only after his stock picking, he said, is it that he "adds value" with his connections and social links.
Later this year, he and his "Cassandra team," with DiCaprio likely a part of it, will vacation in Africa, maybe Zimbabwe. And that won't be the last of those candid photo ops with an arm around Leo's shoulder. They went to Cuba last year.
But if Giacchetto thrives on that image, at least it's a symbiotic relationship. He provides the one thing entertainment industry bows to.
"My primary focus is making money, and I think I've done a good job of that. Hah!" And he giggles and looks up.
Ex-Adviser to DiCaprio, Diaz, Damon Pleads Guilty

NEW YORK--A former financial adviser to Hollywood stars such as Leonardo DiCaprio and Cameron Diaz admitted that he skimmed off $10 million of his clients' money to support his own lavish lifestyle. Money manager Dana Giacchetto, 37, of the Cassandra Group investment firm, broke down in tears several times before U.S. District Judge Robert Patterson as he pleaded guilty to one count of defrauding his clients under the Investment Advisers Fraud act. According to the plea...
Ex-Adviser to DiCaprio, Diaz, Damon Pleads Guilty

the plea agreement, he will get between 46 and 57 months in prison when sentenced on Nov. 3.

Giacchetto promised "everyone would get paid back."

"This is a terrible day in my life," he said, his voice cracking with emotion. "Ever since I was a little boy I thought I was put on this planet to do good things," he added before admitting using some of his clients funds to pay his bills.

"We will make repatriations, and no one will lose any money. ... I knew I was violating the laws. I did it knowingly and willfully," he said.

Besides DiCaprio and Diaz, his A-list roster of clients included actors Matt Damon and Ben Affleck and the rock group Phish.

Giacchetto also admitted using his clients' money to donate $90,000 to the New York Arts Academy, make a $12,000 down payment on a Mercedes Benz and buy more.
Ex-Adviser to DiCaprio, Diaz, Damon Pleads Guilty

http://www.calelive.com/went/20000802/cb000a0018.html

than $100,000 in airline tickets to Italy, Japan, Singapore and Germany.

When clients began complaining about activity in their accounts, he paid them off with other investors' funds.

The money manager used his clients' money to pay for everything from loft space for his New York operation in the trendy SoHo district, to his own personal travel and entertainment expenses. He illicitly financed lavish dining, hotel bills totaling more than $175,000 and stereo and computer equipment worth $50,000.

Giacchetto apologized "to everyone I caused harm." He said he started the Cassandra group because "often artists are taken advantage of, and often they are exploited. I had a dream of starting this investment bank... and spent the last 12 years of my life helping everyone around me."

Giacchetto
has been in jail since April 12, when he violated bail terms by flying to Las Vegas with $44,000 in first class airline tickets, $4,000 in small bills and an altered passport made to appear valid.

Giacchetto's lawyer, Ron Fischetti, said that his client planned to work closely with the Securities and Exchange Commission and the Bankruptcy Court to determine the amount of money that was misappropriated.

"My client plans to work as hard as he can to undo the wrong," the lawyer said.
Financial Adviser to the Stars Pleads Guilty

By JEANNE KING, Reuters

NEW YORK—A former financial adviser to Hollywood stars such as Leonardo DiCaprio and Cameron Diaz admitted he skimmed off $10 million of money to support his own lavish lifestyle.

Money manager Dana Giacchetto, owner of the Cassandra Group, broke down in tears several times as he pleaded guilty to one count of mail fraud under the Investment Advisers Act.

Giacchetto promised he would make restitution for illegally using the clients’ funds to pay his bills.

"This is a terrible day in my life," Giacchetto said in his voice cracking with emotion.

"Ever since I was a little boy, I put on this planet to do great things," he added before admitting using clients' funds to pay his bills.

"We will make reparation and I will lose any money.... I kneel before the laws. I did it knowingly," Giacchetto said.

Besides DiCaprio and Diaz, clients included actors Maia Affleck and the rock group Puddle of Mud.

Giacchetto also admitted money to donate $90,000 to the Academy, make a $12,000 donation to a Mercedes Benz and buy a $100,000 in airline tickets to Singapore and Germany.

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Tell It to the SEC

Ten most frequent complaints to the SEC about brokerage-firm operations, Jan. 1–June 30, 2000

<table>
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<th>Issue</th>
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<td>Transfer of account problems</td>
<td>818</td>
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<td>Failures to process/delays in executing orders</td>
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<td>Margin-position sellouts/margin disclosure</td>
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<td>195</td>
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<tr>
<td>Receipt/delivery of securities certificates</td>
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Source: Securities and Exchange Commission

The move is in some ways symbolic. Many brokerage firms already make special disclosures to margin account holders. Nonetheless, the new effort underlines continuing concerns among securities regulators that investors don’t fully understand the risks of buying stock with borrowed funds. Buying stock on margin can magnify the rewards, and risks, of playing the market. If stocks take a hit—as they did in a big way in October—investors can lose more than they put in.

The real-life drama played out in federal court here when celebrity financial advisor Dana Giacchetto—who at one time went nightclubbing with his Hollywood A-list clients, including Leonardo DiCaprio, Courteney Cox Arquette and Ben Affleck—pledged guilty to criminal securities-fraud charges.

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By COLLEEN DE BAISE

NEW YORK—It could be the script for a Hollywood movie: High-profile broker with big-name acting clients swindles them out of 39 million after adopting their glamorous, club-hopping lifestyle.

In this case, some actors wouldn’t have to read the script. They already know the story by heart, because it happened to them—and it doesn’t have a happy ending.

The real-life drama played out in federal court here when celebrity financial advisor Dana Giacchetto—who at one time went nightclubbing with his Hollywood A-list clients, including Leonardo DiCaprio, Courteney Cox Arquette and Ben Affleck—pledged guilty to criminal securities-fraud charges.

At a hearing, Mr. Giacchetto, 37 years old, admitted stealing the clients’ money held by his New York firm, Cassandra Group. “This is a terrible day of my life,” Mr. Giacchetto told U.S. District Judge Robert P. Patterson, choking back tears. “Ever since I was a little boy, I always thought I was on this planet to do good things.”

Mr. Giacchetto is being held in a New York jail pending sentencing, scheduled for Nov. 1. He faces as many as five years in prison, plus fines totaling at least $250,000 and restitution of $39 million.

A federal grand jury indicted Mr. Giacchetto last month on seven counts of fraud and conspiracy.

Mr. Giacchetto, who has pleaded not guilty to the charges, is expected to change his plea when he stands trial in a federal court in Manhattan. Mr. Giacchetto has been living in Brazil and the United States in recent months.

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Broker Admits Defrauding Stars

Continued From Page C1

Giacchetto in April on charges he pillaged as much as $8 million from client accounts, allegedly using the cash to cover the rent on his Manhattan loft, pay restaurant bills and otherwise fund a lavish lifestyle.

Mr. Giacchetto has been detained since April, when his bail was revoked after federal prosecutors said he purchased airline tickets and altered his passport in an apparent attempt to leave the country. Giacchetto, the sole owner and president of Cassandra Group, had built his celebrity clientele by portraying himself as a conservative investor who could speak the language of the entertainment community. But his reputation as Hollywood's financial guru crashed earlier this year as news broke that many of his star clients had deserted him and that the Securities and Exchange Commission, as well as the Manhattan U.S. Attorney's Office, had begun investigating his activities.

The SEC has filed its own civil charges against Mr. Giacchetto, alleging the money manager made $20 million worth of unauthorized transfers from clients' accounts. The agency said Cassandra Group turned into "a giant asset-kiting scheme," as Mr. Giacchetto allegedly began to pay complaining clients with funds stolen from other clients. The SEC case, filed in New York federal court in April, is pending.

Federal authorities allege Mr. Giacchetto tried to conceal the fraud by telling clients that he had invested their money in securities or in private placements, when in reality such investments were never made. He allegedly provided false order tickets and portfolio statements to some clients who inquired about investments.

Cassandra Group last month voluntarily filed for Chapter 7 bankruptcy protection in New York bankruptcy court. According to court papers, the firm lists assets of less than $50,000. A 16-page list of unsecured creditors reads like a who's who of Hollywood stars was attributed to his ability to schmooze with clients, often at the hottest nightspots. In addition, other business relationships lent Mr. Giacchetto an air of credibility. In 1998, he formed a separate joint venture with Chase Manhattan Corp. to provide equity arm.

But Chase soon began to have worries about its partner and ended its relationship with Mr. Giacchetto in September. Many of the broker's celebrity clients began to distance themselves from him during the same period. Chase wasn't named in either the criminal or civil actions. A spokeswoman for Chase declined to comment.

