

24 MAG 612

SEALED COMPLAINT

Violations of 18 U.S.C. §§ 2, 1028A,
1344, and 1349

COUNTY OF OFFENSE:
NEW YORK

UNITED STATES OF AMERICA

v.

FEDERICO HERNANDEZ GAMBOA,

Defendant.

SOUTHERN DISTRICT OF NEW YORK, ss.:

JARED EANNUCCI, being duly sworn, deposes and says that he is a Special Agent with the United States Attorney's Office for the Southern District of New York, and charges as follows:

COUNT ONE

(Conspiracy to Commit Wire Fraud)

1. From at least in or about August 2020, through at least in or about May 2023, in the Southern District of New York and elsewhere, FEDERICO HERNANDEZ GAMBOA, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that FEDERICO HERNANDEZ GAMBOA, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate or foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, GAMBOA agreed to make and cause to be made false statements to victims about fictitious sweepstakes lottery winnings to induce the victims to send funds to GAMBOA and others known and unknown, and caused others to send and receive, emails and other electronic communications, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Conspiracy to Commit Bank Fraud)

3. From at least in or about October 2020, through at least in or about September 2022, in the Southern District of New York and elsewhere, FEDERICO HERNANDEZ GAMBOA, the defendant, and others known and unknown, willfully and knowingly combined, conspired,

confederated, and agreed together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

4. It was a part and an object of the conspiracy that FEDERICO HERNANDEZ GAMBOA, the defendant, and others known and unknown, knowingly would and did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, as that term is defined in Title 18, United States Code, Section 20, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such a financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344, to wit, GAMBOA agreed to make and cause to be made false statements to financial institutions, including by submitting and aiding and abetting the submission of forged and altered documents, in order to obtain funds under the custody and control of those financial institutions.

(Title 18, United States Code, Section 1349.)

COUNT THREE
(Bank Fraud)

5. From at least in or about October 2020, through at least in or about September 2022, in the Southern District of New York and elsewhere, FEDERICO HERNANDEZ GAMBOA, the defendant, knowingly executed, and attempted to execute, a scheme and artifice to defraud a financial institution, as that term is defined in Title 18, United States Code, Section 20, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such a financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, GAMBOA engaged in a scheme to make false statements to financial institutions, including by submitting and aiding and abetting the submission of forged and altered documents, in order to obtain funds under the custody and control of those financial institutions.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT FOUR
(Aggravated Identity Theft)

6. From at least in or about August 2021, through at least in or about May 2023, in the Southern District of New York and elsewhere, FEDERICO HERNANDEZ GAMBOA, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, GAMBOA possessed and used, and aided and abetted the possession and use of the names and personally identifiable information of other persons during and in relation to the bank and wire fraud violations charged in Counts One, Two, and Three of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

7. I am a Special Agent with the United States Attorney's Office for the Southern District of New York. I have been personally involved in the investigation of this matter. This affidavit is based upon my investigation, my conversations with law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview of the Sweepstakes Lottery Fraud Scheme

8. As set forth below, there is probable cause to believe that FEDERICO HERNANDEZ GAMBOA, the defendant, participated in a conspiracy to induce elderly victims to send wire transfers to bank accounts that were purportedly controlled by operators of a sweepstakes lottery (the "Sweepstakes Lottery"), but were in fact controlled by GAMBOA and other co-conspirators. In connection with the Sweepstakes Lottery scheme (the "Fraud Scheme"), four victims ("Victims 1-4") collectively sent approximately \$4.3 million in fraud proceeds to bank accounts that were controlled by GAMBOA or GAMBOA's co-conspirators, approximately \$664,000 of which were sent directly to bank accounts that were controlled by GAMBOA.

9. As part of the Fraud Scheme, FEDERICO HERNANDEZ GAMBOA, the defendant, and others, induced at least four victims to send wire transfers to "FABUCredit Corp.," a company for which GAMBOA is the owner, president, manager, and chief operating officer. GAMBOA controls the bank accounts associated with FABUCredit Corp. FABUCredit Corp. once maintained a website that reported that it was a luxury jewelry company and subsequently claimed to be a vendor for healthcare services. Currently, FABUCredit Corp. maintains no online presence and does not appear to engage in any legitimate business dealings.

