UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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FINAL JUDGMENT

February 28, 2024

Before
DIANE S. SYKES, *Chief Judge*
FRANK H. EASTERBROOK, *Circuit Judge*
AMY J. ST. EVE, *Circuit Judge*

No. 21-3372	UNITED STATES OF AMERICA, Plaintiff - Appellee v. BENJAMIN BIANCOFIORI, Defendant - Appellant
Originating Case Information:	
District Court No: 1:16-cr-00306-1 Northern District of Illinois, Eastern Division District Judge Harry D. Leinenweber	

The judgment of the District Court is AFFIRMED in accordance with the decisions of this court entered on this date.

Clerk of Court

form name: **c7_FinalJudgment** (form ID: **132**)

APPENDIX A

In the

United States Court of Appeals

For the Seventh Circuit

No. 21-3372

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

BENJAMIN BIANCOFIORI,

Defendant-Appellant.

Appeal from the United States District Court for the
Northern District of Illinois, Eastern Division.
No. 16 CR 306-1 — **Harry D. Leinenweber**, *Judge.*

SUBMITTED FEBRUARY 26, 2024 — DECIDED FEBRUARY 28, 2024

Before SYKES, *Chief Judge*, and EASTERBROOK and ST. EVE, *Circuit Judges.*

EASTERBROOK, *Circuit Judge.* A jury convicted Benjamin Biancofiori of sex trafficking by force, in violation of 18 U.S.C. §1591, and he was sentenced to 360 months in prison plus supervised release for life. The evidence permitted the jury to find that, between 2007 and 2016, Biancofiori compelled nine adult women to engage in prostitution, beating them if they tried to escape or failed to hand over their receipts. Details do

not matter for current purposes. We address in this opinion Biancofiori's contention that §1591 covers only the sex trafficking of minors or is unconstitutional. We address his other appellate arguments in a non-precedential order released contemporaneously.

Section 1591(a) reads:

> **Sex trafficking of children or by force, fraud, or coercion**
>
> (a) Whoever knowingly—
>
> (1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or
>
> (2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),
>
> knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

The trailing paragraph makes trafficking of a minor an alternative to trafficking of "a person" by "force, threats of force, fraud, coercion ... or any combination of such means". Either trafficking through force or trafficking a minor suffices. And if there were doubt (which there is not), the caption—"trafficking of children *or* by force" (emphasis added)—shows that the language of the trailing paragraph is not some kind of garble. A statute's caption cannot diminish the scope of the

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statute's text, see *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 256 (2004), but it can show that the text means what it appears to say, as this caption does. The text and caption together are sufficiently clear that it would be unwarranted to consider legislative history.

Biancofiori insists that this straightforward reading of the statute produces absurd results by penalizing the sex trafficking of adults more harshly than the sex trafficking of minors. Under subsection (b)(2), to which subsection (a) refers, the minimum sentence for sex trafficking of a minor is 10 years' imprisonment, while subsection (b)(1) provides for a 15-year minimum sentence when the defendant traffics any person by force. We have two reactions.

First, we do not see any incongruity in providing that using force increases the minimum sentence. Congress did not take leave of its senses in providing that trafficking an 18-year-old girl by beatings and other physical terror is more serious than trafficking a 17-year-old girl without force.

Second, Biancofiori supposes that judges should use their own ideas of what is absurd or strange to override an explicit statutory text. We held in *Jaskolski v. Daniels*, 427 F.3d 456, 461–62 (7th Cir. 2005); *United States v. Logan*, 453 F.3d 804, 806 (7th Cir. 2006), affirmed, 552 U.S. 23 (2007); *Spivey v. Vertrue, Inc.*, 528 F.3d 982, 984–85 (7th Cir. 2008); and *Soppet v. Enhanced Recovery Co.*, 679 F.3d 637 (7th Cir. 2012), that only linguistic absurdity permits a corrective intervention; substantive matters are for the legislature whether or not a judge finds the choice hard to swallow. As we put it in *Soppet*, 679 F.3d at 642: "[A]djudication is not the continuation of legislation by other means."

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We could not find any appellate decision holding that §1591(a) is limited to the sex trafficking of minors. Nor could we find any precedential opinion holding the opposite, though *United States v. Cook*, 782 F.3d 983 (8th Cir. 2015), is close. But the argument has been made frequently in district courts, and at least one district judge bought it. *United States v. Afyare*, 2013 U.S. Dist. LEXIS 86587 (M.D. Tenn. June 12, 2013), reversed, 632 Fed. App'x 272 (6th Cir. 2016). Although the Sixth Circuit did not issue a precedential decision—apparently believing the issue too clear for reasonable debate, see 632 Fed. App'x at 275–79—the fact that a patter of arguments similar to Biancofiori's continues in the district courts implies the need to resolve the matter with precedential effect.

