

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 20-CV-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**COMPLETE BUSINESS SOLUTIONS GROUP,
INC. d/b/a/ PAR FUNDING, et al.,**

PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S NOTICE OF FILING

Plaintiff Securities and Exchange Commission hereby files a copy of the Criminal Complaint filed against James LaForte today in the Eastern District of Florida concerning the February 28, 2023 attack on counsel for the Receiver after the conclusion of the February 28 Status Conference in this case.

March 6, 2023

Respectfully submitted,

By: Amie Riggle Berlin
Amie Riggle Berlin
Senior Trial Counsel
Florida Bar No. 630020
Direct Dial: (305) 982-6322
Email: berlina@sec.gov
Attorney for Plaintiff

**SECURITIES AND EXCHANGE
COMMISSION**

801 Brickell Avenue, Suite 1950
Miami, Florida 33131
Telephone: (305) 982-6300
Facsimile: (305) 536-4154

UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania

United States of America
v.
James LaForte

Case No. 23-mj-464

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 28, 2023 in the county of Philadelphia in the Eastern District of Pennsylvania, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: 18 U.S.C. §§ 1505, 1513(b); Obstruction of proceedings, retaliation against party or witness causing bodily injury

This criminal complaint is based on these facts:
See attached Affidavit.

Continued on the attached sheet.

/s/ John Murray
Complainant's signature
SA John Murray, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/05/2023

/s Hon. Richard A. Lloret
Judge's signature

City and state: Cherry Hill, New Jersey

HON. RICHARD A. LLORET, US MAG. JUDGE
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, John Murray, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a criminal complaint for JAMES LAFORTE for violations of 18 U.S.C. § 1513(b) (retaliation against a party or witness causing bodily injury) and 18 U.S.C. § 1505 (obstruction of proceedings).

AGENT BACKGROUND

2. I am employed as a Special Agent of the Federal Bureau of Investigation (“FBI”). I have been employed as an FBI Special Agent since May 2011. In that time, I have participated in numerous investigations of violations of federal criminal law, including organized crime, narcotics, public corruption, money laundering, fraud, and violent crime matters. I have received specialized training from the FBI Academy located in Quantico, Virginia pertaining to these matters, in addition to other training courses. As part of my official duties, I have conducted physical and electronic surveillance, debriefed confidential informants, coordinated consensual monitoring with cooperating witnesses, reviewed financial documents and participated in the execution of numerous search and arrest warrants. I am an “investigative or law enforcement officer of the United States” within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and make arrests for offenses enumerated in the United States Code, Title 18 and Title 21. Prior to joining the FBI, I graduated from Temple University Beasley School of Law and served as an Assistant District Attorney from 2008 through 2011 with the Philadelphia District Attorney’s Office. During my tenure there, I prosecuted violent crimes and narcotics related offenses, in addition to other state violations.

3. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, I have not included all information known by me or other agents concerning this investigation. I have set forth only those facts I believe are essential to establish probable cause for the complaint. This affidavit does not exhaust my knowledge or that of other agents of the facts and circumstances surrounding this investigation.

PROBABLE CUASE

4. This affidavit is being submitted for the purpose of establishing that there is probable cause that defendant JAMES LAFORTE violated 18 U.S.C. § 1513(b) (retaliation against a party or witness causing bodily injury) and 18 U.S.C. § 1505 (obstruction of proceedings).

I. Summary

5. This affidavit concerns the efforts by defendant JAMES LAFORTE to cause serious bodily injury to a Philadelphia attorney with the initials G.A., who is presently representing a party at a federal district court lawsuit (discussed below) that is adversarial to JAMES LAFORTE's brother, Joseph LaForte, and Joseph LaForte's wife, Lisa McElhone. As set forth below, there is probable cause to believe that on the afternoon of Tuesday, February 28, 2023, JAMES LAFORTE physically assaulted, and hospitalized, G.A. after G.A. left his business office in Center City, Philadelphia, Pennsylvania. There is probable cause to believe that JAMES LAFORTE's assault constituted a violation of 18 U.S.C. § 1513(b) (retaliation against a party or witness causing bodily injury) and 18 U.S.C. § 1505 (obstruction of proceedings).

