

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
Plaintiff )

v. )

Civil Action No.: 1:24-CV-

APPROXIMATELY \$143,586.44 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX8228; )

APPROXIMATELY \$4,896.51 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX7633; )

APPROXIMATELY \$5,240.00 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX3817; )

APPROXIMATELY \$4,335,334.38 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX5552; )

APPROXIMATELY \$581,529.79 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX1310; )

APPROXIMATELY \$183,546.26 SEIZED )  
FROM JPMORGAN CHASE )  
ACCOUNT NUMBER XXXXX5592; and )

APPROXIMATELY \$61,612.91 SEIZED )  
FROM TEXAS BANK AND TRUST )  
ACCOUNT NUMBER XX6064 )

Defendants *in Rem*. )

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM* AND DEMAND FOR JURY TRIAL**

The United States of America (the “United States”), by and through the undersigned attorneys, in a civil action of forfeiture *in rem* pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (C) alleges that:

**I. INTRODUCTION**

1. The United States brings this action to forfeit assets that constitute the proceeds of wire fraud, property involved in money laundering, and/or property traceable to such property. Specifically, the United States seeks the forfeiture of approximately \$5,315,746.29 seized from six bank accounts at JPMorgan Chase and one bank account at Texas Bank and Trust, to wit:

- a. approximately \$143,586.44 seized from JPMorgan Chase account number XXXXX8228 (“DA-1”);
- b. approximately \$4,896.51 seized from JPMorgan Chase account number XXXXX7633 (“DA-2”);
- c. approximately \$5,240.00 seized from JPMorgan Chase account number XXXXX3817 (“DA-3”);
- d. approximately \$4,335,334.38 seized from JPMorgan Chase account number XXXXX5552 (“DA-4”);
- e. approximately \$581,529.79 seized from JPMorgan Chase account number XXXXX1310 (“DA-5”);
- f. approximately \$183,546.26 seized from JPMorgan Chase account number XXXXX5592 (“DA-6”); and
- g. approximately \$61,612.91 seized from Texas Bank and Trust account number XX6064 (“DA-7”)

(collectively, DA-1 through DA-7 are the “Defendant Accounts”).

**II. JURISDICTION AND VENUE**

2. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345 and 1355(a). The Defendant Accounts have been seized and are in the custody of the United States.

3. Venue for this action is appropriate pursuant to 28 U.S.C. § 1355(b)(1) because acts and omissions giving rise to the forfeiture occurred in the District of Massachusetts.

### **III. FACTUAL ALLEGATIONS**

#### **A. Introduction**

4. Business email compromise (“BEC”) is a type of fraud in which perpetrators obtain unauthorized access to email accounts that a business uses to send information about commercial, real estate, and other financial transactions. Perpetrators impersonate business employees to target victims who will soon send a wire transaction as part of a business transaction or investment. The perpetrators then send a fraudulent email requesting that payments be sent to a network of bank accounts that are actually controlled by the perpetrators. Perpetrators then move those funds quickly before the victims and their banks can recall the payments.

5. Foreign perpetrators of such scams sometimes recruit witting or unwitting persons (“mules”) to open bank accounts that the foreign perpetrators use to receive proceeds of the scam. Alternatively, the perpetrators transfer illicit funds to the mules’ account, and then provide the mule with a dubious explanation for the source of the funds, such as—an inheritance, a foreign lottery, a gift, funding for a business project, and others.

6. The perpetrator then asks the mule to immediately wire a portion of the funds for any number of reasons, including as part of a business transaction or payment of government taxes and administrative fees.

7. Victim-1 was a workers union based in Dorchester, Massachusetts.

8. Witness-1 was the investment manager for Victim-1 and was employed by an investment consulting firm located in Massachusetts.

9. “Signatory DA-1&2” had signature authority on DA-1, which was held in the name of “Entity DA-1.”

10. “Signatory DA-1&2” had signature authority on DA-2, which was held in the name of “Signatory DA-1&2.”

11. “Signatory DA-3” had signature authority on DA-3, which was held in the name of “Entity DA-3.”

12. “Signatory DA-4” had signature authority on DA-4, which was held in the name of “Entity DA-4,” a JPMorgan Chase account ending in x1478 (“JPMC x1478”), and a JPMorgan Chase account ending in x3057 (“JPMC x3057”).

13. “Signatory DA-5” had signature authority on DA-5, which was held in the name of “Entity DA-5.”

14. “Signatory DA-6” had signature authority on DA-6, which was held in the name of “Signatory DA-6.”