Biancofiori's fallback is that §1591(a) is unconstitutionally vague. For the reasons we have given, however, the statute's rule is well-defined. Biancofiori's argument relies on statements in the legislative history, not on the statutory language. Many a statement by many a legislator is vague, or does not match the enacted statute, but that does not render invalid an enacted text whose meaning is ascertainable. We do not perceive any other plausible constitutional argument against the statute's application to Biancofiori.

AFFIRMED

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NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted February 26, 2024*
Decided February 28, 2024

Before

DIANE S. SYKES, *Chief Judge*

FRANK H. EASTERBROOK, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

No. 21-3372

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

BENJAMIN BIANCOFIORI,
Defendant-Appellant.

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

No. 1:16-CR-00306(1)

Harry D. Leinenweber,
Judge.

ORDER

A jury found Benjamin Biancofiori guilty of conspiracy to commit sex trafficking, *see* 18 U.S.C. § 1594; sex trafficking by force, *see id.* § 1591(a), (b)(1); and attempting to obstruct enforcement of the sex-trafficking law, *see id.* § 1591(d). He received a below-guidelines prison term of 30 years. In this order we address his appellate

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. *See* FED. R. APP. P. 34(a)(2)(C).

arguments that the district judge wrongly denied him a new trial and committed sentencing errors. Biancofiori's arguments have no merit; thus, we affirm.

Background

Because Biancofiori lost at trial, we recite the facts of this case in the light most favorable to the jury's verdict. From 2007 until his arrest in 2016, Biancofiori forced nine women into prostitution, taking the money that they received. He also falsely promised them wealth, supplied them with drugs, and brutally beat them if they did not receive the money he expected or tried to escape. In addition, when Biancofiori learned that he was under investigation, he forced one victim to write falsely that he never beat her, tried unsuccessfully to keep her from testifying to a grand jury, and, after he was arrested, tried to prevent two other victims from testifying.

At trial, the government offered extensive evidence of Biancofiori's conduct. Among the 22 government witnesses, including five of the nine victims and a coconspirator, some testified that Biancofiori beat victims with his fists or with metal-knuckled gloves. The government also submitted text messages where Biancofiori admitted to beating his nine victims and stealing the money they made through prostitution. Next, the government provided records and testimony from medical professionals who treated one deceased victim for severe injuries from two assaults, while other witnesses testified that they observed Biancofiori assault that victim repeatedly around the same time that she reported an attack. The government also introduced a manuscript that Biancofiori wrote describing a "pimp" who viciously beat the women who worked for him. The women's names and injuries in the manuscript matched those of his victims.

Biancofiori objected to much of this evidence. As relevant here, he argued the judge should exclude evidence of his treatment of victims who did not testify; such evidence, he contended, was unduly prejudicial, and its admission violated his right under the Sixth Amendment to confront the witnesses against him. He also asked the judge to exclude the manuscript as unduly prejudicial because, he asserted, it was fictional. The judge rejected these arguments.

After the jury convicted Biancofiori, the district judge handled post-verdict matters. These included two unsuccessful motions for a new trial. The first repeated Biancofiori's evidentiary arguments, and the second, filed one year later and denied as untimely, argued that the prosecutors engaged in misconduct. Separately, during his

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allocution at sentencing, Biancofiori maintained that the women willingly worked for him. He played video and audio recordings that he contended showed that the women were happy to be with him or in love with him. After listening to several of these recordings, the judge asked him to move on because he was relitigating his guilt and delaying the sentencing hearing. Before imposing the sentence, the judge confirmed that Biancofiori had made all his arguments. The judge then sentenced Biancofiori to a below-guidelines prison term of 30 years and a lifetime term of supervised release.

Analysis

On appeal, Biancofiori challenges the denials of his two motions for a new trial and asserts he had an inadequate opportunity to allocute or to present mitigating evidence at the sentencing hearing.