II. Background of Par Funding

6. In July 2020, federal law enforcement officers executed search warrants at the principal places of business of Complete Business Solutions Group, Inc., doing business as Par Funding (“Par Funding”), located at 20-22 N. 3rd Street, Philadelphia, Pennsylvania, and 205 Arch Street, Philadelphia, Pennsylvania, as well as at the residence and vacation homes of Joseph LaForte and Lisa McElhone.

7. Par Funding was incorporated in Delaware and its principal place of business was and is in Philadelphia, Pennsylvania. Par Funding held itself out to be a Merchant Cash Advance (or “MCA”) and factoring lender.¹

8. Multiple witness interviews and numerous documents have shown that Par Funding and its agents used fraudulent and extortionate means to collect payments from merchant-debtors to whom Par Funding and its affiliates loaned money, and used fraudulent representations and omissions to induce individuals to invest in Par Funding. Multiple witness interviews and numerous documents have shown that (i) Joseph LaForte operated Par Funding’s day-to-day operations,² (ii) his brother, defendant JAMES LAFORTE, worked at Par Funding

¹ MCA and factor funding are commonly used to describe a variety of small business financing that involves the purchase of future receivables by the funder from a merchant.

² By way of background, in October 2006, JAMES LAFORTE and Joseph LaForte pleaded guilty to multiple felony counts of grand larceny, money laundering, and conspiracy in Nassau County, New York after the brothers created a law firm in 2004 and falsely held themselves out as attorneys for banks in real estate transactions, Dkt. No. IND-00928N-2006. The LaFortes and other coconspirators defrauded over 30 homeowners of over \$14 million dollars over 17 months. For his part in the conspiracy, JAMES LAFORTE was sentenced to 5 to 15 years’ incarceration, Joseph LaForte was sentenced to 3 ½ to 10 ½ years’ incarceration, and they were both ordered to repay \$14.1 million to their victims. Since their release from prison, the \$14 million in restitution remains outstanding.

In 2009, JAMES LAFORTE pleaded guilty to violating 18 U.S.C. § 371 (conspiracy), 18 U.S.C. § 894 (collection of credit by extortionate means), and 18 U.S.C. § 1951 (interference with

for a period of time, (iii) Lisa McElhone served as its nominal owner and President, (iv) Joseph Louis Cole Barleta served as Par Funding's Chief Financial Officer, (v) Perry Abbonizio raised funds from investors for Par Funding,³ and (vi) Renato Gioe, a/k/a "Gino," provided collection services to Par Funding.⁴

9. As referenced above, agents have learned through multiple interviews of merchant-debtors that Joseph LaForte directed Par Funding employee Gioe to travel to the business locations and personal residences of merchant-debtors and attempt to intimidate them into making payments through threats of physical violence. Law enforcement interviews with

commerce by threats or violence) in the United States District Court for the District of New Jersey for conspiring to commit arson in connection with his efforts to collect on a debt, 3:09-cr-00439. He was sentenced to 36 months' incarceration followed by 36 months' supervised release.

In 2009, Joseph LaForte was charged in the United States District Court for the District of New Jersey with conspiracy to operate an illegal gambling business in violation of 18 U.S.C. § 371 (conspiracy) for his participation in operating an offshore gambling enterprise, an offense for which he subsequently pleaded guilty in 2010, 3:09-cr-00941. He was sentenced to 10 months' incarceration followed by three years supervised release.

In 2012, JAMES LAFORTE was charged in a separate case in the United States District Court for the Eastern District of New York for operating an illegal gambling business, in violation of 18 U.S.C. § 1955 (illegal gambling), 1:12-cr-00050-CBA-5. He subsequently pleaded guilty and was sentenced to 17 months' incarceration.