15. “Signatory DA-7” had signature authority on DA-7, which was held in the name of “Entity DA-7.”

**B. Fraud Scheme**

16. According to “Signatory DA-1&2,” in or around September 2022, “Signatory DA-1&2” began receiving messages via Google Chat and WhatsApp with instructions from an unknown perpetrator. These messages told “Signatory DA-1&2” that a European bank was holding a “gift” of over \$17 million for “Signatory DA-1&2.”

17. Between September 2022, and January 2023, “Signatory DA-1&2” received numerous messages from the unknown perpetrator discussing the “gift” that could be transferred to his account. “Signatory DA-1&2” became a “mule” in the fraud and money laundering scheme when funds were later deposited in his account.

18. Witness-1 managed Victim-1’s assets. Witness-1 often communicated with employees of Victim-1 by email, and, in the regular course of business, Victim-1 sent wire transfers at Witness-1’s direction.

19. On or about January 27, 2023, the unknown perpetrator effected a BEC scam

against Victim-1. Victim-1's employees received an email that appeared to be from Witness-1, but was in fact a spoofed email, different from Witness-1's email address by one letter. The initial email correspondence between Victim-1 and Witness-1 concerned previously arranged payments. The email from the spoofed email address changed the beneficiary bank account of a \$6,400,000 payment to DA-1. The spoofed email falsely and fraudulently created the impression that the message was legitimate and had been sent from Witness-1's account.

20. At the time, Victim-1's employees were unaware that the spoofed email came from someone who was not Witness-1. On or about January 30, 2023, in reliance on the spoofed and fraudulent email, Victim-1 sent a wire in the amount of \$6,400,000 from a bank account in its name to DA-1, as instructed by the spoofed email.

21. Thereafter, between January 30, 2023, and February 2, 2023, the unknown perpetrator instructed "Signatory DA-1&2", who had received the wired funds into his account, to transfer the funds from DA-1 in the following amounts:

- a. \$900,000 to DA-3;
- b. \$4,460,800 to JPMC x3057, where the funds were ultimately transmitted to DA-4;
- c. \$740,000 to DA-5; and
- d. \$200,000 to DA-6.

22. The unknown perpetrator instructed "Signatory DA-1&2" to keep the remaining approximately \$100,000.

23. Between January 30, 2023, and February 2, 2023, "Signatory DA-1&2" did, in fact, make these transfers to other mule accounts in compliance with the instructions he received, and deposited the funds into the accounts via check.

### C. Laundering Transactions

24. As set forth below, the financial transactions of fraud proceeds using money mules (account holders for DA-1 through DA-7), the rapid transfer of funds between individual accounts (such as between DA-1 and DA-2), the flow of funds initially to DA-1 followed by the dispersion of funds to multiple accounts (DA-2 through DA-7), and the transfer of funds to overseas bank accounts, reflect an intent to conceal and disguise the nature, location, source, ownership and control of the fraud proceeds.

#### DA-1 and DA-2

25. Immediately after receiving the \$6,400,000 wire, “Signatory DA-1&2” sent the following wire transfers from DA-1 to DA-2 and then immediately back to DA-1 between on or about January 30, 2023, to on or about February 2, 2023:

<b>Approximate Date</b>	<b>Amount</b>	<b>Originator</b>	<b>Beneficiary</b>
January 30, 2023	\$5,000,000	DA-1	DA-2
January 30, 2023	\$5,000,000	DA-2	DA-1
January 30, 2023	\$5,000,000	DA-1	DA-2
January 30, 2023	\$100,000	DA-2	DA-1
January 30, 2023	\$1,000,000	DA-2	DA-1
January 30, 2023	\$2,000	DA-2	DA-1
January 31, 2023	\$100,000	DA-1	DA-2
January 31, 2023	\$3,900,000	DA-2	DA-1
February 2, 2023	\$1,000	DA-2	DA-1

26. This money movement displays the hallmarks of intent to conceal or disguise the source of funds: the account holder did not know the source of the funds, was being directed by the unknown perpetrator, and moved the funds rapidly between multiple accounts, with no discernible purpose. For instance, on January 30, 2023, in a single day, \$5 million moved from DA-1 to DA-2;

then back to DA-1; and then back to DA-2. And then later that day, \$1 million moved from DA-2 to DA-1, and the next day, \$3.9 million moved from DA-2 to DA-1. These rapid movements did not appear to have any legitimate business purpose, and reflect an intent to conceal the nature, location, source, ownership and control of the fraud proceeds.

