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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA :  
 : Hon. Michael A. Hammer  
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 v. : Mag. No. 22-10287  
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 ANTHONY MASTROIANNI, JR. : CRIMINAL COMPLAINT  
 :  
 : FILED UNDER SEAL

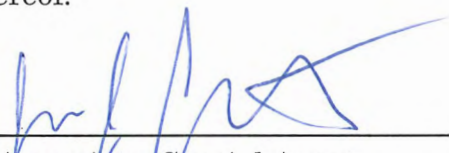
I, Jason Annuziato, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Special Agent with the U.S. Attorney's Office for the District of New Jersey, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

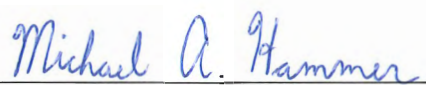
continued on the attached pages and made a part hereof.



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Jason Annuziato, Special Agent  
U.S. Attorney's Office  
District of New Jersey

Special Agent Jason Annuziato attested to this Affidavit by telephone pursuant to F.R.C.P. 4. 1(b)(2)(A) on this 16<sup>th</sup> day of August, 2022



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HONORABLE MICHAEL A. HAMMER  
UNITED STATES MAGISTRATE JUDGE

**ATTACHMENT A**

**Counts One and Two**  
**(Wire Fraud)**

From in or around September 2017 through in or around August 2022, in the District of New Jersey and elsewhere, defendant

**ANTHONY MASTROIANNI, JR.**

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, the following writings, signs, signals, pictures, and sounds, each constituting a separate count of this Complaint.

<b>Count</b>	<b>Approximate Date</b>	<b>Description</b>
1	September 22, 2017	Interstate wire related to wire transfer of approximately \$12,500 fraudulently obtained from Victim-1
2	July 29, 2019	Interstate wire related to wire transfer of approximately \$5,000 fraudulently obtained from Victim-1

In violation of Title 18, United States Code, Section 1343 and Title 18, United States Code, Section 2.

**Counts Three and Four**  
**(Mail Fraud)**

From in or around September 2019 through in or around August 2022, in the District of New Jersey and elsewhere, defendant

**ANTHONY MASTROIANNI, JR.**

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and to sell, dispose of, loan, exchange, alter, give away, distribute, supply, and furnish and procure for unlawful use any counterfeit and spurious coin, obligation, security, and other article, and anything represented to be and intimated and held out to be such counterfeit and spurious article, and for the purpose of executing such scheme and artifice and attempting so to do, caused to be delivered by mail any matter and thing for the purposes of executing and attempting to execute a scheme to defraud, specifically those matters referenced in the table below, each constituting a separate count of this Complaint.

<b>Count</b>	<b>Approximate Date</b>	<b>Description</b>
3	September 10, 2019	Interstate mailing from Michigan to New Jersey of \$10,000 check fraudulently obtained from Victim-2
4	January 8, 2021	Interstate mailing from Michigan to New Jersey of \$40,000 check fraudulently obtained from Victim-2

In violation of Title 18, United States Code, Section 1341 and Title 18, United States Code, Section 2.

**Count Five**  
**(Wire Fraud)**

On or about July 13, 2020, in the District of New Jersey and elsewhere,  
defendant

**ANTHONY MASTROIANNI, JR.**

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, the following writings, signs, signals, pictures, and sounds:

<b>Approximate Date</b>	<b>Description of Wire</b>
July 13, 2020	MASTROIANNI electronically submitted via interstate wire a fraudulent loan application for Economic Injury Disaster Loan Program ("EIDL") funds to the Small Business Administration (the "SBA") on behalf of Global Business Development and Consulting Corporation causing the SBA to deposit approximately \$96,300 in EIDL funds into the company's bank account.

In violation of Title 18, United States Code, Sections 1343 and 2.

## ATTACHMENT B

I, Jason Annuziato, am a Special Agent with the U.S. Attorney's Office, District of New Jersey. I have conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation and have knowledge of the following facts. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause. All dates and dollar amounts described in this affidavit are approximate and all conversations and statements described in this affidavit are related in substance and in part.

### Overview

1. From at least as early as in or about January 2017 through in or about August 2022, defendant ANTHONY MASTROIANNI, JR. ("MASTROIANNI") defrauded victim investors by falsely and fraudulently claiming that he would pool their money through Global Business Development & Consulting Corporation ("Global") investment opportunities with large expected profits. But instead of investing the money as promised, MASTROIANNI used victim funds on personal expenses, including household rent, automobile payments, credit card bills, and cash withdrawals. In total, through his scheme, MASTROIANNI defrauded approximately 10 victims out of approximately \$1 million.

2. In addition, on or about June 13, 2020, MASTROIANNI made a number of false statements and representations to fraudulently obtain approximately \$96,300 from a federal COVID-19 emergency relief loan meant for distressed small businesses. To obtain the loan, MASTROIANNI submitted a loan application to the SBA on behalf of Global in which he falsified information about Global's revenue, cost of goods sold, and number of employees. MASTROIANNI then misused the loan proceeds to make personal purchases and to withdraw sums of cash.