³ Abbonizio was a consultant for Par Funding who used the title Principal. Abbonizio has admitted to Agents that he was responsible for a significant amount of the company's fundraising efforts from 2016 through mid-2020. On February 15, 2022, Abbonizio entered a guilty plea pursuant to an Information in the Eastern District of Pennsylvania before Judge Mark A. Kearney (23-cr-10) for violation of 18 U.S.C. § 371 (conspiracy to commit wire fraud and securities fraud).

⁴ On September 6, 2022, Gioe entered a guilty plea pursuant to an Information in the Eastern District of Pennsylvania before the Honorable Mark A. Kearney (22-cr-279). Gioe pled guilty to violations of 18 U.S.C. § 894(a) (conspiracy to use extortionate means to collect an extension of credit) and 18 U.S.C. § 894(a) (extortionate collections of credit).

merchant-debtors also revealed that Joseph LaForte and defendant JAMES LAFORTE made threats of physical harm to merchant-debtors themselves.

10. Based on multiple interviews and numerous documents, before the appointment of the receiver for Par Funding in July 2020 (discussed below), Joseph LaForte was extensively involved in the daily operations of Par Funding and functioned as its Chief Executive Officer.

11. Through multiple interviews and my review of open-source records, defendant JAMES LAFORTE acted in a supervisory capacity at Par Funding. The review of various documents, including bank records, vehicle documentation, and rental documents, show that that before Par Funding was under the control of the receiver, JAMES LAFORTE lived a life of luxury, residing in expensive high-rise apartments in Manhattan, driving high-end cars, and having large amount of money at his disposal.

III. The SEC Lawsuit Against Par Funding

12. On or about July 24, 2020, the U.S. Securities and Exchange Commission (the “SEC”) filed a civil complaint in the United States District Court for the Southern District of Florida against Par Funding, Joseph LaForte, Lisa McElhone, and others associated with Par Funding and/or funds that invested in Par Funding.⁵

13. On or about July 27, 2020, the Florida district court appointed Ryan K. Stumphauzer of Stumphauzer Foslid Sloman Ross & Kolaya, PLLC as the receiver (the

⁵ *SEC v. Complete Business Solutions Group, et al.*, 9:20-cv-81205-RAR (S.D. Fl.). All defendants in the above-referenced SEC action eventually settled with the SEC with the exception of one defendant, who subsequently was found liable at trial. Joseph LaForte and Lisa McElhone settled with the SEC in November 2021, and in December 2022, the Florida district court ordered Par Funding, Joseph LaForte, and Lisa McElhone, to pay \$163.1 million in “disgorgement” of investors’ money and \$12.2 million in interest, plus civil penalties totaling \$43.7 million.

“Receiver”) over Par Funding and many of its related entities. Stumphauzer practices law in Miami, Florida.

14. On behalf of the Receiver, Stumphauzer has offered testimony as a witness in the SEC civil action, including by way of an April 15, 2022 sworn declaration submitted in support of the SEC’s Motion for Final Judgements against Joseph LaForte, Lisa McElhone, and others. ECF No. 1214, 20-cv-81205 (S.D. Fl.).

15. On or about July 31, 2020, the Florida district court granted an order permitting G.A., a partner at the law firm Pietragallo Gordon Alfano Bosick & Raspanti, LLP, to enter his appearance on behalf of the Receiver for Par Funding. The law firm Pietragallo Gordon Alfano Bosick & Raspanti, LLP, is located at 1818 Market Street, Philadelphia, Pennsylvania.

16. G.A. has stated that since that time, he has regularly appeared at every hearing and deposition in that federal case. G.A. has also explained that among his primary responsibilities has been the identification of assets and securing of assets for disgorgement. Those assets have included approximately \$100 million of personal and real property under the control of Joseph LaForte and Lisa McElhone. As detailed below, G.A.’s representation of the Receiver for Par Funding has been widely publicized in the Philadelphia media, including as recently as January 12, 2023.

