

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO: <u>15-</u>
v.	:	DATE FILED: <u>7-9-15</u>
BOGDAN K. STEPIEN	:	VIOLATIONS:
	:	18 U.S.C. § 1343 (wire fraud - 19
	:	counts)
	:	18 U.S.C. § 1028A(a)(1) (aggravated
	:	identity theft - 3 counts)
	:	18 U.S.C. § 513 (passing and
	:	possessing counterfeit and forged
	:	checks - 4 counts)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH NINETEEN

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendant BOGDAN K. STEPIEN lived in Berks and Bucks Counties, Pennsylvania, and held himself out as a successful “day trader” who bought and sold financial instruments on a daily basis and in doing so, made a lot of money.
2. Defendant BOGDAN K. STEPIEN recruited friends and family members to provide him with money that he claimed he would invest for them. Defendant STEPIEN instructed these individuals that there was a minimum investment requirement of \$10,000.
3. Person 1 was an acquaintance of defendant BOGDAN K. STEPIEN’S, who defendant STEPIEN persuaded to invest with him.
4. Person 2, Person 3, Person 4, and Person 5 were each relatives of defendant BOGDAN K. STEPIEN, who persuaded each to invest with him.

5. Person 6, Person 7, and Person 8 lived in Ohio and were friends of Person 5. Defendant BOGDAN K. STEPIEN persuaded each of these individuals to invest with him, as well.

THE SCHEME

6. From in or about May 2011 to in or about March 2014, defendant **BOGDAN K. STEPIEN** devised and intended to devise a scheme to defraud Persons 1 through 8, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

7. Defendant BOGDAN K. STEPIEN promised Persons 1 through 8 that he would invest their money in financial instruments, when in fact he simply spent most of their money on his own personal expenses.

8. In order to keep the scheme going and conceal its true nature, defendant BOGDAN K. STEPIEN used some of the funds from his investors to make payments to his investors, which he claimed were their distributions or profits from their investments, when in fact the funds were merely payments from their own or another investor's principal funds.

9. In order to keep his scheme going and conceal its true nature, defendant BOGDAN K. STEPIEN sent to some investors bogus account statements and spreadsheets that purported to show the performance and growth of their investments.

10. In order to keep his scheme going and conceal its true nature, defendant BOGDAN K. STEPIEN sent some of his investors checks that supposedly represented the distributions or profits from their investments, but in fact were not profits from trading activity.

Sometimes defendant STEPIEN convinced the recipients not to negotiate the checks immediately because, he claimed, he did not have access to the funds at the moment. Other times the recipients of the checks negotiated them, only to learn that the checks bounced.

11. On or about each of the dates set forth below, in Berks and Bucks Counties, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, defendant

BOGDAN K. STEPIEN,

for the purpose of executing the scheme described above, and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

COUNT	DATE	DESCRIPTION
1	July 15, 2011	A \$3,450 wire transfer from a TD Ameritrade account ending in 5673 in the name of Person 1 and defendant BOGDAN K. STEPIEN to a Navy Federal Credit Union account ending in 8707 controlled by defendant STEPIEN
2	July 13, 2011	A \$10,000 wire transfer from Person 2's Citizens Bank account ending in 3139 to a TD Ameritrade account ending in 3050
3	May 7, 2012	A \$10,000 wire transfer from Person 4's Wells Fargo Bank account ending in 0070 to defendant BOGDAN K. STEPIEN'S Citizens Bank account ending in 2116
4	July 27, 2012	Deposit of a \$20,000 Wells Fargo Bank cashier's check from Person 4 into defendant BOGDAN K. STEPIEN'S PNC Bank account ending in 9059
5	September 25, 2012	Deposit of a \$5,000 Citizens Bank cashier's check from Person 3 into defendant BOGDAN K. STEPIEN'S PNC Bank account ending in 9059

COUNT	DATE	DESCRIPTION
6	September 25, 2012	Deposit of a \$5,000 Citizens Bank cashier's check from Person 2 into defendant BOGDAN K. STEPIEN'S PNC Bank account ending in 9059
7	September 25, 2012	Deposit of a \$8,500 Wells Fargo cashier's check from Person 4 into defendant BOGDAN K. STEPIEN'S PNC Bank account ending in 9059
8	September 20, 2013	E-mail from defendant BOGDAN K. STEPIEN to Person 5 with attached bogus account statement and spreadsheet showing purported growth of Person 5's investment through 9/20/2013
9	October 4, 2013	E-mail from defendant BOGDAN K. STEPIEN to Person 5 with attached bogus account statement and spreadsheet showing purported growth of Person 5's investment through 10/4/2013
10	October 19, 2013	E-mail from defendant BOGDAN K. STEPIEN to Person 5 with attached bogus account statement and spreadsheet showing purported growth of Person 5's investment through 10/18/2013
11	October 26, 2013	E-mail from defendant BOGDAN K. STEPIEN to Person 5 with attached bogus account statement and spreadsheet showing purported growth of Person 5's investment through 10/25/2013
12	January 15, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 1/10/2014
13	January 21, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 1/17/2014
14	January 30, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 1/24/2014

