

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CRIMINAL DOCKET FOR CASE #: 1:20-cr-00067-PGG-1**

Case title: USA v. Kellel

Date Filed: 01/24/2020

Date Terminated: 12/15/2020

Date Filed	#	Docket Text
11/13/2019	<u>1</u>	NOTICE OF INTENT TO FILE an Information by U.S.A. as to Adel Kellel. (jm) (Entered: 01/27/2020)
01/24/2020	<u>2</u>	INFORMATION (Felony) filed as to Adel Kellel (1) count(s) 1. (jm) (Entered: 01/27/2020)
01/24/2020		Case Designated ECF as to Adel Kellel. (jm) (Entered: 01/27/2020)
01/24/2020		Arrest/Surrender of Adel Kellel. (jm) (Entered: 01/27/2020)
01/24/2020	<u>3</u>	Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein:Initial Appearance as to Adel Kellel held on 1/24/2020. Defendant is present with attorney Richard Langone; AUSA Zverovich is also present. Bail is set as follows: \$250,000 PRB; one (1) frp; travel restricted to SDNY/EDNY; temporary additional travel upon consent of AUSA & approval of PTS or Court order; surrender travel documents & no new applications; supervision as directed by PTS. Defendant to be released on own signature with remaining conditions to be met by 1/27/20. (jm) (Entered: 01/27/2020)
01/24/2020	<u>4</u>	PRB Bond Entered as to Adel Kellel in amount of \$ 250,000, one (1) frp; travel restricted to SDNY/EDNY; temporary additional travel upon consent of AUSA & approval of PTS or Court order; surrender travel documents & no new applications; supervision as directed by PTS. Defendant to be released on own signature with remaining conditions to be met by 1/27/20. (jm) (Entered: 01/27/2020)
01/24/2020	<u>5</u>	WAIVER OF INDICTMENT by Adel Kellel. (jm) (Entered: 01/27/2020)
01/24/2020	<u>6</u>	CONSENT TO PROCEED BEFORE US MAGISTRATE JUDGE ON A FELONY PLEA ALLOCUTION by Adel Kellel. (jm) (Entered: 01/27/2020)
01/24/2020		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Defendant is present with attorney Richard Langone; AUSA Zverovich is also present. Arraignment as to Adel Kellel (1) Count 1 held on 1/24/2020 Plea entered by Adel Kellel (1) Guilty as to Count 1.Mag. Judge Gorenstein recommends that District Judge Gardephe accept the plea. Court reporter present. Bail Continued. PSI ordered. Control date: 4/23/2020. (jm) Modified on 1/27/2020 (jbo). (Entered: 01/27/2020)
01/24/2020		Order of Referral to Probation for Presentence Investigation and Report as to Adel Kellel. (Signed by Magistrate Judge Gabriel W. Gorenstein on 1/24/20)(jbo) (Entered: 01/27/2020)
01/28/2020	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE: Richard Michael Langone appearing for Adel Kellel. Appearance Type: Retained. (Langone, Richard) (Entered: 01/28/2020)
02/03/2020	<u>8</u>	ORDER as to Adel Kellel: It is hereby ORDERED that the Defendant's sentencing, previously scheduled for April 23, 2020, will now take place on May 20, 2020 at 4:00 p.m. in Courtroom 705 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. Any submissions on behalf of the Defendant are due by April 29, 2020. The Government's submission is due by May 6, 2020. It is further ORDERED that the Probation Department prepare a presentence investigation report for the Defendant. SO ORDERED. (Sentencing set for 5/20/2020 at 04:00 PM in Courtroom 705, 40 Centre Street, New York, NY 10007 before Judge Paul G. Gardephe) (Signed by Judge Paul G. Gardephe on 1/31/2020) (lnl) (Entered: 02/03/2020)
02/20/2020	<u>9</u>	TRANSCRIPT of Proceedings as to Adel Kellel re: Plea held on 1/24/2020 before Magistrate Judge Gabriel W. Gorenstein. Court Reporter/Transcriber: Kristen

