

Judge Jenkins  
Magistrate Judge Cole  
RANDOM/CAT 3

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
FEB 26 2024 EW  
THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA	)	<b>Violations:</b> Title 18,
	)	United States Code, Sections
v.	)	1343 (Wire Fraud), 2314 (Interstate
	)	Transfer of Money Taken by Fraud),
EDWARD L. WOOTEN,	)	1956(a)(1)(B)(i) (Money Laundering),
LEE S. ROSE, and	)	and 1001(a)(2) (False Statements)
JOHN L. KRCIL	)	<b>UNDER SEAL</b>

**COUNT ONE**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY charges:

1. At times material to Counts One through Nine of this indictment:

**The Defendants**

a. Defendant EDWARD L. WOOTEN, a resident of the State of Georgia, was the owner and chief executive officer of a purported investment company called "Black Lion Investment Partners Inc." (Black Lion), which was incorporated in the State of Wyoming.

b. Defendant LEE S. ROSE, a resident of the Northern District of Illinois, was an officer or agent of Black Lion. ROSE also held himself out to potential Black Lion investors as an agent or representative of a certain law firm in Chicago (the Law Firm), and as an administrator of a Law Firm escrow account, even though he was never a partner or employee of the Law Firm. ROSE also incorporated an entity in Wyoming, known as "ITN Capital and Development Inc." (ITN Capital), listing the same purported business address as Black Lion, and identifying himself as the company's president.

c. Defendant JOHN L. KRCIL, a resident of the State of Minnesota, was an officer or agent of Black Lion.

#### **The Victim Investors**

- d. Investor 1 was a resident of the State of Idaho.
- e. Investor 2 was a children's charity in the State of Oklahoma.
- f. Investor 3 was a real estate business in the State of Florida.
- g. Investor 4 was a resident of the State of California.
- h. Investor 5 was a resident of the State of California.

#### **The Investment Fraud Scheme**

2. Beginning no later than in or about 2019, and continuing to the present day, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, knowingly devised, intended to devise, and participated with each other and with others in a scheme to defraud and to obtain money from investors, including the victim investors listed above, among others, by means of materially false and fraudulent pretenses, representations, and promises, as described below.

3. It was part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers fraudulently induced people to provide them with money to invest, falsely promising such investors that they could participate in trading programs involving high-yield financial instruments, while their investment funds would be maintained safely on deposit in a bank account, without a risk of loss. WOOTEN, ROSE, and

KRCIL then converted investor funds to the personal use and benefit of themselves and others, without the knowledge and consent of the investors, and failed to return victim investors' funds, thereby causing such investors to lose hundreds of thousands of dollars.

#### **False Representations, Promises, and Acts**

4. It was further part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers made false and fraudulent representations and promises to investors, suggesting that they could earn substantial investment returns by participating in so-called "private placement" trading programs or "platforms" involving "investment grade fixed income securities" of "top-rated" banks or financial institutions, yielding multi-million-dollar investment returns within short periods of time, after which the investors' original investment capital, along with their share of the trading profits, would be paid to them.

5. It was further part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers documented their false and fraudulent representations and promises in trading contracts tendered to interested investors by or on behalf of Black Lion, the purported "Investment Manager." Among the false and fraudulent representations and promises made in the trading contracts were that investor funds would be placed in a "Blocked funds financial enhancement program" (also referred to in the contracts as the "trade platform"), which was "to be issued by Black Lion Investment Partners Inc.," and that investor funds would be returned if the "trade platform fail[ed] to perform" within 60 days from the date of the contract.

6. It was further part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers misled investors into believing that their investment funds would not be placed at risk once they deposited their funds into a certain escrow account maintained at a reputable bank under the name of the Law Firm in Chicago, and that their funds would not be moved from the escrow account until such funds were returned to them. WOOTEN, ROSE, KRCIL, and their co-schemers created and tendered to investors, and caused to be created and tendered to investors, fraudulent escrow agreements and instructions to convince investors that their funds would be held safely in the Law Firm escrow account throughout the duration of the trading program. Contrary to the false representations and promises made to investors, WOOTEN, ROSE, and KRCIL intended to transfer investors' funds out of the escrow account without the investors' knowledge.

