

UNITED STATES DISTRICT COURT

District of NEVADA

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

PROPERTY KNOW AS
PURE MANAGEMENT GROUP
2121 INDUSTRIAL ROAD
CITY OF LAS VEGAS,
COUNTY OF CLARK,
STATE OF NEVADA

SEARCH WARRANT

Case Number: 2-08-mj-95-GWF

I attest and certify on 2-15-08 that
this is a full true and correct copy of the
~~original document.~~

TO: Internal Revenue Service, Criminal Investigati and any Authorized Of

Affidavit(s) having been made before me by Aaron Hamor

Affiant

GEORGE FOLEY, JR.
who has reason to believe
U.S. MAGISTRATE JUDGE
DISTRICT OF NEVADA

that on the person of, or on the premises known as (name, description and/or location)
SEE ATTACHMENT A-2

By Julia Hill Deputy
Secretary

in the _____ District of Nevada

concealed a certain person or property, namely (describe the person or property)

there is now

SEE ATTACHMENT B

attached hereto and incorporated herein

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before February 25, 2008

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search in the daytime — 6:00 AM to 10:00 P.M. I at anytime in the day or night as I find reasonable cause has been established and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to George W. Foley as required by law.

U.S. Magistrate Judge (Rule 41(f)(4))

February 15, 2008 at 11:25am at

Date and Time Issued

Las Vegas, Nevada

City and State

GEORGE FOLEY, JR.
U.S. MAGISTRATE JUDGE

Name and Title of Judge

JS GEORGE FOLEY, JR.

Signature of Judge

RETURN

Case Number:

DATE WARRANT RECEIVED

DATE AND TIME WARRANT EXECUTED

COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH

INVENTORY MADE IN THE PRESENCE OF

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Subscribed, sworn to, and returned before me this date.

Signature of Judge

Date

ATTACHMENT B
ITEMS TO BE SEIZED

The following items, whether written, in original or reproduced format, or contained in computer sensitive media or any other format, pertaining or relating to STEVE DAVIDOVICI, and/or ROBERT FREY, and/or FDR MANAGEMENT LLC, and/or FDR DELAWARE LLC, and/or PURE MANAGEMENT GROUP, and/or STRONG BOX INC., for the period January 1, 2004 to the present. The items constitute evidence of the currency distribution scheme, the coat check fee scheme, and the fraudulent deduction scheme. The documents and records constitute fruits, instrumentalities, and/or evidence of crimes against the United States of America including Title 26, United States Code §7201, attempt to evade and defeat individual income tax due; Title 26, United States Code §7206(1), filing false individual income tax returns; Title 18, United States Code §371, conspiracy to defraud the government with respect to taxes:

- a. Corporate bookkeeping records and other financial records including income statements, balance sheets, general ledgers, ledger sheets, general journals, including documents used to prepare these records such as gross receipts records, sales records, income records, cash receipts records, cash receipts schedules, disbursement records and/or journals, sales and purchase records and/ or journals, accounts receivable and payable records, cost of goods sold records, daily sales schedules, and all sales and expense invoices including all invoices documenting expenses paid by cash (currency) or bank check (cashier or teller checks) and retained copies of any bank checks (cashier or teller checks); regarding the currency distribution scheme, and/or the coat check fee scheme, and/or the fraudulent deduction scheme.
- b. Financial statements, bookkeeper's, Certified Public Accountant's and accountant's work-papers used in the preparation of corporate records and financial statements regarding the currency distribution scheme, and/or the coat check fee scheme, and/or the fraudulent deduction scheme.

- c. Documents that can be used to establish the number of paid admissions to Pure Nightclub including customer receipts, cash register tapes, and credit card tapes.
- d. Calendar book, daily planner, and personal organizers recording corporate information or information regarding the currency distribution scheme, and/or the coat check fee scheme, and/or the fraudulent deduction scheme.
- e. Employee personnel records, including lists of employees and employee information such as Social Security Number, address, telephone number, electronic mail (e-mail) address, or other identifying information including tip compliance agreements.
- f. Schedules or other records of payments made to employees or independent contractors by check or cash (currency).
- g. Contracts, invoices, or sheets showing the collection and/or distribution of money collected for the coat check fees.
- h. Envelopes with names and amount of tips collected pertaining to the currency distribution scheme.
- i. Documents reflecting personal living expenditures for STEVE DAVIDIVICI and ROBERT FREY comprising evidence of expenditures. Documents may include receipts from stores, gambling establishments, travel itineraries, or jewelry stores.
- j. Loan records: Including applications, financial statements, affidavits, loan collateral, credit and background investigations required, loan agreements, notes or mortgages, settlement sheets, contracts, retained copies of checks issued for loans, repayment records, including records revealing the date, amount and method of repayment (cash, check, or money order), checks used to repay loans and a record

disclosing the total amount of discount or interest paid annually, records of any liens, loans correspondence files, and internal memoranda relative to these loans.

- k. Correspondence and notes, in both electronic (e-mail) and physical form, with customers, employees, suppliers, and others relating to the false deductions and/or coat check fees and/or currency distribution scheme. Correspondence, in both electronic (e-mail) and physical forms, identifying the possible disposition of the unreported cash receipts.
- l. Federal tax returns, including all related schedules, forms, and attachments, and all letters or correspondence related thereto with the Internal Revenue Service of the tax return preparer of the above mentioned individual or business.
- m. Computer items, to include:

1) Hardware: Computer hardware consists of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar computer impulses or data. Hardware includes (but is not limited to) any data-processing devices (such as central processing units, and self-contained "laptop" or "notebook" computers); internal and peripheral storage devices (such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, USB memory devices, and other memory storage devices); peripheral input/output devices (such as keyboards, printers, scanners, plotters, video display monitors, digital cameras, and optical readers); and related communications devices (such as modems, cables and connections); as well as any devices,

mechanisms, or parts that can be used to restrict access to computer hardware (such as physical keys and locks).

- 2) **Software:** Computer software is digital information, which can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical, or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communications programs.
- 3) **Documentation:** Computer-related documentation consists of written, recorded, printed, or electronically stored material which explains or illustrates how to configure or use computer hardware, software, or other related items.
- 4) **Passwords and Data Security:** Computer passwords and other data security devices are designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

- n. The above described records may be stored on magnetic or electronic media including hard drives, diskettes, tapes, or any other media capable of storing information in a form readable by a computer. These records include media maintained as archive or backup copies.
- o. The agents request authorization to seize computers storing or capable of storing such information and remove them along with peripheral devices, software and documentation manuals and passwords to a laboratory setting for a sufficient period of time to obtain access to and make image copies of electronic media as deemed necessary and ensure that the image copy(s) can be properly restored and verified. Agents are authorized to search the entire memory devices and hard drives for evidence as defined within this warrant. Any data unrelated to the investigation will not be used and will be separated (to the extent possible) from the evidentiary data and preserved. Seized computers will be returned to the business within 60 days of the execution of this warrant.