

SUPERIOR COURT OF N.J.  
FILED

MAY 09 2007

*[Signature]*  
Clerk

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ538-07-3

Superior Court

Docket Number

07-05-00043-S

STATE OF NEW JERSEY )

v. )

DANILO STARITA )

and )

EDWARD WAGNER )

ORDER OF VENUE

An Indictment having been returned to this Court by the  
State Grand Jury in the above captioned matter,

IT IS ORDERED on this 9th day of May, 2007,  
pursuant to paragraph 8 of the State Grand Jury Act, that the  
County of Atlantic be and hereby is designated as the County of  
venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court  
shall transmit forthwith the Indictment in this matter and a  
certified copy of this Order to the Criminal Division Manager of  
the County of Atlantic or filing.

*[Signature]*  
Linda R. Feinberg, A.J.S.C.

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LAW DIVISION - CRIMINAL

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Docket Number

07-05-00043-8

STATE OF NEW JERSEY )

v. )

INDICTMENT

DANILO STARITA )

and )

EDWARD WAGNER )

The Grand Jurors of and for the State of New Jersey, upon  
their oaths, present that:

COUNT ONE

(Conspiracy- Second Degree)

DANILO STARITA

and

EDWARD WAGNER

and other persons whose identities are known and unknown to the  
Grand Jurors, who are named as co-conspirators but not as  
defendants herein, between on or about October 14, 2004 and on or  
about April 4, 2006, at the City of Linwood, at the City of  
Margate, in the County of Atlantic, at the Borough of Glassboro,  
at the Township of Greenwich, in the County of Gloucester, at the  
Township of Berlin, at the Township of Winslow, at the Borough of  
Brooklawn, in the County of Camden, at the City of Philadelphia,  
in the County of Philadelphia, in the Commonwealth of  
Pennsylvania, elsewhere and within the jurisdiction of this

Court, with the purpose of promoting and facilitating the crimes of theft by deception, falsifying records, promoting gambling and possession of gambling records, did agree that:

A. One or more of them would engage in conduct which would constitute the aforesaid crimes, and

B. One or more of them would aid in the planning, solicitation and commission of the aforesaid crimes, that is:

1. Theft by Deception, in that one or more of them, would purposely obtain property of another by deception, in excess of \$75,000.00, that is, the said DANILO STARITA and EDWARD WAGNER did create or reinforce the false impression that they were employed by ITAL-UIL, INC. and did receive a salary therefrom, thereby qualifying the said DANILO STARITA and EDWARD WAGNER for a mortgage in the amount of \$185,250.00, for a property located at 201 N. Coolidge Ave, Margate, New Jersey,

WHEREAS IN TRUTH AND IN FACT, as the said DANILO STARITA and EDWARD WAGNER well knew, the information pertaining to their employment at ITAL-UIL, INC. and the salary purportedly obtained therefrom, was false and fabricated in an effort to deceive Wells Fargo into providing them with a mortgage in the amount of \$185,250.00 for the property located at 201 N. Coolidge Ave, Margate, New Jersey, contrary to the provisions of N.J.S.A. 2C:20-4; and

2. Falsifying Records, in that one or more of them, with purpose to deceive another or to conceal a wrongdoing, did by

oath or affirmation, knowingly make or utter a written instrument, which purported to describe the financial condition or ability to pay of DANILO STARITA and EDWARD WAGNER, and which was inaccurate in some substantial respect, contrary to the provisions of N.J.S.A. 2C:21-4(b); and

3. Promoting gambling, in that one or more of them would accept and receive money or other property pursuant to an agreement and understanding with any person whereby they participated or would participate in the proceeds of gambling activity, and would engage in conduct which materially aided said gambling activity by engaging in bookmaking to the extent that they would receive or accept in any one day more than five bets totaling more than \$1,000, contrary to the provisions of N.J.S.A. 2C:37-2; and

