

FILED

MAY 24 2019

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

IN RE EX PARTE DISCLOSURE OF TAX) 1:19-GJ-00034 (BAH)
RETURNS AND RETURN INFORMATION)
FOR MYKALAI KONTILAI AND)
COLLECTOR'S COFFEE, INC.) FILED UNDER SEAL

**ORDER FOR DISCLOSURE OF
TAX RETURNS AND RETURN INFORMATION**

On this 24th day of May, 2019 comes for the attention of the Court the application of the Assistant Attorney General, Criminal Division, United States Department of Justice for an ex parte order, pursuant to 26 U.S.C. § 6103(i)(1), directing the Internal Revenue Service ("IRS") to disclose the tax returns and return information of

NAME: Mykalai Kontilai (formerly Michael Contile)
ADDRESS: 566 Tam O Shanter, Las Vegas, NV 89109
SOCIAL SECURITY NUMBER: 361-66-0255
DATE OF BIRTH: 10/04/1969

NAME: Collector's Coffee, Inc. (formerly known as Ultimate
Collector Incorporated)
TIN: 352300138
ADDRESS: 400 South 4th Street, Suite 100, Las Vegas, NV 89109
(formerly 402 W Broadway Suite 400, San Diego, CA 92101)

for the taxable periods January 1, 2007 to the present.

After examining the application, the Court finds as follows:

- (1) There is reasonable cause to believe, based upon information believed to be reliable, that violations of federal law have been committed, namely, 18 U.S.C. § 1001 (false statements), 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1343 (wire fraud), 18 U.S.C. § 1349 (conspiracy), 18 U.S.C. § 1512 (obstruction of justice), and 18 U.S.C. § 1519 (falsification of records).

- (2) There is reasonable cause to believe that such returns or return information are or may be relevant to a matter relating to the commission of such acts.
- (3) The returns and return information are sought exclusively for use in a federal criminal investigation or proceeding concerning such acts.
- (4) The information sought to be disclosed cannot reasonably be obtained, under the circumstances, from other sources.

The Court further finds that the applicant is an employee of the United States Department of Justice and is primarily and directly engaged in, and the information is sought solely for use in, investigating the above-mentioned violations of the United States Code and that the applicant is authorized by the Assistant Attorney General, Criminal Division, United States Department of Justice.

It is therefore ORDERED that the IRS shall:

- (1) disclose the returns and return information, including but not limited to, income tax returns, employment tax returns, information returns and all supporting schedules, attachments or lists; related information returns, and transcripts of account for the individual and entity, including: IRS Forms 1120, Forms 1120S, Forms 1065, Forms 940, Forms 941, Forms 1099, Forms W-2, etc.; certificates of non-filing if returns or return information have not been filed; and documents identifying the nature, source or amount of the subject's income, receipts, assets, expenditures and liabilities for the individual and entity specified in this Order that have been filed and are on file with the IRS for the taxable periods January 1, 2007 to the present;

- (2) where returns and return information described above have not been filed or are not on file with the IRS, certify that no such returns and return information have been filed or are on file;
- (3) disclose such returns and return information described above as come into the possession of the IRS subsequent to the date of this Order, but for not longer than 90 days thereafter;
- (4) disclose such returns and return information and make such certification only to applicant Emily Scruggs, Trial Attorney with the Department of Justice, Criminal Division, Fraud Section, as well as to Henry Van Dyck, Deputy Chief, Securities and Financial Fraud Unit, Criminal Division, Fraud Section, United States Department of Justice, and Tony Lopez, Assistant United States Attorney, District of Nevada; and Federal Bureau of Investigation Special Agents Dawn Tomazich and John Schettler; and
- (5) disclose no returns or return information not described above.

It is further ORDERED that applicants and any officer or employee of any federal agency who subsequently may be assigned in this matter shall use the returns and return information disclosed solely in investigating and prosecuting the above-mentioned violations of the United States Code, as well as such other violations of any federal criminal statutes, although presently unknown, as are discovered in the course of this investigation of the above-referenced individual and entity, and preparing the matter for trial, and that no disclosure be made to any other person except in accordance with the provisions of 26 U.S.C. § 6103 and 26 C.F.R. § 301.6103(i)-1.

IT IS FURTHER ORDERED that the Clerk of Court shall seal both the Application and this Order, and that the Application and Order shall remain under seal unless and until further order of this Court.

DATED this 24th day of May 2019.

Beryl A. Howell
Beryl A. Howell *by Amy B. Jackson*
CHIEF UNITED STATES DISTRICT JUDGE
Acting Chief Judge