		Carannante, (212) 805-0300, Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/12/2020. Redacted Transcript Deadline set for 3/23/2020. Release of Transcript Restriction set for 5/20/2020. (McGuirk, Kelly) (Entered: 02/20/2020)
02/20/2020	<u>10</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT as to Adel Kellel. Notice is hereby given that an official transcript of a Conference proceeding held on 1/24/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.... (McGuirk, Kelly) (Entered: 02/20/2020)
02/26/2020	<u>11</u>	LETTER by Adel Kellel addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 02/26/2020 re: Permission to Travel (Attachments: # <u>1</u> Exhibit Plea Allocution Minutes)(Langone, Richard) (Entered: 02/26/2020)
02/26/2020	<u>12</u>	LETTER by USA as to Adel Kellel addressed to Judge Paul G. Gardephe re: Defendant's Foreign Travel Request Document filed by USA. (Zverovich, Olga) (Entered: 02/26/2020)
02/27/2020	<u>13</u>	MEMO ENDORSEMENT as to Adel Kellel on re: <u>11</u> LETTER by Adel Kellel addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 02/26/2020 re: Permission to Travel. ENDORSEMENT: The application is denied absent the posting of property securing the bond in full. (Signed by Judge Paul G. Gardephe on 2/27/2020) (ap) (Entered: 02/27/2020)
04/06/2020	<u>14</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – FIRST MOTION</b> for Extension of Time to File Defense Objections to Proposed PSR. Document filed by Adel Kellel. (Langone, Richard) Modified on 4/6/2020 (ka). (Entered: 04/06/2020)
04/06/2020		<b>NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR as to Adel Kellel: Notice to Attorney Langone, Richard to RE-FILE Document <u>14</u> FIRST MOTION for Extension of Time to File Defense Objections to Proposed PSR. Use the event type Letter Motion found under the event list Motions. (ka)</b> (Entered: 04/06/2020)
04/06/2020	<u>15</u>	FIRST LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 06/06/2020 re: Extension of Time to File Objections to PSR . Document filed by Adel Kellel. (Langone, Richard) (Entered: 04/06/2020)
04/07/2020	<u>16</u>	MEMO ENDORSEMENT as to Adel Kellel (1) granting <u>15</u> LFIRST LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 06/06/2020 re: Extension of Time to File Objections to PSR. ENDORSEMENT: This Application is granted. (Signed by Judge Paul G. Gardephe on 4/7/2020) (ap) (Entered: 04/07/2020)
04/22/2020	<u>17</u>	ORDER as to Adel Kellel. It is hereby ORDERED that the sentencing of the Defendant currently scheduled for May 20, 2020 instead will take place on June 29, 2020 at 4:00 pm ( Sentencing set for 6/29/2020 at 04:00 PM before Judge Paul G. Gardephe.) (Signed by Judge Paul G. Gardephe on 4/22/20)(jw) (Entered: 04/22/2020)
05/07/2020	<u>19</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – FIRST MOTION</b> to Postpone Sentencing . Document filed by Adel Kellel. (Langone, Richard) Modified on 5/7/2020 (ka). (Entered: 05/07/2020)
05/07/2020		<b>NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR as to Adel Kellel: Notice to Attorney Langone, Richard to RE-FILE Document <u>19</u> FIRST MOTION to Postpone Sentencing. Use the event type Letter Motion found under the event list Motions. (ka)</b> (Entered: 05/07/2020)
05/07/2020	<u>20</u>	FIRST LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated May 7, 2020 re: Postpone Sentencing <i>Pending COVID-19 Pandemic</i> . Document filed by Adel Kellel. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Langone, Richard) (Entered: 05/07/2020)