Mr. Giacchetto told Judge Patterson he named his firm after the prophetess Cassandra, who foretold the fall of Troy. Mr. Giacchetto explained that he thought the name was appropriate for an investment-advisory firm. Now, however, he said he sees it as "perhaps even more fitting for someone who's contemplating a long time in prison."

AXA Financial Posts 24% Earnings Drop For Latest Quarter

By a WALL STREET JOURNAL Staff Reporter

NEW YORK—AXA Financial Inc., a diversified financial-services company and separately traded subsidiary of France-based AXA group, said its net income fell 24%, though operating earnings rose 19%, largely because of strong growth in its financial-advisory, insurance and investment-management businesses.

Net income slipped to $291.1 million, or 64 cents a diluted share, from $381 million, or 88 cents a share, a year earlier. However, operating earnings, which exclude investment losses and gains and accounting adjustments, increased to $322.4 million, or 74 cents a diluted share, from $271.1 million, or 51 cents a share, a year earlier. Revenue rose 19% to $4.8 billion from $3.2 billion.

In the most recent quarter, AXA Financial had an investment loss of $28.9 million related to the management of its overall fixed-income portfolio. In the year-earlier quarter, the company realized a $89.1 million gain, mostly from the initial public offering of its DCDirect online brokerage.

First American Joins Transamerica to Make Real-Estate Database

By a WALL STREET JOURNAL Staff Reporter

NEW YORK—First American Corp. and Transamerica Corp. have formed a limited partnership to create and market what the companies said will be the largest database covering U.S. real-estate mortgage transactions.

The new venture, whose value is expected to be more than $100 million, is designed to include 80% of all such transactions. The companies said the new business will serve more than 80,000 customers, from lenders to appraisers to uninsured "firms." The venture is expected to be offered with investment banks who have brought, according to 80% of the transactions.
By DANNY HAKIM

The money manager who promised Hollywood stars and other artists a safe investment haven pleaded guilty yesterday to fraud and admitted to misappropriating some of his clients' funds.

"What I built became so big that I lost control," said Dana C. Giacchetto, whose Cassandra Group investment advisory firm counted such stars as Leonardo DiCaprio, Matt Damon and Cameron Diaz among its clients.

Mr. Giacchetto, a 37-year-old Manhattan resident, was charged with five criminal counts in federal court earlier this year and pleaded guilty to one of them, fraud under the Investment Advisor Act. Under terms of the plea agreement, he faces 46 to 57 months in prison and restitution payments to fraud victims as well as a possible fine. He is to be sentenced on Nov. 3 by Judge Robert P. Patterson Jr. of the Federal District Court in Manhattan. Under the agreement, the other four counts will be dismissed, but Mr. Giacchetto still faces continuing litigation with the Securities and Exchange Commission.

Mr. Giacchetto managed more than $100 million for more than 300 clients. The Cassandra Group, which he founded, billed itself as a provider of conservative investments for clients who might be naive about money.

But according to court documents, Mr. Giacchetto misappropriated more than $9 million of Cassandra clients' money by moving it from a custodial account to bank accounts controlled by Cassandra. He also misled some of his clients about why money was being withdrawn from their accounts, telling them that it was being used to buy bonds or other investments when it was not.

Instead, Mr. Giacchetto used the money to cover a variety of expenses, according to court documents. Some of the money was used to pay rent on the Cassandra Group's Manhattan loft, to cover more than $100,000 of airline tickets and helicopter rides, to pay individual restaurant bills that in some cases exceeded $15,000, and to donate $5,000 to the New York Police Scholarship Foundation.

Dressed in light blue prison scrubs, the studious-looking Mr. Giacchetto smiled and chatted amiably with his attorney, Ronald P. Fischetti, until it was time for him to rise and address the court. At that point, he began to weep, pausing several times to regain his composure.

"When I started Cassandra Group, I had the idea that artists were taken advantage of and exploited," he said. "I'd like to apologize to everyone I caused harm to."

He continued: "I pray and hope we will make reparations and that no one will lose money. I intended that everyone would get paid back."

Exactly how many people lost money is not yet clear, but attorneys on both sides said they would work to determine that over the next several months. Mr. Fischetti said that reports of Hollywood stars losing money were exaggerated.

"None of these stars have lost a dime," he said, mentioning Mr. DiCaprio and the actress Courtney Cox Arquette. He added that some clients claimed to have had money taken from them actually lost money because of poor investments.

"In Hollywood, when a person falls on his grace, all friends disappear," Mr. Fischetti added.

But at least a dozen of Cassandra's clients lost "significant" amounts, according to Alexander M. Veilesesu, a senior trial counsel for the S.E.C.

"Some have lost hundreds of thousands," he added. The rock band Phish, he said, lost more than $1 million.

Mr. Giacchetto was arrested on April 4 and released on a $1 million bond the same day. He initially pleaded not guilty to all the charges.

Five days later, he obtained tickets from New York airports to Los Angeles, Honolulu, Tokyo, Singapore, Germany and Italy, according to court documents. He was taken into custody at Newark International Airport on April 12 after violating the terms of his parole by flying to Las Vegas. When he was arrested, he was carrying 80 airline tickets and about $4,000 in cash.

In court yesterday, Mr. Giacchetto explained that his firm was "a prophetic who foretold the fall of Troy." Considering Cassandra, he said the name he chose was "fitting for someone contemplating long term in prison."
Dana Giacchetto Pleads Guilty in Fraud Case

• Courts: Financial advisor to stars makes de
prosecutors, admitting he took up to $10 mill
He faces a prison term and a fine.

By JAMES BATES, Times Staff Writer

Dana Giacchetto, the boyish investment a
to the stars entrusted with the money of such young actors as Leonardo DiCaprio, Camero and Ben Affleck, pleaded guilty Wednesday t
count of investment fraud for misappropriati
much as $10 million from his clients' account
Under his plea agreement with federal
authorities, Giacchetto's prison sentence will
from 46 to 57 months.

That means his actual sentence will proba
come to more than three years in prison beca
federal laws require felons to serve at least 8
their sentences. Giacchetto's lawyer, Ronald
Fischetti, said that Giacchetto will receive cr
the time he has spent injail since his arrest A
12.

Headquartered in a trendy New York SoH
Giacchetto, 37, once counted as close friends
Hollywood heavyweights ranging from DiCa
manager Michael Ovitz. He forged close ties
Hollywood, especially with young stars who
included Courteney Cox Arquette, and he inv
money for agents and clients of the powerful
Creative Artists Agency in Beverly Hills. He
enjoyed close relationships with artists such a
George Condo and Ross Bleckner.

Ironically, his selling point was a reputati
conservative investor.

But in signing his plea agreement, Giach
acknowledged that he looted $5 million to $1
million from the accounts, although Fischetti
predicted that number will be revised downw
once the losses are tallied.

Fischetti added that Giacchetto's entertain
industry friends have all abandoned him, eve
who made money investing through Giacchet
"I guess that's Hollywood," he said.

Separately, sources confirmed that two
institutions that handled client money for
Giacchetto--Boston-based U.S. Trust and Ch
Manhattan Bank's Brown & Co. brokerage—has been quietly settling claims from Giacchetto investors to head off lawsuits in the wake of criticism that they were overly lax in handling funds.

Lawyers for both institutions declined to comment. But David Comarow, who represents Giacchetto clients, artists Robert Ginder and Wood Ginder, confirmed that the Ginders reached a confidential settlement with both companies, described as "fair and equitable."

In a tearful speech in U.S. District Court in Manhattan, Giacchetto said he started his operation to empower artists financially, but that it grew large and out of control. He also noted that he was active in charitable causes.

But he also acknowledged that he improperly used client money to pay bills for his company Cassandra Group, to replenish funds from clients whose accounts he had previously tapped into to pay his own bills and expenses.

Authorities had alleged that Giacchetto engaged in an elaborate check-kiting scheme in which he would improperly tap into client accounts, or checks from Brown & Co. made out to his clients but delivered to him. He was then able to cash the checks at Citizens Bank, which has since been bought by U.S. Trust, even though they were made out to others, including such well-known celebrities as Matt Damon, Ben Stiller and the rock group U2.

Authorities allege that Giacchetto spent millions on a wide variety of expenses including $120,000 in hotel bills, including $25,000 for 10 suites at the Chateau Marmont in West Hollywood. Giacchetto also allegedly spent $100,000 on airline tickets, $55,000 in restaurant bills and $8,000 in helicopter flights, court papers allege.