### *The Defendant and Relevant Individuals*

3. At all times relevant to this Complaint:
- a. MASTROIANNI was a resident of New Jersey or New York, and operated and controlled Global, which purported to provide financial services to investors.
  - b. "Victim 1" was an individual residing in Illinois.
  - c. "Victim 2" was an individual residing in Michigan.

4. In or about December 2016, MASTROIANNI consented to being permanently barred by FINRA,<sup>1</sup> which prohibited him from, among other things, acting as a broker, or an intermediary between a buyer and seller of securities who executes the transaction. Despite the debarment, as discussed below, MASTROIANNI continued to solicit funds from potential victim investors.

#### **The Scheme to Defraud (Counts 1-4)**

5. From at least as early as in or about January 2017 through in or about August 2022, MASTROIANNI made numerous misrepresentations to investors and potential investors, claiming that he would, and did, invest their money through Global in pooled investment opportunities that would result in large profits.

6. Instead of investing the money as he promised, he diverted investor funds out of Global, spending it on personal expenses, including household rent, automobile payments, credit card bills, and cash withdrawals.

7. As a result of his misrepresentations, MASTROIANNI obtained more than approximately \$1 million from approximately 10 victims. Below are examples of how MASTROIANNI perpetrated his fraud scheme against two victims:

#### ***Victim-1***

8. MASTROIANNI originally contacted Victim-1, who is currently 82 years old, in or before 2015. Victim-1 invested in three or four stocks through Mastroianni at an investment company where MASTROIANNI previously worked.

9. In approximately 2017, MASTROIANNI contacted Victim-1 about additional investments. MASTROIANNI claimed that he was raising millions of dollars to fund lending agreements with banks on short-term loans. MASTROIANNI claimed that he would pool money from multiple investors to make loans to banks, sometimes just overnight and sometimes for a few weeks at a time, and that the banks would pay significant interest on those short-term loans. In fact, no such pooled investment existed.

10. MASTROIANNI sent Victim-1 a promissory note in furtherance of the scheme, dated September 18, 2017. The note documented a \$12,500 transaction between Victim-1 and Global. Mastroianni, on behalf of Global, signed the document representing that Global would repay the \$12,500 with interest at a rate of 50% per year.

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<sup>1</sup> FINRA, short for the Financial Industry Regulatory Authority, is a private U.S. corporation that acts as a self-regulatory organization which regulates member brokerage firms and exchange markets.

11. On or about September 22, 2017, in reliance on the promissory note and MASTROIANNI's false and fraudulent representations, Victim-1 wired approximately \$12,500 to Global's bank account at Bank-1, which MASTROIANNI controlled. MASTROIANNI was the only authorized signatory on the Global bank account at Bank-1.

12. MASTROIANNI sent Victim-1 another promissory note in furtherance of the scheme, dated July 26, 2019. The note documented a \$5,000 transaction between Victim-1 and Global. MASTROIANNI, on behalf of Global, signed the document representing that Global would repay the \$5,000 with interest at a rate of 80% per year.

13. On or about July 29, 2019, in reliance on the promissory note and MASTROIANNI's false and fraudulent representations, Victim-1 wired approximately \$5,000 to Global's bank account at Bank-2. MASTROIANNI was the only authorized signatory on the Global bank account at Bank-2.

14. MASTROIANNI sent Victim-1 additional promissory notes for more money purportedly to be invested the same way. In reliance on those promissory notes and MASTROIANNI's false and fraudulent representations, Victim-1 wired MASTROIANNI a total of at least \$88,500, all of which Victim-1 believed to be directed into the same pooled investment structure.

15. Instead of investing Victim-1's funds as he represented, MASTROIANNI used the funds, along with other money in Global's accounts, on personal expenses and cash withdrawals.

### ***Victim-2***

16. Victim-2, who is currently 67 years old, met MASTROIANNI through a broker ("Broker-1") who previously worked with MASTROIANNI.

17. Victim-2 invested in securities and other private equity investments through Broker-1, and believed that MASTROIANNI was Broker-1's partner.

18. In approximately July 2019, MASTROIANNI called Victim-2 directly, offering him a new investment opportunity in "factoring," or buying accounts receivable from small businesses like doctor's offices as part of a larger pool of investors, which would result in a high rate of return. In fact, no such pooled investment existed.

19. On or about September 10, 2019, MASTROIANNI emailed Victim-2 attaching a promissory note in furtherance of the scheme that was nearly identical to the promissory notes MASTROIANNI sent to Victim-1. The note, dated on or about September 10, 2019, documented an approximately \$10,000 transaction between Victim-2 and Global. Mastroianni, on behalf of Global, signed the document

representing that Global would repay the approximately \$10,000 with interest at a rate of 100% per year. In the same email, MASTROIANNI attached a pre-made FedEx label from Victim-2 to MASTROIANNI.