17. As noted, in addition to making regular court appearances on behalf of the Receiver at court hearings, as lead counsel for the Receiver, G.A. has been a visible public figure related to his representation of the Receiver, particularly in news articles featured in the Philadelphia Inquirer and Philadelphia Daily News.⁶ At least one of these articles featured

⁶ Par Funding was unprofitable and \$144 million in payments to owners made it worse, accountants say, *Philadelphia Inquirer* (Dec. 12, 2020); New kickback allegations rock the Par

G.A.'s image as the most prominent photo in the article. Most recently, on January 23, 2023, an article in the Philadelphia Inquirer reported on the efforts of the court-appointed receiver to forfeit the homes of Joseph LaForte and Lisa McElhone as well as to evict them from their primary residence in Haverford, Pennsylvania. As has been typical with the news reporting of this matter, G.A. was referenced as one of the attorneys representing the court-appointed receiver.⁷ A photograph of G.A. is available on his law firm's public website.

18. According to a review of court records and an interview of G.A., on Tuesday, February 28, 2023, shortly before the assault, G.A. addressed the Florida district court via an online hearing regarding the need for Joseph LaForte and Lisa McElhone to pay outstanding bills or vacate their home in Haverford, Pennsylvania.

IV. Participation of JAMES LAFORTE

19. As referenced above, defendant JAMES LAFORTE was an active participant in Par Funding. As set forth below, following the SEC action in July 2020, JAMES LAFORTE played an active role in assisting his brother's defense. On September 17, 2020, a phone number known to be used by JAMES LAFORTE texted a phone number belonging to a Par Funding employee and LaForte associate, Anthony Fazio, the following message: "Do research on receiver." Fazio responded, "I am."⁸

Funding fraud case, *Philadelphia Inquirer* (May 24, 2022); From nail salon to near billionaire: How Par Funding owner amassed a fortune, *Philadelphia Inquirer* (Oct. 8, 2020).

⁷ Pay up or leave: Judge threatens to evict Par Funding owners from Haverford home over debt, reporting that Joseph LaForte and Lisa McElhone couple owe \$61,000 in overdue rent and property maintenance fees for the Haverford house and two vacation homes, *Philadelphia Inquirer* (Jan. 23, 2023).

⁸ On March 30, 2021, Agents executed search warrants at a residence in Philadelphia. The search warrants were issued by the Honorable Carol Sandra Moore Wells, United States Magistrate Judge in the Eastern District of Pennsylvania. The warrants were authorized for both the property

20. In July 2022, the Receiver asked the Florida district court to hold Joseph LaForte and Lisa McElhone in contempt for diverting approximately \$5 million for personal expenses from accounts that the Receiver argued should have been under the Receiver’s control. The Receiver’s motion specifically cited the efforts of JAMES LAFORTE to disperse these funds. The Receiver’s motion was co-signed by G.A. as co-counsel for the Receiver. ECF No. 1328, 20-cv-81205 (S.D. Fl.).

21. Defendant JAMES LAFORTE⁹ took an active role in responding to the complaint. For instance, agents interviewed a witness who advised that JAMES LAFORTE contacted him/her and attempted to get him/her to sign a declaration that would support the defense.

22. In response to the Receiver’s request, defendant JAMES LAFORTE also signed a sworn declaration in support of Joseph LaForte and Lisa McElhone’s Response in Opposition to Receiver’s Motion for an Order to Show Cause.¹⁰ ECF No. 1385-1, 20-cv-81205 (S.D. Fl.). In this declaration, dated August 29, 2022, JAMES LAFORTE swore to the following:

and an iPhone with a telephone number ending x6748. That iPhone was recovered from the property and subsequently searched. As a result of that search, Agents observed the cited text exchange with telephone number ending x6073 with the contact name listed as “Jimmy.” Agents have spoken to multiple individuals who have identified that number as being used by JAMES LAFORTE.