Giacchetto is scheduled to be sentenced next week. He also faces a fine of $10,000 to $100,000.

Giacchetto had been facing five criminal charges as well as a civil lawsuit filed by the Securities and Exchange Commission. Sources said the SEC charges will likely be settled as well, now that the criminal plea has been entered.
Celebrity Investment Adviser
Giacchetto Pleads Guilty to Fraud
By Leslie Marable

Wednesday, August 02 08:31 p.m.
Money-manager to the stars Dana Giacchetto once rarely left his Soho loft without a posse of celebrities, but no famous face was visible Thursday afternoon in a Manhattan courtroom, where Giacchetto agreed to plead guilty to one of five counts against him in a federal indictment.

The 37-year-old Giacchetto pleaded guilty to fraud in connection with his misappropriation of funds and assets belonging to clients of his wholly owned company The Cassandra Group. According to the agreement, the amount of loss attributable to Giacchetto's actions ranges from $5 million to $10 million.

The maximum sentence under the statute is five years' imprisonment, but a defendant such Giacchetto with no previous criminal record is likely to receive a term closer to four years. The statute's maximum fine is $250,000, although precedent suggests the court will in Giacchetto's case fine him $100,000 or less (Last month, Giacchetto's wholly owned company, The Cassandra Group, was placed into bankruptcy by a court-appointed receiver. Giacchetto himself appears to have few financial resources to fall back on). The fallen investment adviser may also be subjected to a maximum of three years of supervised probation.

The end is not in sight for Dana Giacchetto's legal troubles. He must still contend with four other federal counts against him, which include charges that he violated Securities Exchange Commission...
A representative from the S.E.C said the feds will pursue their case against Mr. Giacchetto. The bankruptcy proceedings are also unaffected by today's plea.

Before U.S. District Judge Robert P. Patterson Jr, the attorneys and 30 on-lookers, the bespectacled Giacchetto, dressed in light-blue jail togs, read from a prepared statement. "This is a terrible day in my life," he began, before breaking down in tears. "As I stand here I know I committed a crime," he continued after several seconds. "I'd like to apologize to everyone that I caused harm to... I pray we make reparations and that no one loses any money." He also admitted that funds from some clients had been used to pay the expenses and employees of Cassandra Group, as well as his personal expenses.

After the hearing, defense attorney Ronald P. Fischetti vigorously denied that his client swindled famous clients like Leonardo DiCaprio, Courtney Cox, Cameron Diaz and Mike Ovitz out of millions. He added that he had talked to legal and financial representatives of each these celebrities, each of whom, according to Fischetti, confirmed that their respective clients had lost no money at Giacchetto's hands. "None of these stars lost a dime."

Giacchetto was arrested in early April and charged by both criminal and civil federal authorities with a host of securities violations going back to at least 1997, including the misappropriation of at least $9 million of his clients' funds and lying to Securities and Exchange Commission investigators in late 1999 and early 2000. About a week later, after he was apprehended at Newark airport with an altered passport and $44,000 worth of airline tickets to such destinations as Tokyo, Singapore, Frankfurt and Rome, his $1 million bail was revoked and he was charged with additional counts relating to violating the conditions of his original bail.

The judge in today's hearing set the sentencing for November 3. Minutes before ending the hearing, Judge Patterson could be heard saying to the defendant: "I know it was very hard, Mr. Giacchetto. See you on November 3."
Giacchetto: No Plea Deal, And All-Star Bankruptcy Is Filed

Dana Giacchetto's Cassandra Group filed for Chapter 7 on Friday. The list of creditors reads like the guest list for the best Hollywood party ever. It includes big players: Leonardo Di Caprio; Matt Damon and Ben Affleck (as well as their former financial adviser, Jerry Chapnick and members of his family); There's Something About Mary star Cameron Diaz; Dana Giacchetto

Benicio del Toro, of The Usual Suspects; Friends star Courteney Cox Arquette; TV actor Dan Cortese; Brothers Mcmullen director Edward Burns; magazine editor Gabe Doppelt; and artists George Condo and Ross Bleckner. Bob Dylan's family: Jakob, of the Wallflowers (as well as brothers Jesse and Sam and sister Anna); two Leonardo Di Caprio posse members: magician David Blaine and Evening Shade actor Jay Ferguson; 20/20 correspondent and former Di Caprio adviser Christopher Cuomo; the rock groups Phish and The Afghan Whigs; Swingers star Jon Favreau; director Kathryn Bigelow; hotelier Andre Balazs and wife Katie Ford, whose family owns Ford Models; singer Peter Himmelman; and Marianne Boesky (former wife of Ivan, whose family once owned the Beverly Hills Hotel).

According to the receiver, Cassandra has $50,000 in debts and an equal amount in assets, so good luck to all those above.

Now word comes to me that Dana has turned down an offer from the U.S. Attorney's office to spend four years in jail rather than stand trial. According to my sources, Giacchetto could easily get a prison term of eight years if convicted on various counts of fraud.

Remember that Giacchetto is currently in jail awaiting his trial after trying to flee the country. Prosecutors say he either mismanaged or stole anywhere from $10-$20 million from clients like best friend...
Leonardo DiCaprio and superagent Michael Ovitz, as well as lots of lesser known hard working people.

The receiver for Cassandra, attorney Steven Cohen of the highly conservative New York law firm Kronish and Lieb, has also had his own troubles. When he filed with the court to get his fees paid — a paltry $24,000 considering that he's had to go through 60 boxes of papers — the bank that has Cassandra's account turned him down. First Citizen's Bank, formerly known as US Trust (not the big international US Trust, but another bank with a similar name), refused to fork over the funds. A court ruling overruled them and now Cohen has his money.

But back to Giacchetto, who's launched a Web site in his own defense (of course) and seems glued to the idea of going to trial. "He's living in his own reality," says a source. "There have been man attempts by those close to him to make him see what's going on, but so far nothing has shaken him. He keeps saying there's art in his apartment that's worth millions, and bearer bonds, too. But there's nothing there. It's a fantasy."

Other sources tell me that "plea negotiations are ongoing." Giacchetto's trial is set to begin September 6 at the federal court in Lower Manhattan.

**Aida Star's Botched Trip Upsets Understudy's Plans**

I guess Tony Award-winning actress **Heather Headley** had heard the old story about **Shirley MacLaine**. The now-famous star got her big break on Broadway when the actress she understudied in *Pajama Game*, Carol Haney, was out one night. Critics saw MacLaine and cheered. Haney was never heard from again.

Headley had planned to take a few days off from Elton John and Tim Rice's musical *Aida*, around June 27. She was supposed to fly home and see family and friends in Fort Wayne, Ind. And she deserved it, having won the Tony on June 4.

Her understudy, **Thursday Farrar**, was very excited too. Since she's been with *Aida*, Farrar has had only one chance to fill in for Headley since the show debuted.

"I invited all of New York," Farrar said when I called her yesterday. "I invited a lot of people."

Alas, it was not to be. According to people close to the show, Headley canceled her plans and decided not to take a vacation. The reason? "When she heard her flight was canceled, she changed her mind and decided to stay in New York. Then she wanted to do the performances she would have missed anyway."
Headley's Chicago-based manager, Janet Louer, said when I called her: "I'm not commenting on this."

For her part, Farrar was forced to scramble at the last minute and wave off her fans. "I was calling people at 10 p.m. the night before I was supposed to go on and telling them not to come."
Financial adviser to stars accused of living off backs of clients

NEW YORK — A financial adviser to some of Hollywood's young stars has been indicted on charges of spending their money on helicopters, hotels, limousines and rent for his SoHo loft.

The cost of living in a world that included clients Leonardo DiCaprio, Ben Stiller and Courtney Cox caused Dana C. Giacchetto to reach into their accounts and grab at least $9 million, said the indictment issued Tuesday.

Giacchetto, 37, allegedly misappropriated the money through Cassandra, a company he ran from Manhattan.

The federal indictment gives new details on allegations announced when Giacchetto was arrested last month. It accuses him of taking the money to benefit himself, his company, third parties to which he lent money or to pay other clients and conceal the fraud.

In the last year alone, Giacchetto allegedly spent at least $8,000 on helicopters, $3,400 on limousines, $12,000 to lease a new Mercedes-Benz and more than $30,000 on stereos, computers, art and clothing.

He allegedly rang up more than $120,000 in hotel bills, including a stint at a Hollywood hotel that cost more than $80,000 for 10 suites, the indictment said. Restaurant bills added another $55,000.

Meanwhile, he gave millions of dollars belonging to his clients to friends and associates, the government said.