A. First Motion for New Trial

Biancofiori argues that the district judge erred by denying his first motion for a new trial, which maintained that the judge should have excluded evidence under the Federal Rules of Evidence and the Constitution. We must resolve his contentions under the Federal Rules of Evidence before resorting to the Constitution, *United States v. Vargas*, 915 F.3d 417, 420 (7th Cir. 2019), and we review the denial of his motion for a new trial and the evidentiary rulings for abuse of discretion, *United States v. Rivera*, 901 F.3d 896, 903 (7th Cir. 2018); *United States v. Eads*, 729 F.3d 769, 776 (7th Cir. 2013).

1. Manuscript

Before trial, the district judge provisionally ruled that the manuscript might be unduly prejudicial, but after victims testified to abuse that matched the abuse recounted in the manuscript, the government again moved to introduce excerpts from it. Once Biancofiori chose to testify and could assert his view that the manuscript was fictional, the judge admitted portions of it.

On appeal, Biancofiori contends that admission of the manuscript violated two rules of evidence. First, he insists, the manuscript did not qualify as a statement by a party opponent. But to qualify for admission under Rule 801(d)(2)(A), the party-opponent rule, the government needed to show only that Biancofiori wrote the manuscript and that it was offered against him. *See Jordan v. Binns*, 712 F.3d 1123, 1128–29 (7th Cir. 2013). The district judge properly ruled that both conditions were met:

Biancofiori admitted he wrote it and did not dispute that the government used it against him. Second, Biancofiori maintains, the manuscript's admission was unduly prejudicial relative to its probative value under Rule 403. But Biancofiori wrote about a "pimp" who abused women with the same names as his victims, and his narrative matched events in the victims' testimony. Admission of the manuscript under Rule 403 was thus reasonable and not an abuse of discretion. *See United States v. Jackson*, 898 F.3d 760, 764–65 (7th Cir. 2018). Finally, Biancofiori suggests that the judge should have given the jury a limiting instruction, but that argument is unavailable on appeal because he did not request one at trial. *See United States v. Suggs*, 374 F.3d 508, 517–18 (7th Cir. 2004).

Biancofiori's constitutional arguments—that admission of the manuscript violated his rights under the First and Fifth Amendments—are also meritless. He argues that admission of the manuscript violated his right to free speech, but he does not explain how or cite any cases supporting his argument; thus the argument is waived. *See United States v. Barr*, 960 F.3d 906, 916 (7th Cir. 2020). Biancofiori also contends that the decision to admit the manuscript was akin to compelled self-incrimination, but the proper inquiry under the Fifth Amendment is whether Biancofiori voluntarily created the manuscript, not whether he voluntarily provided it to the government. *See Andresen v. Maryland*, 427 U.S. 463, 473 (1976); *United States v. Doe*, 465 U.S. 605, 610–12 n.9 (1984). Biancofiori does not dispute that he wrote the book voluntarily; therefore its admission did not violate his rights under the Fifth Amendment.

2. Evidence About Non-Testifying Victims

Biancofiori next argues that the district judge's decision to admit evidence about non-testifying victims violated his rights under the Confrontation Clause. But the Clause does not require that victims testify; rather, it bars admission of "testimonial statements of a witness who did not appear at trial." *Crawford v. Washington*, 541 U.S. 36, 53–54 (2004). And the government generally did not offer testimonial statements from non-testifying victims. Rather, the testimonial evidence showing that Biancofiori forced these victims into prostitution came from those who saw—and testified at trial about—his abuse of the victims, and from his own text messages corroborating their accounts.

The only arguably testimonial statement that Biancofiori identifies from a non-testifying victim is one victim's statement to medical professionals. As reflected in her medical records and repeated by the medical professionals at trial, she said that she was twice "beat up." But because she made the statement to medical professionals for the

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purpose of receiving medical treatment, the statement was not testimonial. *See United States v. Norwood*, 982 F.3d 1032, 1050–51 (7th Cir. 2020).

Biancofiori replies that, because this victim said that she was "beat up" but did not say who did it, the judge should have excluded the statement and accompanying medical records as unduly prejudicial under Rule 403. But the judge reasonably admitted this evidence: It was highly probative because it corroborated live witnesses' testimony that Biancofiori regularly abused this victim around the same time she said that she was "beat up." And any risk of unfair prejudice was limited because Biancofiori had the chance (though he did not pursue it) to cross-examine the medical professionals to point out that the records did not state who assaulted this victim.

Because the district judge's evidentiary rulings were proper, and the rulings were the only basis for the motion for a new trial, the judge did not abuse his discretion in denying that motion. *See Rivera*, 901 F.3d at 903.

