

1. NICHOLAS A. TRUTANICH
United States Attorney
2. NICHOLAS D. DICKINSON
Assistant United States Attorney
3. United States Attorney's Office
501 Las Vegas Blvd. South, Suite 1100
4. Las Vegas, Nevada 89101
Tel: (702) 388-6175; Fax: (702) 388-6787
5. Nicholas.Dickinson@usdoj.gov

6. GUSTAV W. EYLER
Acting Director
7. TIMOTHY FINLEY
8. DANIEL ZYTNICK
Trial Attorneys
9. U.S. Department of Justice
10. Consumer Protection Branch
PO Box 386
11. Washington, DC 20044
Tel: (202) 307-0050; Fax: (202) 514-8742
12. Timothy.T.Finley@usdoj.gov
Daniel.E.Zytnick@usdoj.gov

13. Attorneys for Plaintiff
14. United States of America

15. UNITED STATES DISTRICT COURT
16. DISTRICT OF NEVADA

17. United States of America,
18. Plaintiff,

19. v.

20. Patti Kern,
21. Defendant.

FILED _____ RECEIVED _____
ENTERED _____ SERVED ON _____
COUNSEL/PARTIES OF RECORD
MAR 14 2019
CLERK US DISTRICT COURT
DISTRICT OF NEVADA
BY: _____ DEPUTY

22. CRIMINAL INFORMATION

23. 2:19-cr- 00032-RFB-VCF

24. VIOLATION:
Conspiracy to Commit Mail Fraud,
18 U.S.C. § 1349

1 **THE UNITED STATES CHARGES THAT:**

2 **INTRODUCTION**

3 At all times relevant to this Information, unless otherwise indicated:

4 1. The defendant PATTI KERN was a resident of Clark County, Nevada.

5 2. Beginning no later than 2011, and continuing until in or about February 2018,
6 within the District of Nevada and elsewhere, the defendant PATTI KERN conspired with
7 others to engage in a direct-mail scheme that sent fraudulent prize-promotion mailings to
8 thousands of consumers across the United States. The mailings induced victims to pay a fee
9 in exchange for a falsely-promised large cash prize. The object and purpose of the scheme
10 was to obtain money from victims by means of false and fraudulent statements and material
11 concealments of fact in the mailings. None of the victims who sent a fee to KERN and her
12 co-conspirators in response to a fraudulent prize-promotion mailing from the direct-mail
13 scheme ever received a large cash prize.

14 **COUNT ONE**

15 *Conspiracy to Commit Mail Fraud*

16 3. The allegations contained in paragraphs one and two are realleged and
17 incorporated as if fully set forth in this paragraph.

18 4. Beginning no later than 2011, and continuing until in or about February 2018,
19 within the District of Nevada and elsewhere,

20 **PATTI KERN,**

21 the defendant, together with others, whose identities are known to the United States, did
22 knowingly and intentionally conspire to devise a scheme to defraud victims and to obtain
23 money and property from victims by means of materially false and fraudulent
24 representations, and, for the purpose of executing such scheme, did place or cause to be
25 placed in any post office and authorized depository for mail matter any matter or thing,
26 namely fraudulent prize-promotion mailings, to be sent and delivered by the United States

1 Postal Service to victims across the United States, contrary to Title 18, United States Code,
2 Section 1341.

3 All in violation of Title 18, United States Code, Section 1349.

4 **FORFEITURE ALLEGATION**

5 1. The allegations contained in Count One of this Criminal Information are
6 hereby realleged and incorporated as if fully set forth herein by reference for the purpose of
7 alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title
8 28, United States Code, Section 2461(c).

9 2. Upon conviction of the felony offense charged in Count One of this Criminal
10 Information,

11 . PATTI KERN,

12 defendant herein shall forfeit to the United States of America, any property, real or
13 personal, which constitutes or is derived from proceeds traceable to violations of Title 18,
14 United States Code, Section 1341, a specified unlawful activity as defined in Title 18,
15 United States Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code,
16 Section 1349, conspiracy to commit such offense:

17 1. \$106,150;

18 2. \$20,400.32;

19 3. \$34,364;

20 4. \$40,010;

21 5. \$50,126.59;

22 6. \$4,998;

23 7. \$10,908;

24 8. \$15,278;

25 9. \$6,975;

26 10. \$4,644.;

1 11. \$3,101;

2 12. \$1,824;

3 13. \$13,146

4 14. \$1,785;

5 15. \$14,439;

6 16. \$9,887;

7 17. \$8,253;

8 18. \$138;

9 19. \$12,464.03;

10 20. \$18,950; and

11 an in personam criminal forfeiture money judgment including, but not limited to at least
12 \$800,000 (all of which constitutes property).

13 3. If any property being subject to forfeiture pursuant to Title 18, United States
14 Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c), as a result of
15 any act or omission of the defendant

16 a. cannot be located upon the exercise of due diligence;

17 b. has been transferred or sold to, or deposited with, a third party;

18 c. has been placed beyond the jurisdiction of the court;

19 d. has been substantially diminished in value; or

20 e. has been commingled with other property which cannot be divided without
21 difficulty,

22 it is the intent of the United States of America, pursuant to Title 21, United States Code,
23 Section 853(p), to seek forfeiture of any properties of the defendant for the property listed
24 above and the in personam criminal forfeiture money judgment including, but not limited
25 to, at least \$800,000.

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title 28,
2 United States Code, Section 2461(c); Title 18, United States Code, Sections 1343 and 1349;
3 and Title 21, United States Code, Section 853(p).

4
5
6 DATED: this 5 day of February, 2019

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8 NICHOLAS A. TRUTANICH
United States Attorney

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10 _____
Nicholas D. Dickinson
Assistant United States Attorney

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12 Gustav W. Eyler, Acting Director
13 Timothy Finley, Trial Attorney
14 Daniel Zytneck, Trial Attorney
15 Consumer Protection Branch
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