The comforts allegedly supported his ability to flash the pearls of success at Hollywood parties where he could pad a client list so valuable that, after his arrest, he announced through his lawyer that he wanted to become an agent.

The indictment said Giacchetto promised clients he used a conservative investment strategy and did not take custody of their money when he actually was looting their accounts.

When federal authorities noticed, he allegedly lied to them and altered a crucial portion of a Cassandra balance sheet.

The altered portion of the balance sheet falsely represented that the company had no liabilities and net capital of more than $1 million when it actually had more than $9.3 million in liabilities and was insolvent by more than $2.2 million, the indictment said.

The indictment also accused him of failing to disclose that he owed $4.8 million to the band Phish.
Giacchetto surrendered and was released on bail last month. Later, he was ordered held without bail after prosecutors said he was caught at an airport with an expired passport, a bag of cash and $44,000 in airplane tickets.

If convicted, Giacchetto faces a maximum 10 years in prison and a fine of up to $18 million on a securities fraud count.

Andrew Levander, Giacchetto's lawyer, did not immediately return a telephone message for comment.
Money guru to the stars says he didn't do it. (financial advisor Dana Giacchetto accused of stealing from celebrity clients) (Brief Article)

Author(s): Dan Cox

Hollywood couldn't have done it better: A charismatic young man, lulled into a false sense that he doesn't have to play by the rules, is brought down through his abuse of those very rules.

That's what appears to be happening to money manager Dana Giacchetto, who was arrested in connection with allegedly fleecing some of Hollywood's best and brightest.

"I haven't done anything," the 37-year-old Giacchetto told Variety just two days before he was nabbed and put in jail last week for attempting to jump bail.

"I haven't stolen anything, and I haven't taken anyone else's money. I'm innocent of all these charges," Giacchetto insists.

He will have to do more than just insist, however. Giacchetto is up against a mountain of evidence compiled by the Securities & Exchange Commission. As chairman of the Cassandra Group, he is charged with fraud and attempting to funnel nearly $20 million of clients' money into a fund-kiting scheme.

Worst-case scenario if convicted: He could end up behind bars for the next 20 years.

Ignoring the evidence, the boy wonder with a pet cockatoo comes off as a boyish, naive wannabe. He adored schmoozing with stars and seeing his name in print and spent nine years conservatively investing his clients' cash. Then, the SEC alleges, for a period of three years, he routinely dipped into clients' accounts -- the agency has a list of more than 58 checks illegally drawn for his use -- all to maintain a lavish, jet-setting, clubbing-until-dawn lifestyle.

Giacchetto ingratiated himself with New York's elite. AMG partner Rick Yorn regularly partied with Giacchetto and steered his prized clients Leonardo DiCaprio -- a regular at Giacchetto's loft -- and Cameron Diaz to him.

Dozens of other Hollywood names crop up among the ranks of Giacchetto's investor clients: Courteney Cox, Ben Affleck, Matt Damon, Tobey Maguire, Ben Stiller, Lauren Holly and Tim Roth, to name a few.

Regardless, Giacchetto has left a trail of irate clients and artists who would prefer never hear the name Cassandra again.

Good Machine's James Schamus says Giacchetto's account for Good Machine's employee profit-sharing plan was immaculately and conservatively run for the first eight years. Flags weren't raised until November 1999, when Schamus came across a deposit of $150,000 of Good Machine's money into a Giacchetto personal account at U.S. Trust.

Giacchetto claimed he used the cash to buy AT&T stock for the indie.
But according to the SEC, Giacchetto had in fact used the Good Machine money -- along with checks drawn from accounts of the rock band Phish, screenwriter Stephen Schiff and artist David Salle, among others -- to pull himself out of debt in the wake of payments of nearly $900,000 to screenwriter Akiva Goldsman, $357,000 to Maguire and $212,500 to New York artist Ross Bleckner. In the SEC ledgers, Giacchetto was found to be cutting and pasting with accounts on numerous occasions.

Good Machine got its money back. Phish and Schiff didn't. Screenwriter Schiff ("Lolita") lost $200,000 on investments he'll never see again. B52s lead singer Fred Schneider was rock lobstered to the tune of $350,000. Phish lost nearly $4 million but ultimately received a judgment against Giacchetto.

On the other hand, many on Giacchetto's celeb roster earned sizable returns on their initial investments.

Yorn invested $556,521 with Giacchetto on March 17, 1999, to buy up shares of Paradise Music and Entertainment stock. In September, Yorn sold his stake in Paradise for $737,467.08, realizing a 25% profit in six months.

Brown & Co., the securities investment firm that held many of Cassandra's accounts, will ultimately be liable for some of the alleged malfeasance. According to the charges, Brown would routinely issue checks from clients' accounts and send them not to the clients but to Giacchetto, who technically was never supposed to touch that cash.

Through it all, Giacchetto maintains his innocence.

He explains himself as a former rock musician who fell into the investment world almost by accident.

"I'm an artist. I got into this business because I wanted to help other artists. They are the ones who need me," he says.

But Alexander Vasilescu, the lead attorney on the SEC's case says: "He lied. He lied back in '97. He lied consistently."
Dana Giacchetto has finally wised up. Openly sobbing in federal court Wednesday, the former celebrity money manager pled guilty to fraud. He has accepted an offer from the U.S. Attorney's office to spend the next three to four years in jail, rather than stand trial.

Giacchetto, as reported in this column, had previously turned down an offer from the U.S. Attorney's office to serve four years time in prison in lieu of a trial. This new plea bargain officially calls for a sentence of 47 to 56 months. But in federal court prisoners can get a 15 percent reduction off the lower number — meaning that Giacchetto will likely spend three years and three months in jail.

While fighting back tears, Giacchetto told Judge Ronald Patterson, "I always intended that everyone would get paid back." Giacchetto admitted to the judge that he knew he was violating the law when he misappropriated funds from client accounts. "I did it knowingly and willfully," he said.

Giacchetto, who had his girlfriend but no family members or celebrity friends present at the hearing, said, "This is a terrible day in my life. Ever since I was a little boy I thought I was on this planet to do good things."

The result is that Giacchetto's many former celebrity clients such as Leonardo DiCaprio, Matt Damon and super agent Michael Ovitz will not be in the embarrassing position of having to testify in open court. Their financial and personal secrets are safe with Giacchetto silenced.

Sources knowledgeable about similar previous cases involving the Securities and Exchange Commission tell me that just because Giacchetto's case will be concluded, that doesn't mean his former employees and colleagues from the Cassandra Group are suddenly off the hook. "Very often the SEC waits until a criminal case is over
before they begin their own civil case. It will depend on who knew what Dana was doing at Cassandra, when they knew it and why they didn't report it."

Giacchetto would also likely not be permitted by the Securities and Exchange Commission ever to handle other people's money as a manager or broker. Of course, that would not necessarily stop him. "I've rarely seen a con man completely rehabilitated," a federal source quipped to me before today's court session began.

Giacchetto has been in prison since he was re-arrested by the FBI in April when there was sufficient belief that he was about to jump bail. He was picked up at Newark International Airport with a fake passport, $4,000 in cash, and $80,000 worth of first class airline tickets.

In the stipulation which Giacchetto is expected to sign with the court, he allows that his clients lost between $5 and $10 million — and that he will be responsible for complete restitution. This might not be so easy. Giacchetto's highly touted art collection is much depleted — and the rock group Phish, which got him to sign a $3.9 million lien agreement last December, has already backed up their van to Giacchetto's rented loft and taken much of the art away.

And it's not likely Giacchetto will be able to write a book or have a movie based on his experiences for his own profit — sources inside the U.S. Attorney's office say that Dana would have to give a portion of any money received to his victims under federal law.

His company, the Cassandra Group, filed for bankruptcy last week and named among its creditors a slew of bold-faced names including DiCaprio, Damon, Ben Affleck, Cameron Diaz and Courteney Cox Arquette.
Broker to the stars admits to theft, lying

NEW YORK, Aug. 3 — It could be the script for a Hollywood movie: High-profile broker with big-name acting clients swindles them out of $9 million after adopting their glamorous, club-hopping lifestyle.

IN THIS CASE, some actors wouldn't have to read the script. They already know the story by heart, because it happened to them — and it doesn't have a happy ending.

The real-life drama played out in federal court here when celebrity financial adviser Dana Giacchetto — who at one time went nightclubbing with his Hollywood A-list clients, including Leonardo DiCaprio, Courteney Cox Arquette and Ben Affleck — pleaded guilty to criminal securities-fraud charges.