05/08/2020	<u>21</u>	MEMO ENDORSEMENT as to Adel Kellel (1) granting <u>20</u> FIRST LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated May 7, 2020 re: Postpone Sentencing Pending COVID-19 Pandemic. ENDORSEMENT: The sentencing is adjourned to August 18, 2020 at 4:00 p.m. Defendant's submission is due July 30, 2020. The Government's submission is due August 6, 2020. SO ORDERED. (Signed by Judge Paul G. Gardephe on 5/7/2020) (lnl) (Entered: 05/08/2020)
05/08/2020		Set/Reset Hearings as to Adel Kellel: Sentencing set for 8/18/2020 at 04:00 PM before Judge Paul G. Gardephe. (lnl) (Entered: 05/08/2020)
07/23/2020	<u>22</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – THIRD MOTION</b> to Postpone Sentencing . Document filed by Adel Kellel. (Langone, Richard) Modified on 7/24/2020 (ka). (Entered: 07/23/2020)
07/24/2020		<b>NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR as to Adel Kellel: Notice to Attorney Langone, Richard to RE-FILE Document <u>22</u> THIRD MOTION to Postpone Sentencing. Use the event type Letter Motion found under the event list Motions. (ka)</b> (Entered: 07/24/2020)
07/24/2020	<u>23</u>	SECOND LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 07/23/2020 re: Postpone Sentencing . Document filed by Adel Kellel. (Langone, Richard) (Entered: 07/24/2020)
07/24/2020	<u>24</u>	MEMO ENDORSEMENT as to Adel Kellel (1) on <u>23</u> SECOND LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 07/23/2020 re: Postpone Sentencing. ENDORSEMENT: The sentencing is adjourned to October 13, 2020 at 11:00 a.m. Defendant's submission is due on September 22, 2020, and the Government's submission is due on September 29, 2020. (Signed by Judge Paul G. Gardephe on 7/24/2020) (ap) (Entered: 07/24/2020)
07/24/2020		Set/Reset Hearings as to Adel Kellel: Sentencing set for 10/13/2020 at 11:00 AM before Judge Paul G. Gardephe. (ap) (Entered: 07/24/2020)
09/17/2020	<u>25</u>	THIRD MOTION to Postpone Sentencing . Document filed by Adel Kellel. (Langone, Richard) (Entered: 09/17/2020)
09/18/2020	<u>26</u>	MEMO ENDORSEMENT as to Adel Kellel (1) on <u>25</u> THIRD MOTION to Postpone Sentencing. The sentencing scheduled for October 13, 2020 is adjourned to November 30, 2020 at 11:00 a.m. Defendant's submission is due November 9, 2020. The Government's submission is due November 16, 2020. (Signed by Judge Paul G. Gardephe on 9/18/2020) (ap) (Entered: 09/21/2020)
09/18/2020		Set/Reset Hearings as to Adel Kellel: Sentencing set for 11/30/2020 at 11:00 AM before Judge Paul G. Gardephe. (ap) (Entered: 09/21/2020)
10/30/2020	<u>27</u>	ORDER as to Adel Kellel: This Order is entered, pursuant to Federal Rule of Criminal Procedure 5(f), to remind the Government of its disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and to summarize the potential consequences of violating those obligations. (Signed by Judge Paul G. Gardephe on 10/30/2020) (See ORDER set forth) (ap) (Entered: 11/02/2020)
11/09/2020	<u>28</u>	SENTENCING SUBMISSION by Adel Kellel. (Langone, Richard) (Entered: 11/09/2020)
11/16/2020	<u>29</u>	LETTER MOTION addressed to Judge Paul G. Gardephe from USA dated November 16, 2020 re: Application to Accept the Defendant's Waiver and Plea . Document filed by USA as to Adel Kellel. (Zverovich, Olga) (Entered: 11/16/2020)
11/16/2020	<u>30</u>	SENTENCING SUBMISSION by USA as to Adel Kellel. (Attachments: # <u>1</u> Exhibit A)(Zverovich, Olga) (Entered: 11/16/2020)
11/24/2020	<u>31</u>	ORDER as to Adel Kellel: IT IS HEREBY ORDERED that the Defendant's guilty plea is accepted. (Signed by Judge Paul G. Gardephe on 11/24/2020) (ap) (Entered: 11/24/2020)
11/24/2020	<u>32</u>	NOTICE of Consent to be Sentenced by Telephone as to Adel Kellel (Langone, Richard) (Entered: 11/24/2020)