⁹ Your Affiant notes that on November 15, 2021, the Receiver filed a motion to lift the litigation stay to allow commencement of proceedings against defendant JAMES LAFORTE (as well as Joseph LaForte), who was alleged to have worked with Joseph LaForte to “siphon[] funds legally owned by the Receivership Entities for their personal benefit.” ECF No. 949, 20-cv-81205 (S.D. Fl.). On December 17, 2021, the Florida district court granted the Receiver’s motion to lift the litigation stay to allow commencement of proceedings against JAMES LAFORTE. ECF No. 1106, 20-cv-81205 (S.D. Fl.). Your Affiant notes that defendant JAMES LAFORTE is not listed on the ECF notices for the SEC litigation.

¹⁰ The motion was submitted by attorneys David Ferguson, Alan Futerfas, and James Kaplan, who have represented Joseph LaForte and Lisa McElhone throughout the SEC action.

Joseph LaForte is my brother and Lisa McElhone is my sister-in-law. After my brother was arrested and this lawsuit began in July of 2020, I did what I could to help Joe make bail and get good legal counsel. From the beginning of this lawsuit through today, I have helped Joe and Lisa with their legal fees and other expenses as much as I can

I obtained a \$3 Million loan from Financial Mutual in order to help pay Joe and Lisa’s attorneys and cover other costs for them

The loan from Financial Mutual was not paid out to me in a lump sum. Instead, it was made available to me like a line of credit I could draw from. I asked Frank Scarpati to make payments to attorneys and to other professionals for Joe and Lisa’s defense and to count those payments as advances against the amount Financial Mutual agreed to lend to me. I asked Financial Mutual to make \$492,654 in payments to Alejandro Soto, \$431,500 to the Berkowitz accounting firm, \$95,000 to Kopelowitz Ostrow P.A., \$762,500 to Alan Futerfas, \$225,000 to James Froccaro and \$350,000 to Michael Bachner . . .

I also made some payments to attorneys and professionals through my company, Bushwick Beer Garden

I did all of this because I love my brother and sister-in-law and wanted to help them. At the time I arranged for the loan agreement with Financial Mutual I thought the Receivership would be over quickly and that CBSG would go back to being a very profitable business

23. There is probable cause to believe that defendant JAMES LAFORTE’s declaration of August 29, 2022, demonstrates that JAMES LAFORTE has a significant level of familiarity with the SEC lawsuit and the Receiver’s role in this litigation, as well as his active involvement in his brother and sister-in-law’s civil case with the SEC.

24. As noted above, this declaration was in support of Joseph LaForte and Lisa McElhone’s Response in Opposition to Receiver’s Motion for an Order to Show Cause, filed on August 29, 2022. In this Response submitted by Joseph LaForte’s attorneys, JAMES LAFORTE’s name is mentioned 22 times. Joseph LaForte’s attorneys included the following arguments in support of their motion:

Although it is not the Defendants’ burden to prove a negative, this response will show that the Receiver has misapprehended various payments from third-parties

which it points to as evidence of wrong-doing. In particular, the evidence will show that Joseph LaForte's brother, James LaForte, used his personal income, and borrowed money from his personal and business contacts, in order to help pay for the Defendants' legal fees and otherwise assist them in paying their expenses while Defendants' assets are frozen

However, all of these payments were arranged by Joseph LaForte's brother, James LaForte, out of legitimate monies he was entitled to as part of his efforts to assist his family with their legal problems in their hour of need. (See, generally, James LaForte Declaration, Exhibit 1).

V. JAMES LAFORTE's Assault of G.A. on February 28, 2023

25. As explained below, G.A. reported to law enforcement on February 28, 2023, that he was assaulted on 19th Street in Philadelphia, between Ludlow Street and Chestnut Street. Upon learning this information, FBI agents and other law enforcement went to the scene of the assault and gathered security videos in an effort to identify the assailant. The law enforcement officers obtained voluntarily-provided videos from businesses on the street upon which the assault occurred, as well as surrounding streets, and were able to track the masked assailant to a location on the 2000 block of Market Street where he entered a taxicab heading west. The law enforcement officers then identified the taxicab and determined that it had driven its passenger to the intersection of 23rd Street and St. James Place. Law enforcement officers obtained additional security video from this location. This video showed that the assailant had removed his mask. As explained below, upon reviewing this video from St. James Place, law enforcement officers identified the assailant as JAMES LAFORTE.

26. Since at least early 2019, defendant JAMES LAFORTE has been a subject of FBI investigation. JAMES LAFORTE has been observed on multiple occasions at close range by at least three Special Agents of the FBI since that time, including by your Affiant, Special Agent Robert Lythgoe, and Special Agent Kaitlyn Bush. These three agents have also regularly

reviewed his image, captured during surveillance, as well as driver’s licenses/arrests photos. In addition, Special Agent Lythgoe personally spoke with JAMES LAFORTE on July 27, 2020.

27. Your Affiant, Agent Lythgoe, and Agent Bush reviewed the video from St. James Place and have positively identified the person in the St. James Place video as defendant JAMES LAFORTE.

28. Furthermore, a comparison of a law enforcement surveillance photograph taken of defendant JAMES LAFORTE in September 2021 (on the left below) and an image from the St. James Place video (on the right below) provides probable cause to believe that G.A.’s assailant was JAMES LAFORTE.



29. Law enforcement officers also interviewed G.A. regarding the assault on Tuesday, March 28, 2023. He provided the following information:

- a. On February 28, 2023, G.A. participated in a court conference with the Florida district court concerning the SEC matter in the Southern District of

Florida. He participated via videoconference from his office at 1818 Market Street, Philadelphia, Pennsylvania. Also appearing on the videoconference from other physical locations were David Ferguson, attorney for JAMES LAFORTE, and Alan Futerfas and James Kaplan, attorneys for Lisa McElhone.

- b. Shortly after the conclusion of the videoconference, G.A. left his office and walked south on 19th Street toward Chestnut Street. Approximately halfway up the block, G.A. was struck in the back of the head by an unknown object that he believed to be metal.
- c. G.A. turned around and saw a male running away, heading diagonally across the street towards an Enterprise parking garage. G.A. reported that the male was wearing a black jacket, with a dark hoodie, dark sweatpants, and what he believed to be white sneakers.
- d. G.A. was then transported by ambulance to a nearby hospital where he was given an MRI examination and treated with seven staples to his head.

30. Later on February 28, 2023, FBI agents spoke with an attorney from G.A.'s law firm regarding the incident. This individual stated that he had responded to the scene to aid G.A.. He explained that at the scene, he observed a broken flashlight on the ground. The attorney recovered the flashlight and released it to the custody of the FBI that evening.

31. At approximately 7 p.m. on February 28, 2023, agents reviewed the scene of the attack and observed a significant amount of blood on the sidewalk at the location described by G.A.as the scene of the assault.

32. During a review of the various videos, agents observed the following:

- a. At approximately 3:15 p.m. on February 28, 2023, a white male, subsequently determined to be JAMES LAFORTE, was observed on 19th Street in Philadelphia near the intersection of 19th Street and Ludlow Street. JAMES LAFORTE crossed the street to near the area of the side entrance of 1818 Market Street (G.A.'s firm's building) and then walked back across to the west side of 19th Street.¹¹ JAMES LAFORTE was observed to be wearing white sneakers, gray sweatpants, a gray hooded sweatshirt, a black winter coat, a black medical mask, a black knit cap, and black gloves.
- b. G.A. was then observed walking south on the east side of 19th Street, between Ludlow Street and Chestnut Street, at approximately 3:17 p.m. No one is visible walking close behind G.A.. As G.A. was approximately midway to Chestnut Street, JAMES LAFORTE was observed walking back across to the east side of the street, on a diagonal, towards G.A., who was walking away from him. In the video recording, as JAMES LAFORTE approached G.A. from behind, JAMES LAFORTE increased his pace to a jog. At this point, G.A. and JAMES LAFORTE moved out of the sight of the camera.
- c. At approximately 3:17 p.m., approximately six seconds after G.A. and JAMES LAFORTE move out of sight of the camera, JAMES LAFORTE was observed running north on the east side of 19th Street, back from the

¹¹ For the sake of clarity, the assailant is identified here as JAMES LAFORTE. As explained above, it was not until later, after he removed his face coverings, that he was positively identified.

direction he and G.A. came. He was then observed crossing 19th Street and turning west onto Ludlow Street.

- d. JAMES LAFORTE was subsequently observed running west on Ludlow Street, emerging from 20th Street onto Market Street, and then walking across the Market Street to the concourse area of 2001 Market Street.
- e. At approximately 3:21 p.m., JAMES LAFORTE was observed removing his black jacket and putting it in a trash can in a concourse area of 2001 Market Street. (Law enforcement officers subsequently recovered a black jacket from this trash can in the concourse area of 2001 Market Street.)
- f. JAMES LAFORTE was next observed walking out of the concourse area, back towards Market Street, at approximately 3:22 p.m., this time without his black hat, black jacket, or facemask. His face was not clearly visible on this video. He was observed to be wearing the same gray sweatpants, gray hooded sweatshirt, and white sneakers as before.
- g. At approximately 3:22 p.m., JAMES LAFORTE was observed entering a taxicab driving west on Market Street.¹²
- h. At approximately 3:27 p.m., JAMES LAFORTE was observed near the intersection of S. 23rd Street and St. James Place. JAMES LAFORTE was observed walking east on St. James Place. Behind him, a taxicab is visible, slowly entering traffic and heading south on S. 23rd Street. JAMES

¹² Agents subsequently identified the taxicab that JAMES LAFORTE entered. The driver recalled driving a white male, described as balding or with a receding hairline, approximately 5'3" or 5'4", from 21st and Market Streets and dropping the man off a few blocks later. JAMES LAFORTE's Pennsylvania Driver's license from 2020 lists his height as 5'6".

LAFORTE is wearing the same clothing as the previously observed individual. During this video, the hood on JAMES LAFORTE's sweatshirt was now down and his full face and head were visible. JAMES LAFORTE was also observed to be holding black objects in his hands that appear consistent with the black knit cap or black gloves worn by the assailant in the earlier videos. The still frame picture in paragraph 25 above was taken from this video.¹³

33. Your Affiant has reviewed the video on the masked assailant before the assault on 19th Street and the video of JAMES LAFORTE walking east on St. James Place and concluded that the body structure and the gait of these two individuals is similar.

34. Public records show that JAMES LAFORTE has registered a Lexus SUV with license plate number NY KJB8165. Law enforcement officers observed this vehicle parked on the street outside the Haverford residence of Joseph LaForte and Lisa McElhone at approximately 7:12 p.m. on March 4, 2023, and approximately noon on March 5, 2023.

¹³ Agents are still working to identify additional video evidence of the assault and JAMES LAFORTE's flight from the scene.

CONCLUSION

35. Based on the forgoing, your Affiant believes that there is probable cause to believe that on February 28, 2023, JAMES LAFORTE engaged in a physical attack upon G.A. and in doing so violated 18 U.S.C. § 1513(b) and 18 U.S.C. § 1505.

Respectfully submitted,

/s/ John F. Murray

John F. Murray

Special Agent

Federal Bureau of Investigation

Subscribed and sworn to before me on March 5th, 2023

/s/ Hon. Richard A. Lloret

Honorable Richard A. Lloret

UNITED STATES MAGISTRATE JUDGE