

Bird Marella Obtains Dismissal With Prejudice on Behalf of Chicago Attorney and NFL Sports Agent in Investment Fraud Case

Bird Marella attorneys [Gary Lincenberg](#) and [Marc Masters](#) successfully obtained a dismissal with prejudice of all charges against a Chicago attorney and NFL sports agent alleged to have participated in a conspiracy to commit wire fraud.

The criminal complaint alleged the attorney was involved in a multimillion-dollar investment in which he and another defendant – who pled guilty – were alleged to have planned to buy 13 Burger King franchises in Virginia for \$16 million, raise as much as \$37 million from unknowing investors, and keep the extra cash (and secret part ownership) for themselves. After defense counsel demonstrated entrapment, Prosecutors agreed to dismiss the original conspiracy to commit wire fraud charge against the attorney in favor of a lesser misprision of a felony charge pursuant to a deferred prosecution agreement in April 2015.

On April 7, 2016, the federal magistrate judge dismissed the case against the attorney in its entirety pursuant to the same deferred prosecution agreement.