11/24/2020	<u>33</u>	MEMO ENDORSEMENT as to Adel Kellel on re: <u>32</u> NOTICE of Consent to be Sentenced by Telephone as to Adel Kellel. ENDORSEMENT: The Government is directed to state forthwith whether it objects to proceeding with the sentencing scheduled for November 30, 2020 remotely. The Court notes that the Government has participated in numerous sentencings that proceeded remotely before this Court, including as recently as yesterday, November 23, 2020. (Signed by Judge Paul G. Gardephe on 11/24/2020) (ap) (Entered: 11/24/2020)
11/24/2020	<u>34</u>	LETTER by USA as to Adel Kellel addressed to Judge Paul G. Gardephe from USA dated November 24, 2020 re: Response to the Court's November 24, 2020 Order Document filed by USA. (Zverovich, Olga) (Entered: 11/24/2020)
11/25/2020	<u>35</u>	ORDER as to Adel Kellel: The sentencing currently scheduled for November 30, 2020 will take place by telephone. The parties are directed to dial 888-363-4749 to participate, and to enter the access code 6212642. The press and public may obtain access to the telephone conference by dialing the same number and using the same access code. The Court is holding multiple telephone conferences on this date. The parties should call in at the scheduled time and wait on the line for their case to be called. At that time, the Court will un-mute the parties lines. Seven days before the conference, the parties must email Michael_Ruocco@nysd.uscourts.gov and GardepheNYSChambers@nysd.uscourts.gov with the phone numbers that the parties will be using to dial into the conference so that the Court knows which numbers to un-mute. The email should include the case name and case number in the subject line. (Signed by Judge Paul G. Gardephe on 11/25/2020) (ap) (Entered: 11/25/2020)
11/25/2020	<u>36</u>	SENTENCING SUBMISSION by Adel Kellel. (Attachments: # <u>1</u> Exhibit Restaurant Industry Indices, # <u>2</u> Exhibit Raffle's COGS, # <u>3</u> Exhibit Unpaid Expenses, # <u>4</u> Exhibit Out-Of-Pocket Expenses Paid by Kellel, # <u>5</u> Exhibit Nellie Medina (Feb 12 2016 Interview ), # <u>6</u> Exhibit Nellie Medina (Oct 5 2018))(Langone, Richard) (Entered: 11/25/2020)
11/30/2020	<u>37</u>	LETTER by USA as to Adel Kellel addressed to Judge Paul G. Gardephe from USA dated November 30, 2020 re: Special Conditions of Supervised Release and Proposed Restitution Order Document filed by USA. (Attachments: # <u>1</u> Exhibit A – Text of Proposed Restitution Order)(Zverovich, Olga) (Entered: 11/30/2020)
11/30/2020		Minute Entry for proceedings held before Judge Paul G. Gardephe: Sentencing held on 11/30/2020 for Adel Kellel (1) Count 1. Defendant A. Kellel present with attorney Richard Langone. AUSAs Jorge Almonte and Olga Zverovich present. Court reporter Carol Ganley present. See Judgment for terms of sentence. (jw) (Entered: 12/01/2020)
12/02/2020	<u>38</u>	WAIVER OF RIGHT TO BE PRESENT AT CRIMINAL PROCEEDING as to Adel Kellel. Accepted: (Signed by Judge Paul G. Gardephe on 12/2/2020)(bw) (Entered: 12/02/2020)
12/02/2020	<u>39</u>	CONSENT TO PROCEED REMOTELY as to Adel Kellel. This proceeding was conducted by reliable [ videoconferencing / telephone conference ] technology. (Signed by Judge Paul G. Gardephe on 12/2/2020)(bw) (Entered: 12/02/2020)
12/02/2020	<u>40</u>	ORDER OF RESTITUTION as to Adel Kellel. Upon the application of the United States of America, by its attorneys, Audrey Strauss, Acting United States Attorney for the Southern District of New York, Olga I. Zverovich, Assistant United States Attorney, and Jorge Almonte, Special Assistant United States Attorney, of counsel; the Presentence Investigation Report; the Defendant's conviction on Count One of the above-referenced Information; and all other proceedings in this case, it is hereby ORDERED that: 1. Amount of Restitution. ADEL KELLEL, the Defendant, shall pay restitution in the total amount of \$771,195, pursuant to 18 U.S.C. § 3663, to the victims of the offense charged in Count One, as set forth below and in the attached Schedule of Victims. Upon advice by the United States Attorneys Office of a change of address of a victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court. (***) See this Order of Restitution for complete details. (***) SO ORDERED: (Signed by Judge Paul G. Gardephe on 12/2/2020)(bw) (Entered: 12/02/2020)
12/14/2020	<u>41</u>	FIRST LETTER MOTION addressed to Judge Paul G. Gardephe from Richard M. Langone, Esq. dated 12/14/2020 re: <u>36</u> Sentencing Submission, re: Seal ECF Doc. No. 36, Exs. 5 & 6 ., FIRST MOTION to Seal Document ECF No. 36. Document filed by

		Adel Kellel. (Langone, Richard) (Entered: 12/14/2020)
12/14/2020	<u>42</u>	SECOND MOTION to Travel <i>to visit elderly mother</i> . Document filed by Adel Kellel. (Langone, Richard) (Entered: 12/14/2020)
12/15/2020	<u>43</u>	JUDGMENT IN A CRIMINAL CASE as to Adel Kellel (1). The Defendant pleaded guilty to Count 1. IMPRISONMENT: 24 months. The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: before 2 p.m. on 3/1/2021. SUPERVISED RELEASE: 3 years. ASSESSMENT: \$100.00 due immediately. RESTITUTION: \$771,195.00. (Signed by Judge Paul G. Gardephe on 12/2/2020) (lnl) (Entered: 12/16/2020)