

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
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Plaintiff, :
:
-Against- :
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INTERNATIONAL BROTHERHOOD :
OF TEAMSTERS, CHAUFFERS, :
WAREHOUSEMEN AND HELPERS :
OF AMERICA AFL-CIO, et al., :
:
Defendants. :
:
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88 Civ. 4486 (LAP)

**INDEPENDENT INVESTIGATIONS OFFICER’S APPLICATION FOR THE
ISSUANCE OF SUBPOENAS DIRECTING AT&T CORPORATION, REGIONS
BANK AND CHASE BANK USA, N.A. TO PRODUCE SPECIFIED RECORDS**

PLEASE TAKE NOTICE, that pursuant to the Final Agreement and Order in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (S.D.N.Y.) (“Final Order”), the court-approved Rules Governing the Authorities of Independent Disciplinary Officers and the Conduct of Hearings (“Rules”), 18 U.S.C. § 1965(c), the All Writs Act, 29 U.S.C. §1651, and the annexed declaration of Celia A. Zahner, the Independent Investigations Officer requests that this Court issue subpoenas directing AT&T Corporation (“AT&T”), the provider for Teamster officer and member William C. Smith, III’s (“Smith”) IBT cellular telephone; Regions Bank, where Smith has an account; and Chase Bank USA, N.A. (“Chase”), where Smith and Charles Bertucio (“Bertucio”), a facilitator for a vendor to IBT Funds who arranged for at least one golf trip for IBT officials, have had credit card accounts, to produce to the Independent Investigations Officer no later

than September 12, 2016, or within ten days after service of the subpoena, whichever comes later, the records specified below.

It is requested that AT&T be directed to produce copies of the following records:

1. For the period from January 1, 2012 through the present, subscriber information, all billing statements, toll records showing outgoing calls, outgoing call numbers, incoming call numbers, point to point calls, all incoming and outgoing direct connect calls, LUDs, MUDs, SMS, MMS, imessage and group messaging in your care, custody and control covering any part of the period from January 1, 2012 through the present for telephone number (202) 437-1501.

It is requested that Regions Bank be directed to produce copies of the following records:

1. For the period from June 1, 2012 to December 31, 2015, for account ending in - 7588¹ in the name of William C. Smith III, any and all documents including, but not limited to, the following:

- a. Monthly account statements.
- b. Copies of the front and back of all checks drawn on the account.
- c. Deposit tickets.
- d. Copies of front and back of deposited items.
- e. Incoming and outgoing wire transfers, electronic fund transfers and electronic payments including the identity of all persons or entities sending or receiving funds.
- f. Credit and Debit memoranda.
- g. Records of all debit card transactions, including, but not limited to, the identities of all vendors and any cash withdrawals.
- h. Records of any purchase of cashier's checks, money orders and teller's checks.

It is requested that Chase Bank USA., N.A. be directed to produce copies of the following records:


¹ The full bank account and credit card account numbers are in the attachments to the relevant subpoenas.

1. For the period from June 1, 2012 to April 30, 2014, all account statements for account ending in -9764 in the name of William C. Smith, III, including, but not limited to, copies of all receipts from vendors, all payments identifying the sources of payments and records of all interest charges, foreign transaction fees and late payment fees.
2. For the period from June 1, 2012 to June 30, 2015, all account statements for account ending in -0600 in the name of William C. Smith, III, including, but not limited to, copies of all receipts from vendors, all payments identifying the sources of payments, and records of all interest charges, foreign transaction fees and late payment fees.
3. For the periods from June 1, 2012 through September 30, 2013, January 1, 2014 through November 30, 2014 and April 1, 2015 through December 31, 2015, all account statements for account ending in -0161 in the name of Charles Bertucio, including, but not limited to, copies of all receipts from vendors, all payments identifying the sources of payments, and records of all interest charges, foreign transaction fees and late payment fees.

Dated: New York, New York
August 29, 2016

Respectfully submitted,

Joseph E. diGenova
Independent Investigations
Officer

By: 
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Regions Bank
Chase Bank USA, N.A.