

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 15-_____**
v. : **DATE FILED: August 4, 2015**
KIMBERLY ADAMS : **VIOLATIONS:**
: **18 U.S.C. § 371 (conspiracy – 1 count)**
: **18 U.S.C. § 1029(a)(1) (access device fraud – 1**
: **count)**
: **18 U.S.C. § 1029(a)(4) (possession access device-**
: **making equipment – 1 count)**
: **18 U.S.C. 2 (aiding and abetting)**
: **Notice of forfeiture**

INFORMATION

COUNT ONE

(Conspiracy)

THE UNITED STATES ATTORNEY CHARGES:

At all times material to this Information:

1. Southeastern Pennsylvania Transportation Authority (SEPTA) is a metropolitan transportation authority providing rail, trolley, subway and bus services to passengers in Philadelphia and its suburbs, as well as service between the States of Pennsylvania, Delaware and New Jersey.
2. In order to travel using SEPTA's services, passengers must purchase tickets, tokens, or passes. The base fare per ride for most bus, trolley or subway routes is \$2.25. Or, the SEPTA TransPass may be purchased for a month of unlimited travel on the bus, trolley or subway at a cost of \$91.00. A TransPass is a card, made of polyester substrate, approximately the size of a credit card, with a slurry stripe on the back. The slurry stripe is encoded with information which includes a unique serial number for each TransPass. This serial number also

appears on the front of the TransPass in the upper left corner.

3. A monthly TransPass may be purchased online at Shop.SEPTA.org, or at one of SEPTA's over 400 retail sales locations. TransPasses may also be purchased through private authorized vendors, such as Travelex, that purchase monthly TransPasses in bulk and provide them to their clients.

THE CONSPIRACY

4. From in or about August 2013 to in or about June 2015, in the Eastern District of Pennsylvania, and elsewhere, defendant

KIMBERLY ADAMS

conspired and agreed with others known and unknown to the United States Attorney, including Mark Cooper, charged elsewhere, to commit offenses against the United States, that is to knowingly and with intent to defraud produce, use and traffic in counterfeit access devices, that is counterfeit SEPTA monthly TransPasses, such production, use and trafficking affecting interstate commerce, in that SEPTA is an interstate transportation authority providing rail, trolley, subway and bus services to passengers between the States of Pennsylvania, Delaware and New Jersey, in violation of Title 18, United States Code, Section 1029(a)(1).

MANNER AND MEANS

It was part the conspiracy that:

5. Defendant KIMBERLY ADAMS and Mark Cooper, and others known and unknown to the United States Attorney participated in a counterfeiting scheme in which defendant ADAMS and Cooper produced and sold counterfeit SEPTA TransPasses.

6. At the end of each month, Mark Cooper obtained a legitimate SEPTA TransPass.

7. Each month, Mark Cooper used the legitimate SEPTA monthly TransPass to manufacture counterfeit SEPTA TransPasses.

8. Mark Cooper purchased counterfeit access device-making supplies, including inkjet synthetic paper and magnetic stripe laminate cards, online from Amazon.com and likely others.

9. Each month, defendant KIMBERLY ADAMS met Mark Cooper to receive counterfeit SEPTA TransPasses that Cooper had manufactured.

10. Defendant KIMBERLY ADAMS met customers, predominately City of Philadelphia employees, inside and outside of City Hall located at Broad and Market Streets in Philadelphia, PA, and elsewhere, and sold the counterfeit SEPTA TransPasses for approximately \$50 per TransPass.

11. Each month, defendant KIMBERLY ADAMS and Mark Cooper shared the profits from the sales of their counterfeit SEPTA TransPasses.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendant KIMBERLY ADAMS, Mark Cooper, known to the United States Attorney, and others known and unknown to the United States Attorney committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On various dates between on or about November 22, 2013 through on or about May 15, 2015, Mark Cooper purchased counterfeit access device-making supplies, including inkjet synthetic paper and magnetic stripe laminate cards online in order to manufacture the counterfeit SEPTA TransPasses.

2. In or about late October 2014 through in or about early November 2014, defendant

KIMBERLY ADAMS sold approximately 240 counterfeit SEPTA TransPasses for the month of November 2014 to customers for approximately \$50 per TransPass.

3. On or about November 26, 2014, defendant KIMBERLY ADAMS sent a text message to Mark Cooper inquiring when the counterfeit SEPTA TransPasses for the month of December 2014 would be ready for ADAMS to sell to their customers.