B. Second Motion for New Trial

Biancofiori's last trial-based argument is that the district judge erred by denying his second motion for a new trial. In that motion, he accused the prosecutors of misconduct for eliciting false testimony, interfering with witnesses, and delivering an improper closing argument. But this motion was untimely: Biancofiori had to file it within 14 days of the verdict but waited more than one year. A district judge must deny an untimely motion for a new trial unless the government forfeits the timeliness argument (which it did not). *See Eberhart v. United States*, 546 U.S. 12, 19 (2005).

The only exception to the time limit is if "newly discovered evidence" supports Biancofiori's arguments. *See* FED. R. CRIM. P. 33(b)(1); *United States v. Ogle*, 425 F.3d 471, 476 (7th Cir. 2005). But most of the evidence that Biancofiori relied on to show prosecutorial misconduct stemmed from witness testimony or prosecutors' arguments at trial, which were not new. *Id.* at 477–78. Biancofiori insists that affidavits from three people (the mother of his daughter, a close friend, and one of the victims) were new. The district judge held an evidentiary hearing on this point and ruled that, even if the affidavits themselves were new, Biancofiori knew about the witnesses and their statements at the time of trial; therefore, the judge found, the underlying evidence was not new. On appeal, Biancofiori does not challenge this factual finding as clearly erroneous. Thus the judge properly denied the second motion for a new trial.

C. Sentencing Arguments

Finally, Biancofiori raises arguments about sentencing, but they are unavailing. To the extent that Biancofiori did not raise these arguments in the district court, where he said that he made all arguments he desired, they are forfeited, if not waived. *See United States v. Oliver*, 873 F.3d 601, 607 (7th Cir. 2017). But even on their merits he loses. He first contends that the judge did not allow him to present live testimony at sentencing. But a defendant has no unconditional right to present live testimony at sentencing. *United States v. Cunningham*, 883 F.3d 690, 699–700 (7th Cir. 2018). And the judge reasonably allowed Biancofiori to call two witnesses—but not four others he proffered to litigate consent, because that testimony would have improperly relitigated guilt. Second, Biancofiori complains that the judge unfairly limited his allocution by preventing the playback of recordings that he contends would have shown consent. But the judge allowed Biancofiori to allocate at length—for 45 pages of the transcript—and he reasonably limited the playback, again to avoid relitigating guilt. *See id.* at 700–01. Finally, Biancofiori argues that the judge sentenced him based on trial testimony that Biancofiori considers false. But trial testimony is sufficiently reliable to be a basis for sentencing decisions, and Biancofiori gives us no persuasive reason to depart from that rule here. *See United States v. Acosta*, 534 F.3d 574, 582 (7th Cir. 2008).

AFFIRMED

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§ 1591. Sex trafficking of children or by force, fraud, or coercion

(a) Whoever knowingly—

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

(b) The punishment for an offense under subsection (a) is—

(1) if the offense was effected by means of force, threats of force, fraud, or coercion described in subsection (e)(2), or by any combination of such means, or if the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had not attained the age of 14 years at the time of such offense, by a fine under this title and imprisonment for any term of years not less than 15 or for life; or

(2) if the offense was not so effected, and the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title and imprisonment for not less than 10 years or for life.

(c) In a prosecution under subsection (a)(1) in which the defendant had a reasonable opportunity to observe the person so recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, or solicited, the Government need not prove that the defendant knew, or recklessly disregarded the fact, that the person had not attained the age of 18 years.

(1) The term "abuse or threatened abuse of law or legal process" means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

(2) The term "coercion" means—

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of law or the legal process.

(3) The term "commercial sex act" means any sex act, on account of which anything of value is given to or received by any person.

(4) The term "participation in a venture" means knowingly assisting, supporting, or facilitating a violation of subsection (a)(1).

(5) The term "serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing commercial sexual activity in order to avoid incurring that harm.

(6) The term "venture" means any group of two or more individuals associated in fact, whether or not a legal entity.

U.S. Const. amend. V

"No person shall be ... deprived of life, liberty, or property, without due process of law."

U.S. Const. amend. VI

"In all criminal prosecution, the accused shall enjoy the right... to have compulsory process of obtaining witnesses in his favor."

APPENDIX C

Rule 33. New Trial

(a) Defendant's Motion. Upon the defendant's motion, the court may vacate any judgment and grant a new trial if the interest of justice so requires. If the case was tried without a jury, the court may take additional testimony and enter a new judgment.

(b) Time to File.

(1) *Newly Discovered Evidence.* Any motion for a new trial grounded on newly discovered evidence must be filed within 3 years after the verdict or finding of guilty. If an appeal is pending, the court may not grant a motion for a new trial until the appellate court remands the case.