At a hearing, Mr. Giacchetto, 37 years old, admitted stealing the clients' money held by his New York firm, Cassandra Group. "This is a terrible day of my life," Mr. Giacchetto told U.S. District Judge Robert P. Patterson, choking back tears. "Ever since I was a
little boy, I always thought I was on this planet to do good things."

Mr. Giacchetto is being held in a New York jail pending sentencing, scheduled for Nov. 3. He faces as many as five years in prison, plus fines totaling at least $250,000 and restitution.

A federal grand jury indicted Mr. Giacchetto in April on charges he pilfered as much as $9 million from client accounts, allegedly using the cash to cover the rent on his Manhattan loft, pay restaurant bills and otherwise finance a lavish lifestyle.

Mr. Giacchetto has been detained since April, when his bail was revoked after federal prosecutors said he purchased airline tickets and altered his passport in an apparent attempt to leave the U.S.

Mr. Giacchetto, the sole owner and president of Cassandra Group, had built his celebrity clientele by portraying himself as a conservative investor who could speak the language of the entertainment community. But his reputation as Hollywood’s financial guru crashed earlier this year as news broke that many of his star clients had deserted him and that the Securities and Exchange Commission, as well as the Manhattan U.S. Attorney’s Office, had begun investigating his activities.

The SEC has filed its own civil charges against Mr. Giacchetto, alleging the money manager made $20 million worth of unauthorized transfers from clients’ accounts. The agency said Cassandra Group turned into “a giant asset-kiting scheme,” as Mr. Giacchetto allegedly began to pay complaining clients with funds stolen from other clients. The SEC case, filed in New York federal court in April, is pending.

Federal authorities allege Mr. Giacchetto tried to conceal the fraud by telling clients that he had invested their money in securities or in private placements, when in reality such investments were never made. He allegedly provided false order tickets and portfolio statements to some clients who inquired about investments.

Cassandra Group last month voluntarily filed for Chapter 7 bankruptcy protection in New York bankruptcy court. According to court papers, the firm lists assets of less than $50,000. A 16-page list of unsecured creditors reads like credits at the end of a movie, with names such as Cameron Diaz and Matt Damon populating the roster.

The SEC estimated that during the past year, Cassandra Group managed 305 client securities portfolios with an aggregate market value of more than $100 million.

Mr. Giacchetto’s success in luring Hollywood stars was attributed to his ability to schmooze with clients,
Broker to the stars admits to theft, lying

often at the hottest nightspots. In addition, other business relationships lent Mr. Giacchetto an air of credibility. In 1998, he formed a separate joint venture with Chase Manhattan Corp.'s private-equity arm.

But Chase soon began to have worries about its partner and ended its relationship with Mr. Giacchetto in September. Many of the broker's celebrity clients began to distance themselves from him during the same period. Chase wasn't named in either the criminal or civil actions. A spokeswoman for Chase declined to comment.

Mr. Giacchetto told Judge Patterson he named his firm after the prophetess Cassandra, who foretold the fall of Troy. Mr. Giacchetto explained that he thought the name was appropriate for an investment-advisory firm. Now, however, he said he sees it as "perhaps even more fitting for someone who's contemplating a long time in prison."

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Broker to the stars admits to theft, lying

Would you recommend this story to other viewers?
not at all 1 2 3 4 5 6 7 highly
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 08/03/2000

To: New York

From: New York
Squad C1
Contact: SA x3990

Approved By: jho

Drafted By: jho

Case ID #: 196C-NY-274597 (Pending)

Title: DANA GIACCHETTO dba
THE CASSANDRA GROUP;
SECURITIES FRAUD

Synopsis: To submit press articles from newspapers and the internet, relating to the captioned case.

Enclosures: Copies of newspaper and internet articles.

Details: The following press articles relating to the captioned case are being presented for case file submission:

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<th>Publication</th>
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Accomplishment Report

Accomplishment must be reported and loaded into ISF within 30 days from date of accomplishment.

Date Prepared: 10/1/00
Date Loaded: 10/1/00
Data Loader's Initials: 

Accomplishment involves:

☐ Drugs
☐ A Fugitive
☐ Bankruptcy Fraud
☐ Computer Fraud/Abuse
☐ Corruption of Public Officials
☐ Forfeiture Assets
☐ Sub Invest Asst by FO(s)

Asst. FO(s) — , , ,
A, B, C, D

Task Force

Investigative Assistance or Technique Used

Rate FO Rate FO Rate FO Rate FO

Fin. Analyst Lab. Div. Exam UCO - Group I
Lab. Field Sup UCO - Group II
Pen Registers UCO - Nat. Back
Consen Mon. Crim Intel Ass't
Elstr / FIBC Polygraph Crime Nesp. - Local
Elstr / T. I. III Search Warrant ERT Ass't
Eng. Field Sp. Show Money Butte - ITC
Eng. Tape Ex SOG Asst. Sav - ITC
Logats Asst. SWAT Team
Evid Purchase

Tech. Ag/Equip

Int/Vis Info

Phone Toll Rec

A. Complaint / Information / Indictment

☒ Federal ☐ Local ☐ International

Complaint Date: 03/31/00
Check if Civil RICO Complaint ☐

Information Date: 04/25/00

B. Locate / Arrest

☒ Federal ☐ Local ☐ International

Locate Date:

Arrest Date: 04/04/00

Subject Priority: ☐ A ☐ B ☐ C

☐ Subject Resisted Arrest
☐ Subject Arrested was Armed

C. Summons

☐ Federal ☐ Local

Summons Date:

D. Hostage(s) Released Date

Released by: ☐ Terrorist ☐ Other

Number of Hostages: __________

Child Located Date:

E. Recovery / Restitution / PELP

☐ Federal ☐ Local ☐ International

Recovery Date:

Code * Amount:

☐ Restitution

Restitution Date:

☐ Court Ordered
☐ Pretrial Diversion

Code * Amount:

PELP Date:

Code * Amount:

F. Civil RICO Matters Date

Also Complete Section I

Other Civil Matters Date

Judgment: ☐

Judicial Outcome: ☐

Amount: $________

Suspension: ____________________________

G. Administrative Sanctions Date

Subject Description Code: __________

Type: ☐ Suspension ☐ Permanent

☐ Debarment ☐ Injunction

H. Conviction

☒ Federal ☐ Local ☐ International

Conviction Date: 08/02/00

☒ Felony ☐ Misdemeanor

☒ Plea ☐ Trial

State: NY Judicial District: SOUTHERN

I. U.S. Code Violations

Required for Sections A, B, F, and H

(Federal only)

<table>
<thead>
<tr>
<th>Title</th>
<th>Section</th>
<th># of Counts</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>806</td>
<td>1</td>
</tr>
<tr>
<td>18</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

J. Sentence Date:

Sentence type: ☐

In-Jail Years Months Suspended Years Months Probation Years Months

Fines: $________

K. Acquittal / Dismissal / Pretrial Diversion

Acquittal Date: __________

Dismissal Date: __________

Pretrial Diversion Date: __________

L. Subject Information (Required for all Sections excluding Section D (Hostages) and E (Recovery/PELP))

Name: \( \text{DAVA C. GIAIOEOTO} \)

Race: M

Sex: W

Date of Birth: 10/15/42

Social Security No. (If available): 033-54-3639

Serial No. of FD-515: 7-57

For Indictments/Convictions only:


☒ Subject related to an OCG/Drug Organization, a VCMO Program National Gang Strategy Target Group or a VCMO Program National Priority Initiative Target Group - Complete FD-515a, Side 2.