27. On or about January 30, 2023, the starting balance of DA-1 was \$2,982.44. Following execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-1 was \$4,896.51. The \$4,896.51 seized is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

28. On or about January 30, 2023, the starting balance of DA-2 was \$46,136.00. Following execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-2 was \$143,586.44. The \$143,586.44 seized is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

### **DA-3**

29. Immediately after the deposit of the \$900,000 check drawn from DA-1 on or about January 30, 2023, “Signatory DA-3” sent the following wire transfers from DA-3 between on or about February 1, 2023, to on or about February 6, 2023:

<b>Approximate Date</b>	<b>Amount</b>	<b>Originator</b>	<b>Beneficiary:</b>
February 1, 2023	\$495,000	DA-3	Foreign bank account held by the Bank of China
February 2, 2023	\$380,000	DA-3	Foreign bank account held by the Bank of China
February 6, 2023	\$20,000	DA-3	Foreign bank account held by the Bank of China

30. Moving funds overseas is a tactic used to avoid detection, seizure, and forfeiture by United States law enforcement, and is a hallmark of a BEC scam such as this.

31. On or about January 30, 2023, the starting balance of DA-3 was \$335. Following

execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-3 was \$5,240. The \$5,240 seized is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

#### DA-4

32. Immediately after the deposit of the \$4,460,800 check drawn from DA-1 on or about January 31, 2023, to JPMC x3057, “Signatory DA-4” – who had signature authority on bank accounts JPMC x3057, JPMC x1478, and DA-4 – sent the following wire transfers from JPMC x3057 to JPMC x1478 and DA-4 between on or about February 2, 2023, to on or about February 3, 2023:

<b>Approximate Date:</b>	<b>Amount:</b>	<b>Originator</b>	<b>Beneficiary:</b>
February 2, 2023	\$223,040	JPMC x3057	DA-4
February 2, 2023	\$4,237,760	JPMC x3057	JPMC x1478
February 2, 2023	\$1,000,000	JPMC x1478	DA-4
February 2, 2023	\$1,000,000	DA-4	JPMC x1478
February 3, 2023	\$50,000	DA-4	JPMC x1478
February 3, 2023	\$100	DA-4	JPMC x1478
February 3, 2023	\$50,000	JPMC x1478	DA-4
February 3, 2023	\$4,237,760	JPMC x1478	DA-4

33. “Signatory DA-4” also attempted to send the following transfers from DA-4 between on or about February 2, 2023, to on or about February 6, 2023, but JPMC reversed the wires shortly thereafter:

<b>Approximate Date</b>	<b>Amount</b>	<b>Originator</b>	<b>Beneficiary</b>
February 2, 2023	\$500,000 (reversed)	DA-4	Cryptocurrency exchange located in New York, New York
February 6, 2023	\$4,237,710 (reversed)	DA-4	Foreign bank account held by the Standard Chartered Bank of Hong Kong

34. On or about February 2, 2023, the starting balance of DA-4 was \$5.16. Following



execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-4 was \$4,335,334.38. The \$4,335,334.38 seized is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

### **DA-5**

35. Immediately after the deposit of the \$740,000 check drawn from DA-1 on or about February 2, 2023, “Signatory DA-5” sent, or attempted to send, the following wire transfers from DA-5 between on or about February 6, 2023, to on or about February 7, 2023:

<b>Approximate Date</b>	<b>Transfer</b>	<b>Originator</b>	<b>Beneficiary</b>
February 6, 2023	\$49,872.88	DA-5	Foreign bank account held by United Overseas Bank in Singapore
February 6, 2023	\$102,968	DA-5	DA-7
February 7, 2023	\$196,320 (reversed)	DA-5	Domestic bank account held by Piermont Bank

36. On or about February 2, 2023, the starting balance of DA-5 was \$100. Following execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-5 was \$581,529.91. The \$581,529.91 seized is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

### **DA-6**

37. Immediately after receiving the \$200,000 check drawn from DA-1 on or about February 2, 2023, between on or about February 6, 2023, to on or about February 7, 2023, there was *de minimis* activity in DA-6, primarily consisting of ATM withdrawals in Houston, Texas.

38. On or about February 2, 2023, the starting balance of DA-6 was \$44.26. Following execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-6 was \$183,546.26. The \$183,546.26 seized is traceable to the wire fraud proceeds and property involved in the laundering of the funds.