7. It was further part of the scheme that ROSE persuaded an elderly partner of the Law Firm to provide him with access to a dormant Law Firm escrow account so that ROSE and his co-schemers could use that account in connection with their investment fraud scheme. ROSE persuaded the Law Firm's elderly partner to add ROSE's name to the escrow account as an authorized signatory, thereby enabling ROSE to conduct transactions on that account during the course of the scheme. After ROSE obtained signatory authority over the escrow account, he took steps to conceal his subsequent transactions from the Law Firm and its partners by (a) removing the elderly partner's son as a co-signer on the escrow account, and (b) directing the bank to stop mailing account statements to the Law Firm.

8. It was further part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers caused and directed investors in different states to transfer their investment funds to the Law Firm escrow account, an account over which ROSE then had control.

9. It was further part of the scheme that ROSE then transferred investor funds from the Law Firm escrow account to other bank accounts controlled by him, by WOOTEN, by KRCIL, and by others, without the investors' knowledge and consent.

10. It was further part of the scheme that WOOTEN, ROSE, and KRCIL converted investor funds to their own personal use and benefit.

11. It was further part of the scheme that, contrary to the representations and promises made to investors, WOOTEN, ROSE, KRCIL, and their co-schemers did not (a) use all investor funds to conduct trades or to otherwise facilitate trades in high-yield bank instruments; (b) pay any trading profits to victim-investors; or (c) return all victim-investors' funds as promised, despite investors' repeated requests for the return of their funds. WOOTEN, ROSE, and KRCIL instead made false promises to return investors' funds and gave excuses as to why their funds could not be returned upon demand, including false claims that the federal government and, in particular, the Department of Homeland Security or the Treasury Department, had delayed the return of investor funds.

12. It was further part of the scheme that WOOTEN and ROSE attempted to mislead Investor 1 into believing that his investment funds were still on deposit in

the Law Firm escrow account. WOOTEN transferred \$175,000 from one of his personal bank accounts to the Law Firm escrow account in order to inflate the escrow account balance and generate a bank record reflecting that inflated balance. ROSE then emailed a copy of that bank record to Investor 1 to lead him to believe that his funds were safely on deposit in the escrow account, when in fact they were not. ROSE subsequently transferred all those funds, and more, from the escrow account to another bank account controlled by him, thereby drawing down the escrow account balance again, without Investor 1's knowledge.

13. It was further part of the scheme that WOOTEN, ROSE, and KRCIL stopped using the Law Firm escrow account after another investor filed a civil lawsuit in federal court seeking to freeze the account and to get back his money. WOOTEN, ROSE, and KRCIL continued their scheme, but they used different bank accounts, including a bank account that ROSE had opened under the name of ITN Capital, to receive incoming transfers of funds from new investors and, instead of asking new investors to sign an "Escrow Agreement and Instructions" associated with the Law Firm escrow account, they began asking new investors to sign a "Paymaster Agreement and Instructions." The paymaster agreements and trading contracts provided to new investors misled them into believing that their investment funds would be safe, and not placed at risk, by falsely stating that their funds would be "held" and "blocked" in the bank account for the duration of the trading program and never moved out of the account until such time when the funds would be returned to the investors.

14. It was further part of the scheme that WOOTEN, ROSE, KRCIL, and their co-schemers concealed, misrepresented, and hid, and caused to be concealed, misrepresented, and hidden, the existence of the scheme, the purposes of the scheme, and the acts committed in furtherance of the scheme, including by lying about the location and disposition of investor funds when questioned by officials of the U.S. Securities and Exchange Commission (SEC) and agents of the Federal Bureau of Investigation (FBI) who were investigating the investment fraud scheme.

15. As a result of the false and fraudulent pretenses, representations, promises, and acts of WOOTEN, ROSE, KRCIL, and their co-schemers, investors suffered losses in an amount totaling at least \$905,000.