4. On or about November 26, 2014, Mark Cooper informed defendant KIMBERLY ADAMS that Cooper would have the counterfeit SEPTA TransPasses for the month of December 2014 ready to be picked up by Friday, November 28, 2014.

5. On or about November 28, 2014, Mark Cooper sent a text message to defendant KIMBERLY ADAMS providing ADAMS with their customer list for the counterfeit SEPTA TransPasses that ADAMS had sold for the month of November 2014.

6. Also, on or about November 28, 2014, defendant KIMBERLY ADAMS met Mark Cooper to obtain the counterfeit SEPTA TransPasses that Mark Cooper had manufactured for the month of December 2014.

7. On or about December 4, 2014, defendant KIMBERLY ADAMS sent a text message to Mark Cooper asking for additional counterfeit SEPTA TransPasses for the month of December 2014.

8. Then on or about December 4, 2014, Mark Cooper responded to defendant KIMBERLY ADAMS and informed ADAMS that Cooper would have additional counterfeit SEPTA TransPasses for the month of December 2014 ready to be picked up possibly later that same night.

9. On or about December 5, 2014, defendant KIMBERLY ADAMS met Mark Cooper

to obtain additional counterfeit SEPTA TransPasses for the month of December 2014 for ADAMS to sell to customers.

10. Between on or about November 28, 2014 and December 11, 2014, defendant KIMBERLY ADAMS sold approximately 234 counterfeit SEPTA TransPasses for the month of December 2014 to customers for approximately \$50 per TransPass.

11. On or about December 29, 2014, defendant KIMBERLY ADAMS sent a text message to Mark Cooper inquiring when the counterfeit SEPTA TransPasses for the month of January 2015 would be ready for ADAMS to sell to their customers.

12. On or about December 29, 2014, Mark Cooper responded and informed defendant KIMBERLY ADAMS that Cooper would have the counterfeit SEPTA TransPasses for the month of January 2015 ready that same evening.

13. On or about December 31, 2014, defendant KIMBERLY ADAMS met Mark Cooper to obtain the counterfeit SEPTA TransPasses that Cooper had manufactured for the month of January 2015.

14. On or about January 2, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper asking for ten to fifteen more counterfeit SEPTA TransPasses for the month of January 2015.

15. On or about January 4, 2015, Mark Cooper sent a text message to defendant KIMBERLY ADAMS to confirm that ADAMS needed fifteen more counterfeit SEPTA TransPasses for the month of January 2015.

16. Then, on or about January 4, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain additional counterfeit SEPTA TransPasses for the month of January 2015.

17. Between on or about December 31, 2014 and on or about January 9, 2015, defendant KIMBERLY ADAMS sold approximately 252 counterfeit SEPTA TransPasses for the month of January 2015 to customers for approximately \$50 per TransPass.

18. On or about January 30, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain the counterfeit SEPTA TransPasses that Cooper had manufactured for the month of February 2015.

19. On or about February 5, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper asking Cooper to manufacture approximately fifteen to twenty additional counterfeit SEPTA TransPasses for the month of February 2015.

20. On or about February 5, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain additional counterfeit SEPTA TransPasses for the month of February 2015.

21. Between on or about January 30, 2015 through on or about February 9, 2015, defendant KIMBERLY ADAMS sold approximately 241 counterfeit SEPTA TransPasses for the month of February 2015 to customers for approximately \$50 per TransPass.

22. On or about February 28, 2015, defendant KIMBERLY ADAMS received a text message from Mark Cooper explaining that Cooper had manufactured approximately 250 counterfeit SEPTA TransPasses for the month of March 2015, but that 25 of these counterfeit TransPasses were for customer J.T., known to the United States Attorney.

23. On or about March 2, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain approximately 227 of the counterfeit SEPTA TransPasses that Cooper had manufactured for the month of March 2015.

24. Between on or about March 2, 2015 and on or about March 6, 2015, defendant

KIMBERLY ADAMS sold approximately 248 counterfeit SEPTA TransPasses for the month of March 2015 to customers for approximately \$50 per TransPass.

25. On or about March 28, 2015, defendant KIMBERLY ADAMS sent Mark Cooper a text message stating that Cooper should manufacture at least 250 counterfeit SEPTA TransPasses for the month of April 2015.

26. On or about March 28, 2015, Mark Cooper responded to defendant KIMBERLY ADAMS and stated that Cooper was wondering if he should manufacture approximately 260 counterfeit SEPTA TransPasses for the month of April 2015.