(2) *Other Grounds.* Any motion for a new trial grounded on any reason other than newly discovered evidence must be filed within 14 days after the verdict or finding of guilty.

STATE OF ILLINOIS)

) SS.

COUNTY OF DUPAGE)

AFFIDAVIT

I, TARRIN RODWAY, being first duly sworn and on oath states as follows:

(1) My birthday is June 28, 1994

(2) I currently live with my son in Crystal Lake, IL.

(3) I was interviewed several times by AUSA Peluso and Csicsila as well as Agent Eckert and Detective Jones about my relationship with Benjamin Biancofiori.

(4) I met with Peluso and Csicsila prior to my grand jury appearance.

(5) A statement was prepared for me by prosecutors prior to going before grand jury. Most of it was false but I was told by AUSA Csicsila to say that everything was true when asked before grand jury. This made me very upset.

(6) I was threatened by both Peluso and Csicsila with jail time if I did not go along with what I was told by them.

APPENDIX D

(7) I was initially promised money, section 8 housing, and assistance with getting my children back as long as I said what I was told to say.

(8) After I refused to go through with lying about Ben, I was threatened with jail time and losing custody of my children permanently.

(9) I was threatened and harassed by Detective Jones and Agent Eckert. In April of 2016, I retained a lawyer and gave a sworn statement about being coerced into lying about Ben.

(10) Ben did not write the statement that I signed with Rick Kayne at his office. He also never forced or coerced me into signing it.

(11) Even after I alerted Jones that I had a lawyer and did not want to talk to him, he continued to harass me. He told me victims didn't need lawyers.

(12) The Government would not allow me to testify at Ben's trial.

(13) I was told by AUSA Csicsila prior to Ben's trial that if I talked to Ben's attorney I was going to jail for conspiracy.

(14) Ashley admitted to me she was threatened by prosecutors also.

APPENDIX D

(15) I never reached out to Ben's attorney or testified due to fear from the prosecutor's threats.

(16) Ashley Lawrence taught me how to do escort work.

(17) Ashley and I drove to dates together or I drove myself, Ben never drove me to dates.

(18) Ben did not force or coerce me to escort. I chose to do it. I had a sexual relationship with Ben.

(19) I chose when I wanted to stop escorting.

(20) I set my own prices for clients.

(21) Ben never posted me online, Ashley did.

(22) I did not witness Ben abusive towards Ashley or anyone else.

(23) Ashley was a jealous person and did not like Ben to pay attention to others.

(24) I went on vacation with Ben and Ashley once. Ashley stole my purse and all of my money in Las Vegas.

(25) I decided to stop escorting after returning from that trip. I couldn't take being around Ashley any longer. She

would often have me do things with clients that I didn't want to do.

(26) I earned a lot of money escorting and kept most of it, except when I was working with Marcus Willis. He kept all of my money and lied to Ben about it. Marcus was very aggressive towards me. He wanted a relationship with me and was angry I loved Ben.

(27) I was never forced or threatened by Ben to escort.

(28) Detective Jones made me very uncomfortable. He once told me that he seen naked pictures of me in Ben's phone and that I had a hot body. He also asked me if I like sleeping with black guys.

(29) Ashley Lawrence continued to escort after Ben's arrest.

(30) Ben did not stop or interfere with me attending grand jury in April of 2016.

(31) USA Csicsila and Peluso along with Agent Eckert promised me that if I went along with the story they coached me through that I could sue Ben if he was convicted.

(32) I was told by both Peluso and Csicsila to stay away from Ben's lawyer as well as any private investigators hired by Ben. Csicsila said she would ruin my life.

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(33) Ashley admitted to me that she was not honest when she testified at Ben's trial. She was mad at Ben about another women. She was also promised by the prosecutors and agents that she could sue Ben after his conviction.

(34) I went to Colorado in 2016 with plans of seeing Ben.

(35) I have never been scared of Ben or felt threatened.

(36) This is only a summary of what I know. If asked to testify I would be able to give more information about my own experiences and events that I witnessed or took part in.

FURTHER AFFIANT SAYETH NOT.

Pursuant to Title 28, United States Code, Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: 03/12/19 BY: Tarrin Rodway

TARRIN RODWAY

State of Illinois
County of DuPage

Subscribed and sworn to before me
This 12th day of March 2019.

Lucille Lunt
Notary Public

LUCILLE LUNT
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
August 16, 2022

APPENDIX D

STATE OF ILLINOIS)

) SS.