20. On or about September 10, 2019, in reliance on the promissory note and MASTROIANNI's false and fraudulent representations, Victim-2 mailed via FedEx a check for \$10,000 from Michigan to MASTROIANNI in New Jersey.

21. On or about September 11, 2019, MASTROIANNI deposited or caused to be deposited Victim-2's check into Global's bank account at Bank-2.

22. MASTROIANNI sent Victim-2 another promissory note in furtherance of the scheme, dated January 8, 2021. The note documented a \$40,000 transaction between Victim-2 and Global. Mastroianni, on behalf of Global, signed the document representing that Global would repay the \$40,000 with interest at a rate of 175% per six months.

23. On or about January 8, 2021, in reliance on the promissory note and MASTROIANNI's false and fraudulent representations, Victim-2 mailed via FedEx a check for \$40,000 from Michigan to MASTROIANNI in New Jersey.

24. On or about January 11, 2021, MASTROIANNI deposited or caused to be deposited Victim-2's check into Global's bank account at Bank-3. MASTROIANNI was the only authorized signatory on the Global bank account at Bank-3.

25. MASTROIANNI sent Victim-2 additional promissory notes for more money purportedly to be invested the same way. In reliance on those promissory notes and MASTROIANNI's false and fraudulent representations, Victim-2 sent to MASTROIANNI approximately \$160,300, all of which Victim-2 believed to be directed into the same pooled investment structure.

26. Instead of investing Victim-2's funds as he represented, MASTROIANNI used the funds, along with other money in Global's accounts, on personal expenses and cash withdrawals.

27. In or around mid-2021, Victim-2 began asking MASTROIANNI to cash out some of his investment, which MASTROIANNI promised he would do. Mastroianni made several excuses, but never provided Victim-2 with any funds.

28. In or around June 2022 and July 2022, during the course of lawfully recorded phone calls with Victim-2, MASTROIANNI made false and fraudulent representations that Victim-2 would be receiving a \$50,000 check representing proceeds of his investments. Victim-2 still has not received any check or money transfer from MASTROIANNI or Global.



## **The Scheme to Defraud (Count 5)**

### ***The Paycheck Protection Program and Economic Insurance Disaster Program Loans***

29. The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act is a federal law that was enacted in or about March 2020 and designed to provide emergency financial assistance to the millions of Americans who are suffering the economic effects caused by the COVID-19 pandemic.

30. The Economic Injury Disaster Loan Program (“EIDL”) program is an SBA program that provides low-interest financing to small businesses, renters, and homeowners in regions affected by declared disasters.

31. The CARES Act authorized the SBA to provide EIDL loans of up to \$2 million to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic.

32. In order to obtain an EIDL loan, a qualifying business must submit an application to the SBA and provide information about its operations, such as the number of employees, gross revenue for the 12-month period preceding the disaster, and cost of goods sold in the 12-month period preceding the disaster. In the case of EIDLs for COVID-19 relief, the 12-month period constitutes the 12 months preceding January 31, 2020. In addition, the business entity must have existed in an operational condition on February 1, 2020.

33. The amount of the EIDL loan is determined based, in part, on the information the applicant provides regarding the revenue, employees, and cost of goods of the company. The SBA directly issues any funds disbursed under an EIDL loan to the applicant company. A company may use EIDL loan funds for payroll expenses, sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments.

### ***The Scheme to Defraud***

34. On or about July 13, 2020, the SBA received an application in the name of Global Business Development and Consulting Corporation seeking an EIDL loan. The application listed MASTROIANNI as the sole owner of Global and listed his social security number. In addition, in support of the application, MASTROIANNI signed a letter reflecting his authority to sign the SBA loan closing documents in his capacity as Owner/Officer of Global. The application also listed MASTROIANNI’S home address in Colt’s Neck, New Jersey, and an email address subscribed to by MASTROIANNI.

35. The Global application to the SBA contained the following materially false and fraudulent information: The EIDL application submitted to the SBA stated

that Global's gross revenue for the 12 months prior to on or about January 31, 2020 was approximately \$357,538.00 and that the cost of goods sold for the 12 months prior to on or about January 31, 2020 was \$165,000.00. The application also stated that Global had one employee. In fact, according to the IRS, for Tax Year 2019, Global reported gross receipts of \$165,305 and \$0 in cost of goods sold. It reported no salary or wages paid to any employees.

36. Bank records show that MASTROIANNI was the only authorized signatory on the Global bank account at Bank-3 and that, on or about July 15, 2020, approximately \$96,200 in EIDL loan funds were transferred into the Global bank account at Bank-3, which represented the full \$96,300 approved loan proceeds minus a \$100 fee for a Uniform Commercial Code filing that was deducted from the total loan amount. MASTROIANNI used the EIDL loan funds, along with other money in Global's account at Bank-3, to make personal expenses and cash withdrawals.