☒ Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

* See codes on reverse side.
Case Number: 196C-NY-274597
Serial No.: ** *************** COM.N. **************

Does Accomplishment Involve

- Drugs: N
- A Fugitive: N
- Bankruptcy Fraud: N
- Computer Fraud/Abuse: N
- Corruption of Public Officials: N
- Money Laundering: N

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

| FINAN ANALYST | LAB DIV EXAMS | UCO-GROUP I | FT. MON-NRCSC |
| AIRCRAFT ASST | LAB FIELD SUP | UCO-GROUP II | FOR LANG ASST |
| COMPUTER ASST | PEN REGISTERS | UCO-OTHER | NON FBI LAB EX |
| CONSEN MONITR | PHOTO COVERAGE | NCAVC/VI-CAP | VICT-WITN COOR |
| ELSUR/FISC | POLYGRAPH | CRIM/NS INTEL | |
| ELSUR/II | SRCH WAR EXEC | CRIS NEG-FED | |
| ENG FIELD SUP | SHOW MONEY | CRIS NEG-LOC | |
| ENG TAPE EXAM | SOG ASST | ERT ASST | |
| LEGATS ASST. | SWAT TEAM | BUTTE-ITC | |
| EVIDENCE PURCH | TECH AG/EQUIP | SAVANNAH-ITC | |
| INFORMANT/CW | TEL TOLL RECS | POC-WRCSC | |

Accomplishment Narrative

DANA C. GIACCHETTO, RACE W, SEX M, DOB 10/15/62, SSN 033-54-3639
Case Number: 196C-NY-274597

Serial No.: 

Does Accomplishment Involve

<table>
<thead>
<tr>
<th>Drug</th>
<th>A Fugitive</th>
<th>Bankruptcy Fraud</th>
<th>Computer Fraud/Abuse</th>
<th>Corruption of Public Officials</th>
<th>Money Laundering</th>
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<tr>
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Sub. Invest. Asst by Other FOS:

<table>
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<tr>
<th>Investigative Assistance or Technique Used</th>
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</thead>
<tbody>
<tr>
<td>FINAN ANALYST</td>
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<tr>
<td>AIRCRAFT ASST</td>
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<td>ELSUR/FISC</td>
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<td>ENG FIELD SUP</td>
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<tr>
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<tr>
<td>INFORMANT/CW</td>
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Indictment is for Federal, Local, or International (F/L/I)...

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<td>1</td>
</tr>
<tr>
<td>18</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

Subject's Criminal Activity:

If Other, Specify...

If NON-LCN Member or Associate (M/A):
Name of NON-LCN Criminal Group...

If La Cosa Nostra (LCN) Member or Asso (M/A):
Name of LCN Organized Crime Group (OCG)...
Position in LCN OCG...

Name of Union:
Union Affiliation:
If Other, Specify:
Level of Union...
If Local, Give Number:
Position in Union:
If Other, Specify:

Business Influenced/Affected:
If Other, Specify...
Name of Company Subject Connced
Elected/Appointed Public Offic
If Other, Specify:

Accomplishment Narrative
DANA C. GIACCHETTO, RACE W, SEX ♂, DOB 10/15/62, SSN 033-54-9999

SENSITIVE / UNCLASSIFIED
Case Number: 196C-NY-274597
Serial No.: 08/16/2000

Does Accomplishment Involve

Drugs ..............................................: N
A Fugitive ......................................: N
Bankruptcy Fraud ..............................: N
Computer Fraud/Abuse ..........................: N
Corruption of Public Officials: N
Money Laundering ..............................: N

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

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<th>UCO-GROUP I</th>
<th>FT. MON-NRCSC</th>
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<td>UCO-OTHER</td>
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<td>PHOTO COVERAGE</td>
<td>NCAVC/VI-CAP</td>
<td>VICT-WITHN COOR</td>
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<td>POLYGRAPH</td>
<td>CRIM/NS INTEL</td>
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<td>INFORMANT/CW</td>
<td>TEL TOLL RECS</td>
<td>POC-WRCSC</td>
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Arrest is for Federal, Local, or International (F/L/I). .: F
Arrest Subject Priority (A/B/C)...........................: B
Did Subject Resist (Y/N).................................: N
Was Subject Armed (Y/N)...................................: N

United States Code Violation

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<th>Section</th>
<th>Count</th>
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<tbody>
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</table>

Accomplishment Narrative

DANA C. GIACCHETTO, RACE W, SEX M, DOB 10/15/62, SSN 033-54-3639
DANA C. GIACCHETTO, RACE W, SEX M, DOB 10/15/62, SSN 033-54-3639
Precedence: ROUTINE

To: New York

From: New York

Squad C-1

Contact: (212) 384-3990

Case ID #: 196C-NY-274597 (Pending)

Title: Dana Giacchetto;
The Cassandra Group

Synopsis: Request to close captioned case.

Details: Writer requests that the captioned case be closed as no further investigation is required. Dana Giacchetto was sentenced to fifty-seven months on February 07, 2001 in the Southern District of New York federal court. Additionally, United States District Judge Robert P. Patterson ordered Giacchetto to make restitution of $9,870,612.21 to the victims of his scheme.

Giacchetto was indicted by the federal grand jury on April 25, 2000. On August 02, 2000, Giacchetto pled guilty to the charge of fraud under the Investment Advisers Act.
**Final Disposition Report**

**Note:** This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D.C. 20537, Attention: Identification Division.

(See instructions on reverse side)

<table>
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<th>12799NBS</th>
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<tbody>
<tr>
<td>Name on Fingerprint Card Submitted to FBI</td>
<td>Giacchetta Dona Calogero</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>10/15/1967</td>
</tr>
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<td>Sex</td>
<td>M</td>
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<tr>
<td>Henry</td>
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<tr>
<td>State Bureau No. (SID)</td>
<td>26 Federal Plaza NY NY 10278</td>
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<td>Arrest No. (OCA)</td>
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<tr>
<td>Date Arrested or Received</td>
<td>04/12/2000</td>
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<tr>
<td>1</td>
<td>TITLE 18 SECRECIES PROOF</td>
</tr>
<tr>
<td>2</td>
<td>18USC 3148 - VIOLATION OF A RELEASE CONDITION</td>
</tr>
</tbody>
</table>

This Form Submitted By:

| Name, Title, Agency, ORI No., City & State | |

Final Disposition & Date

| (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.) | SENTENCED TO 57 MONTHS |
| RESTITUTION ORDER | 49, 870, 612.21 |

Right Four Fingers Taken Simultaneously

If additional space is needed, check ☐ and continue on reverse side of this form.

**Signature**

[Signature]

**Date**

[Date]

[Addition of signature and date]

**UPLOADED**

WITH TEXT

WITHOUT TEXT

BY

DATE

3/06/01
KFBI HINO DCJS
04263 FILE 15 TYPE 1 NAME SEARCH TO DCJS (AND NCIC) PUR/C & F
"OPERATOR/LOG/KFBI. CONCEALED LOG/N"
"PUR/C/REASON/CRI.ORI/NYFBI/N01.CASE11/I136C"
"NAME/0XACCHETTO, DAMA C" "SEX/M.RAC/U. DOB/101562"
"SKIN TYPE/#:" "HHT/#:" "SOC/033543539.FBI/*" "MINU/*"
"ALIAS#1/*" "ALIAS#2/*" "ALIAS#3/*" "ALIAS#4/*" "ALIAS#5/*"
"REQUESTOR'S NAME/SA [ ]" "COMMENTS/196C-NY- SECURITIES/COMMODITIES FRAUD"

E 2224-2224 03/07/01 ROSQ# KFBI 32747 ROSQ# 01947039 PART 001 OF 001
NYSP HINO KFBI
INPUT SEQUENCE NUMBER 04263 HAS BEEN CORRECTED TO 04293

N 2224-2224 03/07/01 ROSQ# KFBI 32746 ROSQ# 01947054 PART 001 OF 001
NYSP PTST KFBI 2225
NYFBI/N01
NO RECORD - NYSPIN WANTED PERSONS FILE
NAME/Giacchetto, Dama C
DOB/101562 SEX/M.RAC/U

N 2224-2224 03/07/01 ROSQ# KFBI 32749 ROSQ# 01947062 PART 001 OF 001
NYSP PARQ KFBI 2225
NYFBI/N01
NO RECORD - NYSPIN PAROLE FILE
NAME/Giacchetto, Dama C
DOB/101562 SEX/M.RAC/U
MISS WANTED PERSON

ORI/KW002212A NAME/GIACCHETTO, DANA C SEX/M RAC/W POB/MA DOB/19621015
HGT/507 WGT/135 EYE/GLE HAIR/BLN FBI/12795MBS SMT/SC ABDOM
MMV/FP-154614767 SOC/033543639
DLN/033543639 OLS/MA OLY/1999
OFF/FRAUD - INSUFF FUNDS CHECK
DCW/20020927 OCA/035018994
MIS/EXTR ANY USA, NSF CKS, 3CTS, WABF15583X, CASH BAIL16, 535, CONTACT BAD CK
MIS/UNIT, 702-453-2959, AFTER HRS, 453-3916, US P8PRT
ORI IS CLARK COUNTY DISTRICT ATTORNEY 702 453-4711
AKA/GIACCHETTO, DANA CALGERO
AKA/GIACCHETTO, DANA CALGERO
NIC/W2831079513 DTE/20021012 2028 EDT
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI
THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAME/GIACCHETTO, DANA C SEX/M RAC/U DOB/19621015 PUR/C
NAME            FBI NO.        INQUIRY DATE
GIACCHETTO, DANA CALGERO       12793MB5       2001/03/07

