

# United States District Court

EASTERN

DISTRICT OF

MICHIGAN

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

V.

**ADAM RYAN CUOMO**

Case: 2:08-mj-30355  
Judge: Unassigned,  
Filed: 08-11-2008 At 11:45 AM  
USA V. ANDREW CUOMO

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or about \_Fall 2003 and continuing through in or about Winter 2006, in Wayne County, in the Eastern District of Michigan, and elsewhere, Defendant, ADAM RYAN CUOMO,

**along with others known and unknown, conspired to carry into effect a scheme in commerce to influence, in any way, by bribery a sporting contest with the knowledge that the purpose of such scheme was to influence by bribery that contest,**

**in violation of Title 18, United States Code, Section 224 (a).**

I further state that I am a Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:

(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part hereof:  Yes  No

  
\_\_\_\_\_  
Signature of Complainant  
STEPHEN J. FERRARI  
Special Agent, FBI

Sworn to before me and subscribed in my presence,

August 11, 2008  
Date

at Detroit, Michigan  
City and State

HONORABLE R. STEVEN WHALEN  
United States Magistrate Judge  
Name & Title of Judicial Officer

  
\_\_\_\_\_  
Signature of Judicial Officer

**AFFIDAVIT**  
**IN SUPPORT OF A CRIMINAL COMPLAINT**  
**AND REQUEST FOR ARREST WARRANT**

STEPHEN J. FERRARI being duly sworn deposes and states:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been employed by the FBI since June 1984. I am presently assigned to the Detroit Division, and work primarily on cases involving organized crime activities in violation of Federal criminal law.

2. As a result of my personal participation in this investigation since October 2005, through analysis of reports of other Special Agents of the FBI, and on the basis of other reliable information I have received, I allege the facts contained in the following paragraphs to show that there is probable cause to believe that ADAM RYAN CUOMO, and others known and unknown, have committed a violation of Federal law, namely, conspiracy to carry into effect a scheme in commerce to influence, in any way, by bribery a sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, in violation of Title 18, United States Code, section 224(a).

3. The statements contained in this affidavit are based in part on information provided by other FBI Special Agents, witnesses, and my observations. Since this affidavit is being submitted for the limited purpose of seeking a criminal complaint and arrest warrant for ADAM RYAN CUOMO, I have not set forth each and every fact I learned during the course of the investigation. Facts not set forth herein are not being relied upon in reaching my conclusion that probable cause exists to support the filing of a criminal complaint and the issuance of an arrest warrant. Nor do I request that this Court rely upon any facts not set forth herein in reviewing this affidavit in support of a criminal complaint and an arrest warrant.

4. The affiant believes that there is probable cause to find that ADAM RYAN CUOMO was involved in a conspiracy with a known individual who went by the name of "Gary," and with others known and unknown, to influence the outcome of University of Toledo men's basketball and football contests through bribery. The University of Toledo is a participant in the National Collegiate

Athletic Association (NCAA), and is located in Toledo, Ohio. The men's football and basketball teams compete in the Mid-American Conference (MAC). CUOMO was a student athlete on the men's football team at the University of Toledo during the time period 2001 through 2004. CUOMO is no longer a student at the University of Toledo. CUOMO is a citizen of Canada and is currently residing in Ontario, Canada.

5. The person known as "Gary" is a male of Iraqi descent living in Sterling Heights, Michigan. He is known through this investigation to be involved in betting on a variety of sporting contests, including sporting contests involving the University of Toledo men's football and basketball teams.

6. In November 2005, the Detroit FBI began conducting court authorized interception of wire communications to and from a cellular telephone that was subscribed to by a person who resided at "Gary's" home address in Sterling Heights, Michigan. This cellular telephone was in fact used by "Gary." The electronic surveillance was authorized in order to obtain evidence regarding illegal gambling and sports bribery offenses committed by "Gary" and other persons known and unknown. The court authorized electronic surveillance was terminated in December 2006. Since the termination of the electronic surveillance of "Gary's" cellular telephone, interviews of witnesses and possible co-conspirators have been conducted by FBI Special Agents.

7. Conversations intercepted during the course of conducting the electronic surveillance, along with physical surveillance, indicated that CUOMO, "Gary," and other co-conspirators were participating in a scheme involving the payment of money, and other things of value, to University of Toledo athletes in order to influence, or attempt to influence, the final score of particular University of Toledo football and basketball games. "Gary" and others would then place wagers on these particular games through illegal sports bookmaking businesses.

8. The conspiracy is believed to have begun in or about Fall 2003. During that time period CUOMO met an associate of "Gary's" who operated a cellular telephone store in Toledo, Ohio. In a statement given to Special Agents of the FBI in May 2007, the cellular telephone store operator advised that he knew "Gary" through his sister who worked at a business operated by "Gary." The store operator stated that he and "Gary" regularly wagered on University of Toledo

football and basketball games. The store operator stated that he met CUOMO at the telephone store and that shortly thereafter he introduced CUOMO to "Gary." The store operator stated that CUOMO later introduced him (the store operator) to other University of Toledo football and basketball players who gave him (the store operator) information to use in placing wagers on University of Toledo football and basketball games.