27. Also, on or about March 28, 2015, defendant KIMBERLY ADAMS sent another text message to Mark Cooper agreeing with his suggestion of manufacturing approximately 260 counterfeit SEPTA TransPasses for the month of April 2015.

28. On or about March 30, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain the counterfeit SEPTA TransPasses that Cooper had manufactured for the month of April 2015.

29. Between on or about March 30, 2015 and on or about April 7, 2015, defendant KIMBERLY ADAMS sold approximately 260 counterfeit SEPTA TransPasses for the month of April 2015 to customers for approximately \$50 per TransPass.

30. On or about April 28, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper inquiring when the counterfeit SEPTA TransPasses for the month of May 2015 would be ready for ADAMS to sell to their customers.

31. On or about April 28, 2015, Mark Cooper responded to defendant KIMBERLY ADAMS and informed ADAMS that Cooper would have the counterfeit SEPTA TransPasses for

the month of May 2015 ready to be picked up by Thursday, April 30, 2015.

32. On or about April 30, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain the counterfeit SEPTA TransPasses that Cooper had manufactured for the month of May 2015.

33. Also, on or about April 30, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper informing him that their customer J.T. had paid approximately \$850 owed for the counterfeit SEPTA TransPasses for the month of April 2015 that J.T. had previously purchased from ADAMS and Cooper.

34. Between on or about April 30, 2015 and on or about May 7, 2015, defendant KIMBERLY ADAMS sold approximately 258 counterfeit SEPTA TransPasses for the month of May 2015 to customers for approximately \$50 per TransPass.

35. On or about May 27, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper inquiring when Cooper would have the counterfeit SEPTA TransPasses for the month of June 2015 ready for ADAMS to sell to their customers.

36. On or about May 27, 2015, Mark Cooper responded to defendant KIMBERLY ADAMS and stated that Cooper was trying to have the counterfeit SEPTA TransPasses for the month of June 2015 ready to be picked up by Friday, May 29, 2015, but that it might not be until Monday, June 1, 2015.

37. On or about May 29, 2015, Mark Cooper sent a text message to defendant KIMBERLY ADAMS and informed ADAMS that Cooper had completed manufacturing approximately 220 of the counterfeit SEPTA TransPasses for the month of June 2015 and had only thirty more to complete.

38. Also, on or about May 29, 2015, defendant KIMBERLY ADAMS met Mark Cooper to obtain approximately 250 counterfeit SEPTA TransPasses that Cooper had manufactured for the month of June 2015.

39. On or about June 1, 2015, defendant KIMBERLY ADAMS sent a text message to Mark Cooper asking Cooper to manufacture additional counterfeit SEPTA TransPasses for the month of June 2015.

40. Between on or about May 29, 2015 and on or about June 3, 2015, defendant KIMBERLY ADAMS sold approximately 234 counterfeit SEPTA TransPasses for the month of June 2015 to customers for approximately \$50 per TransPass.

41. On or about June 3, 2015, Mark Cooper possessed access device-making equipment, including but not limited to, a MSR605 HiCo Magnetic Card Reader Writer Encoder, as well as numerous counterfeit SEPTA TransPasses for the month of June 2015 in various stages of reproduction.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

At all times material to this Information:

1. Paragraphs 1 through 11, and Overt Act 41, of Count One are realleged here.
2. On or about June 3, 2015, in the Eastern District of Pennsylvania, defendant

KIMBERLY ADAMS

and others known and unknown to the United States Attorney, including Mark Cooper, charged elsewhere, knowingly and with intent to defraud possessed and aided and abetted the possession of device-making equipment, that is, a MSR605 HiCo Magnetic Card Reader Writer Encoder to manufacture counterfeit SEPTA TransPasses, such possession affecting interstate commerce, in that SEPTA is an interstate transportation authority providing rail, trolley, subway and bus services to passengers between the States of Pennsylvania, Delaware and New Jersey.

All in violation of Title 18, United States Code, Sections 1029(a)(4) and 2.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Sections 371 and 1029, set forth in this Information, defendant

KIMBERLY ADAMS


shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations, including but not limited to:

2. If any of the property described above, 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,

the United States of America shall be entitled to forfeiture of substitute property 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 18, United States Code, Sections 982(a)(2)(B), 1029(c)(1)(C) and Title 28, United States Code, Section 2461(c).



ZANE DAVID MEMEGER
UNITED STATES ATTORNEY