#### **Execution of the Scheme**

16. On or about February 28, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

**EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,**

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$285,000, from Investor 1's bank account to the Law Firm escrow account;

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

**COUNT TWO**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about March 11, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$55,000, from Investor 2's bank account to the Law Firm escrow account;

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



**COUNT THREE**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about May 3, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$55,000, from Investor 3 to the Law Firm escrow account, through a third-party bank account;

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

**COUNT FOUR**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about July 2, 2019, in the Northern District of Illinois, Eastern

Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$175,000, from one of WOOTEN's bank accounts to the Law Firm escrow account;

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

**COUNT FIVE**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about July 2, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

**EDWARD L. WOOTEN and**  
**LEE S. ROSE,**

defendants herein, for the purpose of executing the scheme described above, knowingly transmitted, and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an email from ROSE to WOOTEN, in which ROSE confirmed his receipt of the \$175,000 transfer of funds from WOOTEN, both defendants then intending to use that \$175,000 funds-transfer to mislead Investor 1 into believing that his investment funds had been maintained on deposit in the Law Firm escrow account, when in fact Investor 1's funds had not been maintained on deposit in the escrow account;

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

**COUNT SIX**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about July 3, 2019, in the Northern District of Illinois, Eastern

Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, for the purpose of executing the scheme described above, knowingly transmitted, and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an email from ROSE to Investor 1, in which ROSE made false and misleading statements regarding the status of Investor 1's funds in the Law Firm escrow account, falsely stating that "your funds are in escrow," when in fact they were not, and attaching a misleading bank record purporting to show that Investor 1's funds were then on deposit in the escrow account;

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

**COUNT SEVEN**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about August 14, 2019, in the Northern District of Illinois, Eastern

Division, and elsewhere,

LEE S. ROSE,

defendant herein, for the purpose of executing the scheme described above, knowingly transmitted, and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an email from ROSE to Investor 1, in which ROSE made false and misleading statements, including that “[w]e will grant your request” to return “your funds,” when in fact ROSE and his co-schemers had already disposed of Investor 1’s funds and did not intend to return his funds;

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

**COUNT EIGHT**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about November 5, 2020, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$210,000, from Investor 4's bank account to the ITN Capital bank account;

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

**COUNT NINE**  
**(Wire Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 through 15 of Count One are incorporated here.
2. On or about February 4, 2021, in the Northern District of Illinois,

Eastern Division, and elsewhere,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain writings, signs, and signals, namely, an interstate transfer of funds in the amount of \$300,000, from Investor 5's bank account to the ITN Capital bank account;

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

**COUNT TEN**  
**(Interstate Transfer of Money Taken by Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraph 1 of Count One is incorporated here.
2. At times material to Counts Ten through Fourteen of this indictment:
  - a. Investor 6 was an entrepreneur residing in Florida.
  - b. On or about March 18, 2019, Investor 6 transferred \$3,000,000 to the Law Firm escrow account based on false representations and promises that he would receive a \$1.55 million return on a \$3 million investment, payable in fourteen monthly installments, plus tens of thousands of dollars in additional fees payable within a year, while his investment funds would be maintained safely on deposit in the Law Firm escrow account.
3. On or about March 20, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

LEE S. ROSE and  
JOHN L. KRCIL,

defendants herein, knowingly transmitted and transferred in interstate commerce, and caused to be transmitted and transferred in interstate commerce, money in an amount more than \$5,000, more specifically, an interstate transfer of funds in the amount of \$200,000, from the Law Firm escrow account to a bank account maintained by KRCIL under the name of a shell company called "Game Time Sports LLC," knowing that such funds had been converted and taken by fraud;

In violation of Title 18, United States Code, Section 2314.



**COUNT ELEVEN**  
**(Interstate Transfer of Money Taken by Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about March 21, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, knowingly transmitted and transferred in interstate commerce, and caused to be transmitted and transferred in interstate commerce, money in an amount more than \$5,000, more specifically, an interstate transfer of funds in the amount of \$825,000, from the Law Firm escrow account to a personal bank account of WOOTEN, knowing that such funds had been converted and taken by fraud;

In violation of Title 18, United States Code, Section 2314.

**COUNT TWELVE**  
**(Interstate Transfer of Money Taken by Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about March 22, 2019, in the Northern District of Illinois, Eastern

Division, and elsewhere,

LEE S. ROSE,

defendant herein, knowingly transmitted and transferred in interstate commerce, and caused to be transmitted and transferred in interstate commerce, money in an amount more than \$5,000, more specifically, an interstate transfer of funds in the amount of \$175,000, from the Law Firm escrow account to a personal bank account of ROSE, knowing that such funds had been converted and taken by fraud;

In violation of Title 18, United States Code, Section 2314.

**COUNT THIRTEEN**  
**(Interstate Transfer of Money Taken by Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about April 9, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, knowingly transmitted and transferred in interstate commerce, and caused to be transmitted and transferred in interstate commerce, money in an amount more than \$5,000, more specifically, an interstate transfer of funds in the amount of \$500,000, from the Law Firm escrow account to a personal bank account of WOOTEN, knowing that such funds had been converted and taken by fraud;

In violation of Title 18, United States Code, Section 2314.