9. In a statement given to Special Agents of the FBI in December 2006, CUOMO admitted to his participation in a scheme to conduct point shaving in sporting contests involving the University of Toledo football and basketball teams. CUOMO stated that he was the University of Toledo player who started the point shaving scheme with "Gary." CUOMO stated that he met "Gary" through the owner of a cellular telephone store in Toledo, Ohio. CUOMO stated he entered the cellular telephone store wearing a University of Toledo jacket. The owner of the store advised CUOMO that he bet on University of Toledo games. CUOMO gave him a tip on an upcoming University of Toledo football game. After that game, the store owner then put CUOMO in contact with "Gary." CUOMO traveled from Toledo, Ohio to meet with "Gary" in the Detroit, Michigan area. After that meeting, CUOMO began to provide "Gary" with information about upcoming University of Toledo athletic contests to help "Gary" place bets on those games. CUOMO advised that he brought "numerous" University of Toledo athletes from the football and basketball teams from Toledo, Ohio to meet with "Gary" in the Detroit, Michigan area. CUOMO further stated that most of these players were brought to meet with "Gary" for the specific purpose of "Gary" asking them to participate in the point shaving scheme. CUOMO stated he himself also wagered on University of Toledo games based on information he obtained from other University of Toledo players involved in the scheme.

10. The conversations monitored as a result of the electronic surveillance of "Gary's" cellular telephone showed, in part, that CUOMO was routinely involved in the point shaving scheme. For example, on Thursday, December 1, 2005, at approximately 5:46 p.m., CUOMO placed a telephone call from a telephone bearing a (905) area code, which is assigned to Ontario, Canada, to "Gary's" cellular telephone bearing a (248) area code, which is assigned primarily to Oakland County, Michigan, and spoke to "Gary." During the conversation, CUOMO and "Gary" talked about a failed attempt to recruit a University of Toledo basketball player to help shave points in upcoming University of Toledo

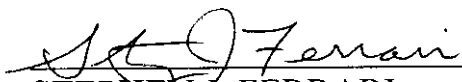
basketball games. "Gary" told CUOMO that he had recently paid another University of Toledo basketball player who had been initially reluctant to get involved with "Gary," but who was now a participant in the scheme. CUOMO responded by saying that money will overcome all.

11. Additionally, on Wednesday, December 21, 2005, at approximately 11:03 a.m., CUOMO placed a telephone call from a telephone bearing a (905) area code, which is assigned to Ontario, Canada, to "Gary's" cellular telephone bearing a (248) area code, which is assigned primarily to Oakland County, Michigan, and spoke to "Gary." During the conversation, CUOMO told "Gary" that he (CUOMO) was going to use a senior University of Toledo football player already participating in the point shaving scheme as an intermediary in an attempt to recruit a senior offensive lineman to help shave points in an upcoming football game by committing penalties during the game. CUOMO asked how much "Gary" would pay the lineman, and "Gary" replied he would give him a nickel (a nickel meaning five hundred dollars). CUOMO said, "Dime, dime, dime, dime" (a dime meaning one thousand dollars), and "Gary" replied he would take care of him. CUOMO said he would tell the lineman he would get two maximum (meaning two thousand dollars) and one minimum (meaning one thousand dollars), but said he (CUOMO) knew "Gary" would only give him one. "Gary" agreed to pay that amount. "Gary" also told CUOMO not to talk too much on the telephone about the scheme.

12. Several University of Toledo student/athletes have been interviewed during the course of this investigation since December 2005. Three of those individuals interviewed, two football players and one basketball player, admitted that they had been involved in the point shaving scheme with "Gary" and others. The basketball player also stated that CUOMO had encouraged him to become involved with "Gary" in the point shaving scheme. One of the football players also stated that CUOMO had arranged his initial introduction to "Gary." The second football player stated that CUOMO had asked him to attempt to recruit a football player from the offensive line to participate in the point shaving scheme shortly before the GMAC Bowl football game was played in December 2005.

Based on the above and foregoing you affiant believes that probable cause exists to find that ADAM RYAN CUOMO, along with others known and unknown, have conspired to carry into effect a scheme in commerce to influence, in any way, by bribery a sporting contest with the knowledge that the purpose of such scheme is to influence by bribery that contest, in violation of Title 18, United States Code, section 224(a).

FURTHER, Affiant sayeth not.

  
STEPHEN J. FERRARI  
Special Agent,  
Federal Bureau of Investigation

Subscribed and sworn to before me  
this 12<sup>th</sup> day of August 2008.

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE