



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

WMN:SCJ
F. #2013R01203

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 24, 2015

By Hand and ECF

The Honorable Eric N. Vitaliano
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Kyleen Cane
Criminal Docket No. 14-399 (ENV)

Dear Judge Vitaliano:

The government respectfully submits this letter to further address the issue of the defendant Kyleen Cane's request to travel abroad for ten days to accompany her son to college in the United Kingdom. The government continues to oppose the defendant request to travel internationally due to the risk of flight abroad. Set forth below is more detail about the defendant's assets which may be used to support a comfortable life abroad.

I. The Defendant's Assets as Reported to Pretrial Services in July 2014

In July of 2014, the defendant reported owning outright real estate property worth at least \$6 million and having some ownership interest in additional property worth approximately \$12 million, including her business.

The defendant stated that she owned the following properties, and provided the following estimated values: (1) her primary residence in Las Vegas, NV, with an estimated value of \$3 million and a \$750,000 mortgage; (2) a residential rental property in Hidden Hills, CA, with an estimated value of \$1.5 million which generates \$10,000 month in income; (3) a residential rental property on Quail Hollow Drive in Las Vegas, NV, with an estimated value of \$800,000 which generates \$3,700 month in income; and (4) a residential rental property on Viking Road in Las Vegas, NV, with an estimated value of \$250,000 which generates \$1,600 month in income. The Viking Road property is currently the only property securing her bond.

In July 2014, the defendant stated she held approximately \$1 million in liquid assets, including stocks (\$250,000), a bank account (\$120,000) and a TD Ameritrade account (\$600,000). The defendant also said she owned three vehicles, including a Tesla, a Mercedes, and a Lexus, worth approximately \$150,000 in total.

In addition, through various corporate entities, including GSTB LLC, 200 Western LLC, Western LLC and DKM LLC, the defendant reported owning, with others, six residential rental properties plus a couple commercial properties with a total estimated value of approximately \$5.5 million, which generates approximately \$25,000 a month in income. The defendant did not provide the addresses of the properties owned through these corporate entities, and it is unknown what percentage of these investments belong to the defendant.

Finally, the defendant reported owning “business assets,” including office furniture and equipment, worth approximately \$6.5 million.

The defendant reported earning approximately \$25,000 per month income as a lawyer.

The defendant’s main reported liabilities, as of July 2014, included the \$750,000 mortgage on her primary residence, and the monthly business expenses for operating her law firm.

II. The Defendant’s Current Assets

The government is unaware of what changes have occurred in the defendant’s investment holdings over the past year. As noted above, the only property that was used to secure the defendant’s bond, the Viking Road property, is the least valuable of her real estate holdings, and she has been free to sell or mortgage her remaining properties over the past year.

The defendant also has indicated that she is changing careers, and she may have sold some or all of the assets that she included as her “business assets,” including office equipment and furniture, worth, as of July 2014, an estimated \$6.5 million.

At a minimum, as of July 2014, she had approximately \$1 million in liquid assets.

III. Conclusion

For the reasons set forth in the government’s prior letter dated May 28, 2015, the government respectfully requests that Your Honor deny the defendant’s request that her passport be returned to her and that she be permitted to travel abroad due to the flight risk.

In the alternative, if the Court is inclined to entertain the defendant’s motion, the government respectfully requests that the Court: (1) require the defendant to provide the

government and the Court with updated and itemized information about her assets, including current appraisal values of her properties; (2) increase the value of the defendant's secured bond to at least half her total net worth; and (3) require the defendant to post additional properties to cover the bond in its entirety to ensure her return to the United States.

Respectfully submitted,

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