**DA-7**

39. Immediately after the deposit of the \$102,968 wire transfer from DA-5 on or about February 6, 2023, “Signatory DA-7” sent the following wire transfer from DA-7 on or about February 7, 2023:

<b>Approximate Date</b>	<b>Transfer</b>	<b>Originator</b>	<b>Beneficiary</b>
February 7, 2023	\$43,900.00	DA-7	Foreign bank account held by Access Bank in Nigeria

40. On or about February 6, 2023, the starting balance of DA-7 was \$4,229.91. Following execution of the seizure warrant on or about February 28, 2023, the balance seized from DA-7 was \$61,612.91. The \$61,612.91 is traceable to the wire fraud proceeds and is property involved in the laundering of the funds.

**IV. BASIS FOR FORFEITURE**

41. Pursuant to 18 U.S.C. § 981(a)(1)(A), “[a]ny property, real or personal, involved in a transaction or attempted transaction in violation of [18 U.S.C §§ 1956 and 1957], or any property traceable to such property” is subject to forfeiture to the United States.

42. Pursuant to 18 U.S.C. § 981(a)(1)(C), “[a]ny property, real or personal, which constitutes or is derived from proceeds traceable to any violation of . . . any offense constituting ‘specified unlawful activity’ . . . , or a conspiracy to commit such offense” is subject to forfeiture to the United States.

43. Pursuant to 18 U.S.C. § 1956(a)(1)(B)(i), it is a federal crime to, “knowing that the property involved in a transaction represents the proceeds of some form of unlawful activity, conduct[] or attempt[] to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity . . . to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity.”

44. Pursuant to 18 U.S.C. § 1957, it is a federal crime to “knowingly engage[] or attempt to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity.”

45. A “specified unlawful activity” is defined in 18 U.S.C. § 1956(c)(7)(B)(iv) to include, among other things, “any act or activity constituting an offense listed in section 1961(1) of [Title 18],” including wire fraud in violation of 18 U.S.C. § 1343.

46. Pursuant to 18 U.S.C. § 1343, it is a federal crime to “devise[] or intend[] to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communications in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice[.]”

**FIRST CLAIM**  
**Proceeds of Wire Fraud**  
**(18 U.S.C. § 981(a)(1)(C))**

47. The factual allegations in paragraphs 1 to 40 are re-alleged and incorporated by reference herein.

48. As set forth above, the Defendant Accounts constitute or are derived from proceeds traceable to a violation of 18 U.S.C. § 1343, Wire Fraud.

49. Accordingly, the Defendant Accounts are subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(C).

**SECOND CLAIM**  
**Property Involved in Concealment Laundering Transactions**  
**(18 U.S.C. § 981(a)(1)(A))**

50. The factual allegations in paragraphs 1 to 40 are re-alleged and incorporated by reference herein.

51. As set forth herein, the Defendant Accounts were involved in transactions or attempted transactions designed, in whole or in part, to conceal or disguise the nature, the location, the source, the ownership, or control of proceeds of specified unlawful activity in violation of 18 U.S.C. § 1956(a)(1)(B)(i), and/or constitutes property traceable to such property.

52. Accordingly, the Defendant Accounts are subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A).

**THIRD CLAIM**  
**Property Involved in Laundering Transactions Greater than \$10,000**  
**(18 U.S.C. § 981(a)(1)(A))**

53. The factual allegations in paragraphs 1 to 40 are re-alleged and incorporated by reference herein.

54. As set forth above, the Defendant Accounts were involved in transactions in property of a value greater than \$10,000 that was derived from specified unlawful activity in violation of 18 U.S.C. § 1957, and/or constitutes property traceable to such property.

55. Accordingly, the Defendant Accounts are subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A).

WHEREFORE, the United States of America requests:

1. That a Warrant and Monition, in the form submitted herewith, be issued to the United States Secret Service, or their designee, commanding seizure of the Defendant Accounts, and to give notice to all interested parties to appear and show cause why the forfeiture should not be decreed;
2. That judgment of forfeiture be decreed against the Defendant Accounts;
3. That thereafter, the Defendant Accounts be disposed of according to law; and
4. For costs and all other relief to which the United States may be entitled.

**JURY DEMAND**

The United States demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Respectfully submitted,

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Dated: June 5, 2024

**VERIFICATION**

I, ALAN OTTARSON, hereby verify and declare, under penalty of perjury, that I am a Special Agent with the United States Secret Service (“USSS”) and that the foregoing factual allegations are true and correct to the best of my knowledge and belief.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the USSS.

Executed on this 5<sup>th</sup> day of June, 2024.



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Alan Ottarson  
Special Agent  
United States Secret Service