COUNT	DATE	DESCRIPTION
15	February 5, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 1/31/2014
16	February 13, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 2/7/2014 (erroneously typed on spreadsheet as 1/7/2014)
17	February 20, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 2/14/2014
18	March 11, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 2/28/2014
19	March 14, 2014	E-mail from defendant BOGDAN K. STEPIEN to Person 8 with attached spreadsheet purportedly showing growth of Person's 8's investment from 1/9/2014 through 3/11/2014

All in violation of Title 18, United States Code, Sections 1343 and 1349.

COUNTS TWENTY THROUGH TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 10 of Counts One through Nineteen are incorporated here.

2. On or about the following dates, in Berks and Bucks Counties, in the Eastern District of Pennsylvania, defendant

BOGDAN K. STEPIEN

knowingly and without lawful authority transferred, possessed, and used, means of identification of another person, that is, the name, address, and signature listed below, during and in relation to wire fraud, each occasion constituting a separate count:

COUNT	DATE	DESCRIPTION
20	September 2, 2011	Using the name of Person 2, and an address associated with Person 2 at XXXX Pechin Street, Philadelphia, Pennsylvania, and a forged signature for Person 2, defendant BOGDAN K. STEPIEN initiated a \$3,000 wire transfer from a TD Ameritrade account ending in 3050, to a Navy Federal Credit Union account ending in 8707 that was under defendant STEPIEN'S control
21	September 9, 2011	Using the name of Person 2, and an address associated with Person 2 at XXXX Pechin Street, Philadelphia, Pennsylvania, and a forged signature for Person 2, defendant BOGDAN K. STEPIEN initiated a \$3,000 wire transfer from a TD Ameritrade account ending in 3050, to a Navy Federal Credit Union account ending in 8707 that was under defendant STEPIEN'S control

COUNT	DATE	DESCRIPTION
22	September 26, 2011	Using the name of Person 2, and an address associated with Person 2 at XXXX Pechin Street, Philadelphia, Pennsylvania, and a forged signature for Person 2, defendant BOGDAN K. STEPIEN initiated a \$910.01 wire transfer from a TD Ameritrade account ending in 3050, to a Navy Federal Credit Union account under defendant STEPIEN'S control

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5).

COUNTS TWENTY-THREE THROUGH TWENTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about each of the dates set forth below, in the locations described below, in the Eastern District of Pennsylvania, defendant

BOGDAN K. STEPIEN

with intent to deceive another person or organization operating in and affecting interstate commerce, knowingly made, uttered, and possessed, a forged security of an organization operating in and affecting interstate commerce, as described below, each occasion constituting a separate count:

COUNT	DATE	LOCATION	DESCRIPTION
23	August 27, 2014	Ft. Washington, PA	A bogus \$140,000 "OFFICA CHECK," number 1084, dated 8/26/14, purportedly drawn on an E-Trade Complete account ending in 5727, used for the purchase of a new, custom ordered Mercedes-Benz sedan
24	January 30, 2015	Doylestown, PA	A bogus \$102,000 "OFFICA CHECK," number 1084, dated 1/29/15, purportedly drawn on an E-Trade Complete account ending in 5727, used for the purchase of a new Mercedes-Benz SUV
25	February 24, 2015	Doylestown, PA	A bogus \$408,000 "CASHIERS CHECK," number 1084, dated 2/23/15, purportedly drawn on an E-Trade Complete account ending in 5727, used for the purchase of real estate
26	April 27, 2015	Warminster, PA	A bogus \$74,290 check, number 1089, purportedly drawn on an E-Trade Complete account ending in 5727, used for the purchase of a new GMC Yukon Denali SUV

In violation of Title 18, United States Code, Sections 513(a).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 1343 and 513 set forth in this indictment, defendant

BOGDAN K. STEPIEN

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense, including, but not limited to, the sum of \$870,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property

of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**