SEX        RACE        BIRTH DATE        HEIGHT        WEIGHT        EYES        HAIR        BIRTH PLACE        PHOTO
M          W            1962/10/15       5'11"          155            BLU        BLN        MASSACHUSETTS      N

FINGERPRINT CLASS         PATTERN CLASS
WU WU RS WU RS WU LS LS WU LS
WU WU WU WU

ALIAS NAMES
GIACCHETTO, DANA CALGERO
GIACCHETTO, DANA C

SCARS-MARKS-
TATTOOS        SOCIAL SECURITY
SC ABDOM       033-54-3639

IDENTIFICATION DATA UPDATED 2001/10/12

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:
FBI - FBI/12793MB5

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END
FILE 15 TYPE 4 RAP REQUEST NCIC III PUR/C, F & J

OPERATOR/LOG/KFBI/CONFIDENTIAL LOG/N
PUR/C/REASON/CRI/ORI/NYFBINY01/CASE#/1196C
NAME/GIACCHETTO/DANA C
FBI/12793MB5/SID/%
AGENCY/%
ADDRESS/%
CITY-STATE/%
REQUESTOR'S NAME/SA
COMMENTS/196C-NY- SECURITIES/COMMODITIES FRAUD

E 2227-2227 03/07/01 RO60# KFBI 32753 RO9H# 01952477 PART 001 OF 001
NYSP HIQR KFBI
INPUT SEQUENCE NUMBER 04263 HAS BEEN CORRECTED TO 04294

N 2227-2227 03/07/01 RO60# KFBI 32754 RO9H# 01952623 PART 001 OF 001
NCIC HIQR KFBI
ACK
NYFBINY01
THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI/12793MB5. THE FOLLOWING WILL RESPOND TO YOUR
AGENCY:
FBI
END

FBI/12793MB5
END
THIS RECORD IS BASED ONLY ON THE FBI NUMBER IN YOUR REQUEST-12795N05. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME
GIACCHETTO, DANA CALZABERO

FBI NO.
12795N05

DATE REQUESTED
2001/03/07

SEX
M

RACE
W

BIRTH DATE
1962/10/15

HEIGHT
511

WEIGHT
155

EYES
BLU

HAIR
BLN

BIRTH PLACE
MASSACHUSETTS

PATTERN CLASS
WU

CITIZENSHIP
UNITED STATES

WU

1-ARRESTED OR RECEIVED 2000/04/04
AGENCY-FBI NEW YORK (NYFBI00)
CHARGE 1-TITLE 18 SECURITIES FRAUD

2-ARRESTED OR RECEIVED 2000/04/12
AGENCY-FBI NEW YORK (NYFBI00)
NAME USED-GIACCHETTO, DANA C
CHARGE 1-18 USC 3148 - VIOLATION OF A RELEASE CONDITION

WANTED

CONFIRM THAT WARRANT IS STILL OUTSTANDING

AGENCY-DIST ATTY-BAD CHK UN LAS VEGAS (NV002213A)
WANTED-NCIC #231073613
GIACCHETTO, DANA C
FRAUD - INSUFF FUNDS CHECK
CASE #225018094
DATE OF WARRANT 03/27/2000
NOTIFY NV002213A DIST ATTY-BAD CHK UN LAS VEGAS NV

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.

END OF RECORD
•••

For Further Instructions See: MAOP, Part.ections 3-5 thru 3-5.3.
PROPERTY CODES

01
02
03
04
05

06
C11
08
09
11

20

Cash
Stocks, Bonds or Negot. Instrumel1lS
General Retail Merchandise
Vehicles
Heavy Machinery & Equipment
Aircraft
Jewelry
Vessels
Art, Antiques or Rare Collections
Real Property
All Other

SENTENCE TYPES
CP
]S
l.S
NS

Capital Punishment
Jail Sentence
life Sentence
No Sentence (Subject is a Fugitive,
Insane, has Died, or is a
Corporation)
PB Probation
SJ
Suspension of Jail Sentence
YC Youth Correction Act
PELPCODES

22
23

24
25

26

Z1
30

Counterfeit
StockslBonds/Currencyl
Negotiable Instruments
CounterfeitIPirated Sound
Recordings or Motion Pictures
Bank Theft Scheme Aborted
Ransom, ElIIortion or Bribe
Demand Aborted
Theft From or Fraud Against
Government Scheme Aborted
Commercial or Industrial
Theft Scheme Aborted
All Other

RACE CODES

JUDGMENT CODES

A
B
I
U
W
X

CJ Conseru Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
IN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict fol' Plaintiff

AsianlPacific Islander
Black
Indian!American
Unknown
White
Nonindividual

AGENCY CODES
ACIS
BA1F
BIA
DCAA
DCIS
DEA
DOC
DOl
EPA
FAA
'FDA

HHS
HUD
INS
IRS
NASA
NBIS
NCIS

RCMP
SBA
USBP
USCG
USCS
USDS
USMS
USPS
USSS
USTR
LOC
CITY
COUN
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Army Criminal Investigative Service
Bureau of Alcohol, Tobacco & Fireanns
Bureau of Indian Mfairs
Defense Contract Audit Agency
Defense Criminal Investigative Service
Drug Enforcement Administration
Department of Corrections
Dept. ofIruerior
Environmental Protection Agency
Federal Aviation Administration
Food and Drug Administration
Dept. of Health & Human Services
Dept. of Housing & Urban Developmeru
Immigration and Naturalization Service
Internal Revenue Service
Nat'l Aeronautics & Space Admin
Nat'l NARC Border Interdiction
Naval Criminal Investigative Service
Royal Canadian Mounted Police
Small Business Administration
U.S. Border Patrol
U.S. Coast Guard
U.S. Customs Service
U.S. Department of State
U.S. Marshals Service
U.S. Postal Service
U.S. Secret Service
U.S. Treasury

rumcrAL OUTCOME
AG
BR
CC
DC

Agreemeru
BarredtRemoved
Civil Coruempt
Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other
SUBJECT PRIORITY
A

Subject wanled for crimes of violence
(i.e., murder, manslaughter, forcible
rape) against another individual or
convicted of such a crime in the past
five years

B

Subject wanted for crimes involving
loss or destruction of property valued in
excess of $25,000 or convicted of such
a crime in the past five years.

C

All other SUbjects.

Local
City
County
State
Other

SUBJECT DESCRIPTION CODES
ORGANIZED CRIME
SUBJECTS

TERRORISTS
4A

IF
IG
IH
11

lK
lL

Boss
Undexboss
Consigliere
Acting Boss
Capodecina
Soldier

4B

UNION MEMBERS

5D
KNOWN CRIMINALS
2A

2B

2C

Top Ten or 1.0. Fugitive
Top Thief
Top.c:onMan

5E
SF
5G

sir
51

5]

FOREIGN NATIONALS

Known Member of a
Terrorist Organization
Possible Terrorist Member
or Sympathizer

5K

5L
5M
5N
5P

5Q

5R
5S
5T
5U

President
Vice-Presideru
Treasurer
Secretaryffreasurer
Executive Board Member
Business Ageru
Representative
Organizer
Business Manager
Financial Secretary
Recording Secretary
Office Manager
Clerk
Shop Steward
Member
Trustee
Other

GOVERNMENT SUBJECTS
(6F,6G,6H- Include Agency Code)
6A
6B
6C
6D
6E

Presidentia1 Appointee
U.S. SenatorlStaff
U.S. Representative/Staff
Federal JudgelMagistrate
Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State JudgelMagistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local JudgelMagistrate
6U Local Prosecutor
6V Local Law Enforcement Officer'
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES
7A
7B

Bank Officer
Bank Employee


**Accomplishment Report**

**Investigative Assistance or Technique Used**

- **Rate**
  - **PO**
  - **IAT**

<table>
<thead>
<tr>
<th>Technique Used</th>
<th>Rate PO</th>
<th>IAT</th>
<th>Rate PO</th>
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**Accomplishment Involves:**

- Check all that apply
  - [ ] Drugs
  - [ ] A Fugitive
  - [ ] Bankruptcy Fraud
  - [ ] Computer Fraud
  - [ ] Abuse
  - [ ] Corruption of Public Officials
  - [ ] Forfeiture Assets
  - [ ] Sub Invest Ass by PO(s)

**Asst. FO(s):**

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<th>C</th>
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**Task Force:**