3. Possession of Gambling Records, in that one or more of them, directly and indirectly, with knowledge of the contents thereof, would possess any writing, paper, instrument or article of a kind commonly used in the operation or promotion of a bookmaking scheme or enterprise, constituting, reflecting or representing more than five(5) bets totaling more than \$1,000, contrary to the provisions of N.J.S.A. 2C:37-3.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Theft by Deception - Second Degree)

DANILO STARITA

and

EDWARD WAGNER

on or about October 14, 2004, at the City of Linwood, in the County of Atlantic, at the City of Philadelphia, in the County of Philadelphia, in the Commonwealth of Pennsylvania, elsewhere and within the jurisdiction of this court, did purposely obtain property of another by deception, in excess of \$75,000.00, that is, the said DANILO STARITA and EDWARD WAGNER did create or reinforce the false impression that they were employed by ITAL-UIL, INC. and did receive a salary therefrom, thereby qualifying said DANILO STARITA and EDWARD WAGNER for a mortgage in the amount of \$185,250.00, for a property located at 201 N. Coolidge Ave, Margate, New Jersey,

WHEREAS IN TRUTH AND IN FACT, as DANILO STARITA and EDWARD WAGNER well knew, the information pertaining to their employment at ITAL-UIL, INC. and the salary purportedly obtained therefrom, was false and fabricated in an effort to deceive Wells Fargo into providing them with a mortgage in the amount of \$185,250.00 for the property located at 201 N. Coolidge Ave, Margate, New Jersey, contrary to the provisions of N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Falsifying Records - Third Degree)

DANILO STARITA

and

EDWARD WAGNER

on or about October 14, 2004, at the City of Linwood, in the County of Atlantic, elsewhere and within the jurisdiction of this Court, with purpose to deceive another or to conceal a wrongdoing, did by oath or affirmation, knowingly make or utter a written instrument, which purported to describe the financial condition or ability to pay of DANILO STARITA and EDWARD WAGNER, and which was inaccurate in some substantial respect, contrary to the provisions of N.J.S.A. 2C:21-4(b) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Promoting Gambling - Third Degree)

DANILO STARITA

and

EDWARD WAGNER

and other persons whose identities are known and unknown to the Grand Jurors, who are named as co-conspirators but not as defendants herein, between on or about September 1, 2005, and on or about April 4, 2006, at the City of Linwood, at the City of Margate, in the County of Atlantic, at the Borough of Glassboro, at the Township of Greenwich, in the County of Gloucester, at the Township of Berlin at the Township of Winslow, at the Borough of Brooklawn, in the County of Camden, at the City of Philadelphia, in the County of Philadelphia, in the Commonwealth of Pennsylvania, elsewhere and within the jurisdiction of this Court, did purposely and knowingly accept or receive money or property, pursuant to an agreement or understanding with any person whereby they participated or would participate in the proceeds of gambling activity, and did engage in conduct which materially aided the said gambling activity, the said conduct being directed toward the arrangement of the financial and recording phases thereof, by engaging in bookmaking, to the extent that they received or accepted in any one day more than

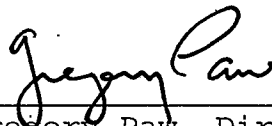
five bets totaling more than \$1,000.00, contrary to the provisions of N.J.S.A. 2C:37-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Possession of Gambling Records-Third Degree)

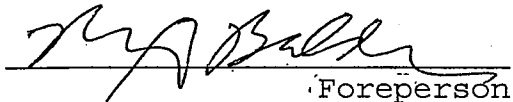
DANILO STARITA

on or about April 3, 2006, at the City of Margate, in the County of Atlantic, elsewhere and within the jurisdiction of this Court, with knowledge of the contents thereof, did possess writings, papers, instruments or articles of a kind commonly used in the operation or promotion of a bookmaking scheme or enterprise which constitute, reflect and represent more than five bets totaling more than \$1,000.00, contrary to the provisions of N.J.S.A. 2C:37-3, and against the peace of this State, the government and dignity of the same.



\_\_\_\_\_  
Gregory Paw, Director  
Division of Criminal Justice

A TRUE BILL:

  
\_\_\_\_\_  
Foreperson

DATE:

5/9/07