**COUNT FOURTEEN**  
**(Interstate Transfer of Money Taken by Fraud)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about April 26, 2019, in the Northern District of Illinois, Eastern

Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, knowingly transmitted and transferred in interstate commerce, and caused to be transmitted and transferred in interstate commerce, money in an amount more than \$5,000, more specifically, an interstate transfer of funds in the amount of \$55,000, from the Law Firm escrow account to a personal bank account of WOOTEN, knowing that such funds had been converted and taken by fraud;

In violation of Title 18, United States Code, Section 2314.

**COUNT FIFTEEN**  
**(Money Laundering)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraph 1 of Count One is incorporated here.
2. On or about July 2, 2019, in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN and  
LEE S. ROSE,

defendants herein, knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, conducted and attempted to conduct such a financial transaction, namely, an interstate transfer of funds in the amount of \$175,000, from one of WOOTEN's bank accounts to the Law Firm escrow account, which financial transaction in fact involved the proceeds of specified unlawful activity, namely, wire fraud, in violation of Title 18, United States Code, Section 1343, defendants WOOTEN and ROSE then knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

**COUNT SIXTEEN**  
**(False Statements)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about November 13, 2019, in the Northern District of Illinois,

Eastern Division,

LEE S. ROSE,

defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the judicial branch of the Government of the United States. More specifically, during a hearing conducted by a judge of the United States District Court for the Northern District of Illinois, ROSE made the following false and fraudulent statements and representations to the judge:

- a. Investor 6's funds were then located in the Law Firm escrow account, or another account at the same bank, and such funds "[we]re not at risk";
- b. an account under the name of the Law Firm's elderly partner then had a balance of \$99 billion "[o]n hold";
- c. as of November 12, 2019, there was \$99.9 billion in the Law Firm escrow account "frozen completely"; and
- d. a certain document that ROSE tendered to the judge in the courtroom was a true and correct representation of a bank record that ROSE had obtained from the bank's internet website;

when in fact, as ROSE then knew, the above statements were false and fraudulent because the document that he tendered to the judge was fabricated to falsely reflect an available balance of more than \$99.9 billion in the Law Firm escrow account, in an account under the name of the Law Firm's elderly partner at the same bank, and in another account under the name of Black Lion at that bank; none of those bank accounts actually contained enough money to fully refund Investor 6's investment funds, as ROSE attempted to lead the judge to believe; and Investor 6's funds already been transferred out of the Law Firm escrow account and placed at risk, contrary to ROSE's representations to the judge;

In violation of Title 18, United States Code, Section 1001(a)(2).

**COUNT SEVENTEEN**  
**(False Statements)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about October 28, 2020, in the Northern District of Illinois,

Eastern Division, and elsewhere,

LEE S. ROSE,

defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the Government of the United States. More specifically, in an interview by FBI Special Agents, ROSE made the following false and fraudulent statements and representations to the FBI agents:

- a. Investor 6's investment funds had not been misappropriated;
- b. Investor 6's funds would be returned; and
- c. each and every investor had their money tied up in federal court;

when in fact, as ROSE then knew, the above statements were false and fraudulent in that he and his co-schemers already had disposed of investor funds before he made the above false statements to the FBI agents, and he had no current ability to return such funds to investors;

In violation of Title 18, United States Code, Section 1001(a)(2).



**COUNT EIGHTEEN**  
**(False Statements)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about March 25, 2021, in the Northern District of Illinois, Eastern Division, and elsewhere,

LEE S. ROSE,

defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the U.S. Securities and Exchange Commission, an independent agency of the executive branch of the Government of the United States. More specifically, in sworn testimony before SEC officials, ROSE falsely stated that:

- a. he transferred \$175,000 of Investor 6's funds from the Law Firm escrow account to fund "humanitarian projects";
- b. Investor 6's funds were being temporarily "held" by Black Lion;
- c. Investor 1's funds also were still available and being temporarily held by Black Lion; and
- d. "We" (meaning ROSE and Black Lion) "wanted" to return Investor 1's funds and had "tried" to return Investor 1's funds "on several occasions"; when in fact, as ROSE then knew, the above statements were false and fraudulent in that he and his co-schemers already had disposed of investor funds, including by using investor funds to pay personal expenses of ROSE and his co-schemers, well

before he made the above false statements to the SEC, and he had no current ability to return such funds to investors;

In violation of Title 18, United States Code, Section 1001(a)(2).