COUNTY OF DUPAGE)

AFFIDAVIT

I, COURTNEY CHADDICK, being first duly sworn and on oath states as follows:

(1) My birthday is October 12, 1982.

(2) I live in Batavia, IL with my daughter.

(3) I'm a manager at Bar Louie in Naperville, IL.

(4) Benjamin Biancofiori is the father of my eighteen year old daughter Alexis Biancofiori.

(5) I was good friends with Crystal Schiro.

(6) Ben and Crystal were in a relationship until her death in 2013.

(7) I never seen Ben violent towards Crystal.

(8) Ben played a key role in getting Crystal off of heroin.

(9) I seen Marcus Willis hit Crystal several times in Las

Vegas in September 2013. That caused problems with Marcus and Ben.

(10) I have known Ashley Lawrence since May of 2015.

(11) Ashley was in a relationship with Ben.

(12) I never seen Ben violent towards Ashley.

(13) Ashley was a very jealous person when it came to Ben.

(14) I was interviewed by AUSA Csicsila in 2016 after Ben's arrest.

(15) AUSA Csicsila told me that Ben never loved me and said things that made me upset.

(16) I stated to her that Ben never forced or coerced anyone to prostitute for him and that I planned to testify on his behalf if he went to trial.

(17) AUSA Csicsila stated that if I testified on Ben's behalf that I would be charged with sex trafficking conspiracy and that my daughter would have both parents in jail.

(18) I felt very threatened by AUSA Csicsila and what she stated to me.

(19) I wanted to testify on Ben's behalf but I was scared. I

seen what was being done to Ben and I took AUSA Csicsila's threats serious.

(20) Ben gave me a 2013 Cadillac XTS Platinum to settle an outstanding debt between him and I.

(21) I have never been involved in prostitution or sex trafficking.

(22) This is only a summary of what I know. If asked to testify I would be able to give more information about my own experiences and events that I witnessed or took part in.

FURTHER AFFIANT SAYETH NOT.

Pursuant to Title 28, United States Code, Section 1746, I declare under penalty of perjury that the forgoing is true and correct.

DATE: 2-26-2019 BY: Courtney Chaddick

COURTNEY CHADDICK

State of Illinois
County of DuPage
Signed and Sworn before me
on 2/26/19

LUCILLE LUNT
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
August 16, 2022

APPENDIX E

STATE OF ILLINOIS)

) SS.

COUNTY OF DUPAGE)

AFFIDAVIT

I, CARMEN MANNO, being first duly sworn and on oath states as follows:

(1) I'm employed in South Elgin,IL.

(2) I currently live in Maple Park,IL with my two children.

(3) I have been a tattoo artist since 2010.

(4) I have known Benjamin Biancofiori since 2012.

(5) I knew Crystal Schiro prior to her death in 2013.

(6) Crystal had a relationship with Ben.

(7) I never seen Ben violent towards Crystal.

(8) I knew Sara Wilson since 2012. She was a client of mine.

(9) Sara knew Ben was involved with prostitution prior to meeting him.

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(10) Sara asked several people at the shop I worked at in 2013, ASE ONE Tattoo, to introduce her to Ben because she wanted to work with him.

(11) Ben never forced or coerced Sara to prostitute for him, she told me that herself.

(12) I tattooed Sara weeks prior to Ben's federal trial in January 2018. Sara was on heroin and stated that the federal agents and prosecutors on Ben's case were forcing her to say that Ben coerced her into prostitution even though that was false.

(13) Ana Martinez was a client of mine.

(14) Around November 2015 Ana told me she wanted to meet Ben and was interested in working with him.

(15) Ana was already involved with prostitution.

(16) I know Ashley Lawrence.

(17) Ashley and Ben were in a relationship prior to his arrest in Denver.

(18) I never seen Ben violent towards Ashley.

(19) Ashley was angry with Ben because she was jealous over Gaby Contreras.

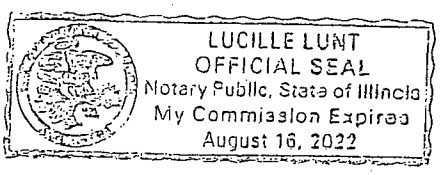
APPENDIX F

Pursuant to Title 28, United States Code, Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: 2/26/19 BY: [signature]

CARMEN MANNO

State of Illinois
County of DuPage
Signed and Sworn before me
on 02/26/19
[signature]



APPENDIX F