

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

-v.- :

VICTOR EINHORN,

:

a/k/a "Chaim Clein,"
a/k/a "Chaim Elkaunah Klein," :
a/k/a "Victor Finhorn," :
a/k/a "Yuda Toledano," :
a/k/a "Mendel Wollner," :
a/k/a "Harvey Katz," :
a/k/a "Larry Hagen," :
a/k/a "Jeff Hagen," :
a/k/a "Victor Stein," :
a/k/a "Jack Stein," :
a/k/a "Jacob Fredman," :
CARMEN NANNETTE OLIVO, :
a/k/a "Dannette Fernandes," :
a/k/a "Annette Vega," :
a/k/a "Nannette Vega," :
a/k/a "Dannette Durcal," :
MENACHEM STERN, :
a/k/a "Mendy Stern," :
a/k/a "Mark Stern," :
a/k/a "Jacob Fredman," :
a/k/a "Dovid Fox," :
a/k/a "John Gibbs," :
a/k/a "David Berger," :
a/k/a "Marcelace Wallace," :
a/k/a "Avi Steven Klinger," :
ALEX ROITMAN, :
a/k/a "Jacob Fredman," and :
TATIANA EREMEEV, :
a/k/a "Tania Eremeev," :

ORDER OF RESTITUTION
AS TO VICTOR EINHORN
S1 01 Cr. 939 (BSJ)

Defendants.

- - - - - X

WHEREAS, VICTOR EINHORN, the defendant, was convicted on
October 25, 2002 of one count of conspiracy to commit access
device fraud, possess access device-making equipment with intent

to defraud, and commit wire fraud, two counts of access device fraud one count of wire fraud, and one count of passing counterfeit checks;

WHEREAS, an order of restitution is mandatory under 18 U.S.C. § 3663A because EINHORN was convicted of offenses against property under Title 18 and identifiable victims have suffered pecuniary losses, see 18 U.S.C. § 3663A(c)(1);

WHEREAS, the total amount of losses to the victims caused by EINHORN and his co-defendants which have been identified as of the present date, and which is subject to restitution to be paid to identified victims, is \$8,175,306, see 18 U.S.C. § 3664(f)(1)(A);

WHEREAS, the Court has the discretion to apportion restitution among defendants, see 18 U.S.C. § 3664(h);

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that:

1. EINHORN shall pay restitution, jointly and severally with his co-defendants, in the total amount of \$8,175,306. Restitution payments shall be made to the victims and in the amounts listed in Schedule A to this Order, which amounts represent these victims' total losses identified as of the present date. Restitution payments shall be allocated to the victims in an amount proportionate to their losses.

2. If any additional victims make a claim for restitution

within thirty days from the date of this Order, and the Court approves their claim, the Court will modify this Order accordingly.

3. EINHORN transfers all right, title and interest in the property listed in the attached Schedule B, which was seized from Einhorn's residences and office during lawfully executed searches conducted by the U.S. Postal Inspection Service in March 2001, to the United States, so that the proceeds of the sales of the items listed in Schedule B may be paid to the victims of his offenses as restitution.

4. If EINHORN is engaged in a BOP non-UNICOR work program, EINHORN shall pay \$25 per quarter toward the criminal financial penalties. However, if EINHORN participates in the BOP's UNICOR program as a grade 1 through 4, EINHORN shall pay 50% of his monthly UNICOR earnings toward the criminal financial penalties, consistent with BOP's regulations at 28 C.F.R. § 545.11. Thirty days after EINHORN is released from custody, EINHORN shall pay restitution in monthly installments of 10% of gross monthly income over the period of supervision or until full restitution is made.

5. EINHORN shall notify the Court and the United States Attorney's Office for the Southern District of New York of any material change in EINHORN's economic circumstances that might affect EINHORN's ability to pay restitution. Additionally,

EINHORN shall notify the United States Probation Office for the Southern District of New York and the United States Attorney's Office for the Southern District of New York of any change of address.

SO ORDERED:

DATED: New York, New York
 October __, 2005

BARBARA S. JONES
United States District Judge