**COUNT NINETEEN**  
**(False Statements)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about January 8, 2024, at approximately 11:35 a.m., in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,

defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the Government of the United States. More specifically, in a telephone conversation with FBI Special Agents on January 8, 2024, WOOTEN falsely stated that:

- a. he wanted to return investor funds, but there was no way to do so;
- b. he did not use investor funds to make payments on his home and vehicles, or otherwise spend investor funds on himself;
- c. investor funds were “safe and secure” in an overseas account; and
- d. he had been trying to return investor funds since 2019;

when in fact, as WOOTEN then knew, the above statements were false and fraudulent in that he and his co-schemers already had disposed of investor funds, including by using investor funds to pay for, among other things, WOOTEN's purchase of multiple vehicles and a home in Georgia, years before he made the above

false statements to the FBI agents, and he had no current ability to repay all of the investors' funds;

In violation of Title 18, United States Code, Section 1001(a)(2).

**COUNT TWENTY**  
**(False Statements)**

The SPECIAL NOVEMBER 2023 GRAND JURY further charges:

1. Paragraphs 1 and 2 of Count Ten are incorporated here.
2. On or about January 8, 2024, at approximately 3:00 p.m., in the Northern District of Illinois, Eastern Division, and elsewhere,

EDWARD L. WOOTEN,

defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the Government of the United States. More specifically, in a second telephone conversation with FBI Special Agents on January 8, 2024, WOOTEN reiterated his prior false statements that he was ready, willing, and able to return investor funds and that they (investors) had prevented him from doing so, stating that:

a. “They gotta deal with y’all [meaning the FBI]. Once we turn it over [meaning investor funds] to y’all, they got to deal with you. And that’s how we’re gonna deal with it”;

b. “We’re gonna, one way or the other, the money is getting to the federal escrow attorney. Okay? One way or the other”;

c. “All they had to do was give us a bank account and this would have been over with”; and

d. “...they’re going through all this trouble to try to keep us from giving y’all the money”;

when in fact, as WOOTEN then knew, the above statements were false and fraudulent in that he and his co-schemers already had disposed of investor funds years before he made the above false statements to the FBI agents, and he had no current ability to repatriate such funds to investors or the government;

In violation of Title 18, United States Code, Section 1001(a)(2).

**FORFEITURE ALLEGATION ONE**  
**(Proceeds of Violations of Section 1343)**

The SPECIAL NOVEMBER 2023 GRAND JURY alleges:

1. The allegations in Counts One through Nine are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. As a result of their violations of Title 18, United States Code, Section 1343, as alleged in Counts One through Nine,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all right, title, and interest they may have in any property, real and personal, which constitutes and was derived from proceeds traceable to such violations.

3. The interests of WOOTEN, ROSE, and KRCIL subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), include the sum of \$905,000.

4. If any of the forfeitable property described above, as a result of any act or omission by WOOTEN, ROSE, and KRCIL:

- 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 shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c);

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



**FORFEITURE ALLEGATION TWO**  
**(Proceeds of Violations of Section 2314)**

The SPECIAL NOVEMBER 2023 GRAND JURY further alleges:

1. The allegations in Counts Ten through Fourteen are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. As a result of their violations of Title 18, United States Code, Section 2314, as alleged in Counts Ten through Fourteen,

EDWARD L. WOOTEN,  
LEE S. ROSE, and  
JOHN L. KRCIL,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all right, title, and interest they may have in any property, real and personal, which constitutes and was derived from proceeds traceable to such violations.

3. The interests of WOOTEN, ROSE, and KRCIL subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), include the following:

- a. with regard to WOOTEN:
  - i. the sum of \$1,380,000; and
  - ii. the property at 1729 Tucker Road, Macon, Georgia.
- b. with regard to ROSE, the sum of \$175,000; and
- c. with regard to KRCIL, the sum of \$200,000.

4. If any of the forfeitable property described above, as a result of any act or omission by WOOTEN, ROSE, and KRCIL:

- 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 shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c);

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

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
Signed by Jason Yonan on behalf of the  
ACTING UNITED STATES ATTORNEY