- Name:
  - [ ] A
  - [ ] B
  - [ ] C
  - [ ] D

**File Number:**

- 1962-NY-27457

**Stat Agent Soc. Sec. No.:**

- 1

**Stat Agent Name:**

- 1

**Accomplishment:**

**Rate:**

- PO
- IAT

**Investigative Assistance or Technique Used:**

- **Rate PO**
- **IAT**

**Rate PO:**

- **IAT**

**Date Prepared:**

- 3/19

**Date Loaded:**

- __________

**Data Loader's Initials:**

- __________

**Date Prepared:**

- 3/19

**Date Loaded:**

- __________

**Data Loader's Initials:**

- __________

**Accomplishment Involves:**

- Check all that apply
  - [ ] Drugs
  - [ ] A Fugitive
  - [ ] Bankruptcy Fraud
  - [ ] Computer Fraud
  - [ ] Abuse
  - [ ] Corruption of Public Officials
  - [ ] Forfeiture Assets
  - [ ] Sub Invest Ass by PO(s)

**Asst. FO(s):**

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<td>C -</td>
</tr>
</tbody>
</table>

**Task Force:**

- Name:
  - [ ] A
  - [ ] B
  - [ ] C
  - [ ] D

**A. Complaint / Information / Indictment**

- [ ] Federal
- [ ] Local
- [ ] International

**Complaint Date:**

- __________

**Check if Civil Rico Complaint:**

- [ ] Yes

**Information Date:**

- __________

**Indictment Date:**

- __________

**B. Locate / Arrest**

- [ ] Federal
- [ ] Local
- [ ] International

**Subject Priority:**

- [ ] A
- [ ] B
- [ ] C

**Locate Date:**

- __________

**Arrest Date:**

- __________

**Subject Resisted Arrest:**

- [ ] Yes

**Subject Arrested was Armed:**

- [ ] Yes

**C. Summons**

- [ ] Federal
- [ ] Local

**Summons Date:**

- __________

**D. Hostage(s) Released Date**

- __________

**Released by:**

- [ ] Terrorist
- [ ] Other

**Number of Hostages:**

- __________

**Child Located Date:**

- __________

**E. Recovery / Restitution**

- [ ] Federal
- [ ] Local
- [ ] International

**Recovery Date:**

- __________

**Code:**

- __________

**Amount:**

- __________

**Restitution Date:**

- __________

**Court Ordered:**

- [ ] Yes

**Pretrial Diversion:**

- [ ] Yes

**Code:**

- __________

**Amount:**

- __________

**F. Civil Rico Matters Date**

- [ ] Also Complete Section I

**Other Civil Matters Date:**

- __________

**Judgment:**

- __________

**Suspension:**

- __________

**Amount:**

- __________

**G. Administrative Sanctions Date**

- [ ] Subject Description Code

**Type:**

- [ ] Suspension
- [ ] Permanent Debarment
- [ ] Injunction

**Length:**

- __________

**Amount:**

- __________

**H. Conviction**

- [ ] Federal
- [ ] Local
- [ ] International

**Conviction Date:**

- __________

**Subject Description Code:**

- __________

For 6F, G, H - Include Agency Code

- [ ] Felony
- [ ] Misdemeanor

- [ ] Plea
- [ ] Trial

**State:**

- __________

**I. U.S. Code Violations**

For Sections A, B, F, and H

**Title:**

- __________

**Section:**

- __________

**# of Counts:**

- __________

**Fines:**

- __________

**J. Sentence Date:**

- __________

**Sentence Type:**

- __________

**In Jail Years:**

- __________

**Months:**

- __________

**Susp. Probation Years:**

- __________

**Months:**

- __________

**Fines:**

- __________

**K. Acquittal / Dismissal / Pretrial Diversion**

- [ ] Acquittal Date
- [ ] Dismissal Date

**Pretrial Diversion Date:**

- __________

**L. Subject Information (Required for all Sections excluding Section D (Hostages) and E (Recovery/PELP))**

**Name:**

- DANA C. GIACCHETTO

**Race:**

- [ ] W

**Sex:**

- [ ] M

**Date of Birth:**

- 10/15/62

**Social Security No.:**

- 033-54-3639

**Serial No. of FD-515:**

- __________

**X Additional Information may be added by attaching another form or a plain sheet of paper for additional entries.**

**See codes on reverse side.**
Case Number: 196C-NY-274597

Does Accomplishment Involve

Drugs . . . . . . . . . . : N
A Fugitive. . . . . . . . . : N
Bankruptcy Fraud. . . . . : N
Computer Fraud/Abuse. . . . : N
Corruption of Public Officials: N
Money Laundering. . . . . : N

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

<table>
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<tr>
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<th>Lab Div Exams</th>
<th>UCO-Group I</th>
<th>FTC, Monitor</th>
<th>MON-NRCSC</th>
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<td>COMPUTER ASST</td>
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Restitution is for Federal, Local, or International (F/L/I)...: F
Restitution Court Ordered or by Pretrial Diversion (C/P) ....: C

CODE        AMOUNT
01 $ 9870612

Accomplishment Narrative
**SENSENG / UNCLASSIFIED**

Case Number: 196C-NY-274597
Serial No.: 

Does Accomplishment Involve

- Drugs: N
- A Fugitive: N
- Bankruptcy Fraud: N
- Computer Fraud/Abuse: N
- Corruption of Public Officials: N
- Money Laundering: N

Sub. Invest. Asst by Other FOS:

- Investigative Assistance or Technique Used

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Type of Sentence: JS PB
Date of Sentencing: 02/07/2001
Federal, Local, or International (F/L/I): F

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Time in Jail: 4
Time Suspended: 
Probation Time: 3
Total Fines: $

Accomplishment Narrative

**SENSENG - / UNCLASSIFIED**
**FEDERAL BUREAU OF INVESTIGATION**

**Precedence:** ROUTINE

**Date:** 02/25/2005

**To:** New York

**Attn:** ECT

**From:** New York

**Contact:** FA

**Ext.** 3351

**Approved By:**

**Drafted By:**

**Case ID #:** SEE BELOW

**Title:** SEE BELOW

**Synopsis:** Destroy evidence

**Details:** The AUSA SDNY has advised that the evidence pertaining to the following closed cases can be destroyed as the cases are adjudicated:

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<th>Title</th>
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<td>First Montauk Securities</td>
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<td>196C-NY-260276</td>
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<td>196C-NY-274502</td>
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<td>196C-NY-276071</td>
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<td>1B 1, 2 &amp; 3</td>
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<td>196C-NY-274597</td>
<td>Giacchetto, Dana, C Cassandra Group Inc.</td>
<td>1B 1, 2 &amp; 3</td>
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</table>

FA requests the Evidence Control Unit to remove the evidence from storage and destroys them in the appropriate manner.
Precedence: ROUTINE                   Date: 01/11/2008
To: New York                        Attn: Evidence Control Unit
From: New York                      C-1
     Contact: FA 212-384-3351
Approved By:                        Drafted By: wmc
Case ID #: 196C-NY-274597 (Closed)
Title: GIACCHETTO, DANA, C
      CASSANDRA GROUP INC.
Synopsis: Evidence for destruction.
Reference: Per EC 196C-NY-274597 Serial 48
Details: Per EC 196C-NY-274502 Serial 107, the evidence in 1B2
Barcode E1227936, 1B2 Barcode E1639349 and 1B3 Barcode E01911097
can be destroyed as the case is adjudicated.

FA requests the Evidence Control Unit to remove the evidence from storage and destroys them in the appropriate manner.
Precedence: ROUTINE

Date: 01/23/2008

To: New York

Attn: Evidence Control Unit

From: New York

C-1

Contact: FA [212-384-3351]

Approved By: I

Drafted By: wmc

Case ID #: 196C-NY-274597 (Closed)

Title: GIACCHETTO, DANA, C

CASSANDRA GROUP INC.

Synopsis: Evidence for destruction.

Reference: Per EC 196C-NY-274597 Serial 48

Details: On January 23, 2008, FA spoke with SA regarding the items in 1B1 Barcode E1227936, 1B2 Barcode E1639349 and 1B3 Barcode E01911097. SA stated that he does not have the items in his possession. SA believed that the items were transferred to the Southern District of New York. Per EC 196C-NY-274597 Serial 48 the above items with the respective FD-192 probably were destroyed.

FA recommends that the evidence in 1B1 Barcode E1227936, 1B2 Barcode E1639349 and 1B3 Barcode E01911097 be marked as destroyed and removed from evidence control.
## Closed Cases with pending Collected Items

**ICMIPR06**

**Page 236**

**Closed Cases with pending Collected Items**

**01/01/1978 thru 11/13/2007**

**Collected Item Type:** General

**Category Type:** 18

### Case Squad: C1  Case Agent: 
**Case Number:** 196C-NY-274597  **Closed: 03/20/01**  
**Title:** GIACCHETTO, DANIEL C

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