

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MATTHEW NAMOFF

No. 20 CR 111-7

Judge Virginia M. Kendall

GOVERNMENT’S SENTENCING MEMORANDUM

The United States, by its attorney, JOHN R. LAUSCH, Jr., United States Attorney for the Northern District of Illinois, submits the government’s sentencing memorandum in this matter.

INTRODUCTION

Matthew Namoff was a vital, long-term member of the Delgiudice gambling operation. He ran a significant bookmaking operation for Vincent Delgiudice at the campus of Illinois State University and he worked to recruit other gamblers for Delgiudice, bringing both a “deep-pockets” gambler and a police officer to Delgiudice during the short period of time covered by the wire intercepts. Delgiudice boasted in an intercepted conversation to an associate that Namoff had worked with him for more than three years, had sixty gamblers, and was a 50/50 partner with Delgiudice.

The United States contends that a sentence within the guidelines range to include a term of incarceration is needed in defendant’s case to take into account the nature and circumstances of the offense, defendant’s history and characteristics, to deter the defendant and others, and to highlight the seriousness of the offense.

Application of the 3553 Factors to this Case

Criminal sentencing has four purposes — retribution, deterrence, incapacitation, and rehabilitation. *United States v. Milbourn*, 600 F.3d 808, 812 (7th Cir. 2010). Section 3553(a) requires the court to impose a sentence that is “sufficient, but not greater than necessary,” to comply with the purposes of sentencing. Those purposes are the need for the sentence “(a) to reflect the seriousness of the offense, promote respect for the law, and provide just punishment for the offense; (b) to afford adequate deterrence to criminal conduct; (c) to protect the public from further crimes of the defendant; and (d) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.” Title 18, United States Code, Sections 3553(a)(2)(A)-(D).

A. The Seriousness of the Offense, the Need to Promote Respect for the Law, and provide Just Punishment.

Matthew Namoff played an important role in Delgiudice’s illicit business — as an agent, he ran Delgiudice’s bookmaking operation on a college campus, which facilitated gambling by underage students. Namoff and his gamblers accessed and used Delgiudice’s offshore website, Unclemicksports.com, to see the odds on professional and collegiate sports, to place wagers, and to see how their wagers had performed. As Delgiudice’s long-term agent on campus, Namoff recruited and managed student gamblers and supplied them with log-ins and passwords which he acquired from Delgiudice so they could place wagers through Delgiudice’s website. On occasion, Namoff met with his gamblers to settle-up, *i.e.*, to pay out winnings and

collect losses from them. Namoff shared winnings and losses with Delgiudice on a 50% basis and routinely spoke with Delgiudice by phone or text, and occasionally met with Delgiudice in person to discuss the operation of the gambling business and to pay Delgiudice his share of winnings.

Namoff committed multiple overt acts in furtherance of the conspiracy in the Northern District of Illinois and elsewhere. Simply by way of example, (a) on December 10 and 17, 2018, defendant sent a series of text messages to Vincent Delgiudice to discuss problems that two of his gamblers encountered with the gambling website, and Delgiudice directed defendant to call Alice, a website employee, to fix the problem; (b) on December 22 and 23, 2018, Delgiudice and defendant discussed meeting to settle up; Delgiudice suggested that his father, co-defendant “Gino” Delgiudice, might meet with defendant to collect the money instead; (c) on December 31, 2018, defendant discussed the week of sports betting with defendant, telling Delgiudice “Week was awesome till yesterday, brutal”; (d) on January 5, 2019, Delgiudice and defendant discussed a new gambler that Namoff wanted to recruit, a friend who was a police officer. Delgiudice told defendant that he had city workers, police, and firemen betting through him, and discussed another police officer (Stella) who worked as an agent with fifty gamblers. Namoff vouched for the police officer, telling Delgiudice that the police officer had bet with the defendant before he became a police officer, and Delgiudice admonished Namoff to “keep him on a short leash”; (e) on January 5, 2019, Namoff told Delgiudice that he

had \$500 for him; (f) on or about January 16, 2019, Delgiudice told defendant that if he had a problem with someone (a gambler), just tell that person that he is with “Mr. Delgiudice”; (g) on or about January 28, 2019, defendant and Delgiudice discussed a new gambler whom defendant wanted to recruit but defendant worried that the gambler bet more money than he could handle. Delgiudice later responded by text that he would split the new gambler with defendant 25%, 25% with a family member, and Delgiudice would cover 50%; and (h) during the months of December and January, Delgiudice texted a settle up sheet to defendant showing that defendant’s gamblers owed Delgiudice in excess of \$20,000 because of gambling losses.

Of particular significance in considering the seriousness of the offense is the fact that Namoff ran this illegal operation at a college campus. This was a sophisticated and professional operation that Namoff managed. There can be no doubt as to the seriousness of Namoff’s on campus gambling activities because he tried to bring a corrupt police officer into the operation and a gambler who was too big for Namoff to handle on his own. Last, while we do not have all of Namoff’s ledger sheets with Delgiudice, those that we do have reflect that this operation involved large sums of money – the ledger sheets reflect that his gamblers owed in excess of \$20,000.

B. The Need for Deterrence:

This Court can take notice that illicit gambling enterprises pose a significant challenge to law enforcement in this district, indicating the need for deterrence

through sentences that impose incarceration. Individuals like the defendant view working for an illicit gambling enterprise as highly profitable with little risk; if caught, you keep your profits and get a slap on the wrist. This office has brought a spate of gambling cases in the last few months, reflecting the perception by many individuals that it is a victimless, highly profitable crime, with little risk. *See, United States v. Poeta*, No. 20 Cr. 348 (N.D. Illinois; Judge Kenneally); *United States v. Paloian*, No. 20 Cr 713 (N.D. Illinois; Judge Lefkow); *United States v. Amabile*, No. 21 Cr. 227 (N.D. Illinois; Judge Pacold), *United States v. Barajas*, No. 21 Cr. 271 (N.D. Illinois; Judge Tharp), and other cases still under investigation.

A sentence to include a term of incarceration will send a powerful message to Namoff and other individuals that working as an agent for an illicit gambling enterprise is a serious offense and will not be tolerated.¹

Conditions and Term of Supervised Release

The United States agrees with the importance of a significant term of supervised release, and with the conditions suggested by the United States Probation Office. A term of supervised release will provide necessary structure, guidance, and supervision to help defendant reintegrate into society as a law-abiding citizen.

¹ This Court has inquired what other sentences have been imposed to date in this case. Defendant Eugene “Gino” Delgiudice received a sentence of twelve months’ probation. Significant factors in the Court’s decision to award probation were the defendant’s advanced age, his poor physical health, and his need to assist his aged wife who suffers from a number of physical disabilities. Defendant Todd Blanken received six months community confinement and two years’ probation. Defendant Nicholas Stella, a police officer, received fifteen months incarceration. The remaining defendants in the case are waiting to enter pleas and/or be sentenced.

CONCLUSION

Based on the foregoing, the United States moves the Court to impose a sentence within the guideline range, to include a term of incarceration. Such a sentence is well supported under Section 3553(a), as it will reflect the seriousness of the offense, promote respect for the law, provide just punishment for the offense, afford adequate deterrence to the defendant and others, protect the public from future crimes of defendant, and provide a fair and uniform sentence.

Respectfully submitted,

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