Victim-1

10. As set forth below, from in or about August 2021, up to and including in or about September 2022, Victim-1, who is 67 years old, was induced to send approximately \$465,000 to bank accounts purportedly controlled by operators of the Sweepstakes Lottery, at least approximately \$265,000 of which Victim-1 sent to FABUCredit Corp. bank accounts that were controlled by FEDERICO HERNANDEZ GAMBOA, the defendant.

11. Based on my participation in at least five interviews of Victim-1 that took place from on or about November 20, 2022, through on or about October 12, 2023, my review of records and information provided by Victim-1, as well as my review of law enforcement records, I have learned the following:

a. In or about August 2021, Victim-1 received a phone call from an individual who identified herself as an employee of "National Awards & Promotions" (the "NAP Impersonator"). The NAP Impersonator informed Victim-1 that Victim-1 had won an approximately \$750,000 second-place prize in the Sweepstakes Lottery. The NAP Impersonator subsequently informed Victim-1 that the first-place prize winner defaulted, and that Victim-1

would also receive the first-place prize of approximately \$1,200,000 for a total of approximately \$1,950,000.

b. A short time later, Victim-1 received a phone call from an individual who identified himself as an employee of the United States Department of the Treasury and United States Department of Commerce (the “Department of Commerce Impersonator”). The Department of Commerce Impersonator informed Victim-1 that he was tasked with organizing the paperwork related to Victim-1’s sweepstakes winnings.

c. On or about March 22, 2022, the Department of Commerce Impersonator emailed Victim-1 informing Victim-1 that Victim-1 needed to wire approximately \$7,650 to the United States Department of Commerce for “identification bond and transportation insurance fees” associated with Victim-1’s sweepstakes winnings. The Department of Commerce Impersonator provided Victim-1 with the account details associated with a particular bank account (“Bank Account-1”).

d. Later that same day, on or about March 22, 2022, Victim-1 followed the Department of Commerce Impersonator’s directions and initiated a wire transfer in the amount of approximately \$7,650 to Bank Account-1.

e. Based on my review of bank records, on or about March 23, 2022, approximately \$4,455—over half of the money that Victim-1 wired to Bank Account-1—was wired from Bank Account-1 to a bank account in Costa Rica with a false wire memorandum that read “Invoice payment for a physical good purchased.”

f. From in or about March 29, 2022, through in or about May 9, 2022, Victim-1 made three additional wire transfers to Bank Account-1, totaling approximately \$124,519.47. Each of these wire transfers were made at the direction of the Department of Commerce Impersonator, who told Victim-1 that the payments were necessary fees associated with Victim-1’s sweepstakes winnings.

g. Immediately after Victim-1 wired to Bank Account-1 each of the three above mentioned wire transfers, *see supra* ¶ 11(f), a portion of that money was wired from Bank Account-1 to a bank account in Costa Rica. The memoranda on the wires falsely represented that the wire transfers were for “Invoice payment for a physical good purchased” or “Office Expenses.”

h. In or about July 2022, Victim-1 received an email (the “July 2022 Email”) from an individual who identified himself as the Deputy Director of the Financial Crimes Enforcement Network (the “FinCEN Impersonator”).

i. The July 2022 Email included two attachments (“Attachment 1” and “Attachment 2”): (i) Attachment 1 was a fraudulent invoice in the amount of \$265,785 for taxes associated with Victim-1’s sweepstakes winnings with “FABUCredit Corp[.]” written on the letterhead, and (ii) Attachment 2 was a FABUCredit Corp. “Account Statement” detailing the four payments that Victim-1 made to Bank Account-1 along with a pending payment to be made as detailed in the fraudulent invoice in Attachment 1. Attachment 2 listed “Accurate Finance Group[;] a Division of FABUCredit Corp[.]” on the letterhead.

ii. In the July 2022 Email, the FinCEN Impersonator provided Victim-1 with the banking information associated with FABUCredit Corp. (“FABUCredit Bank Account-1”) at a particular bank, (“Bank-1”),¹ and directed Victim-1 to wire the pending \$265,785 payment to FABUCredit Bank Account-1.

i. On or about July 13, 2022, Victim-1 followed the FinCEN Impersonator’s instructions and initiated a wire transfer for approximately \$265,785 to FABUCredit Corp. at FABUCredit Bank Account-1. For the reasons set forth below, I believe that FEDERICO HERNANDEZ GAMBOA, the defendant, used bank accounts in the name of FABUCredit Corp.—including FABUCredit Bank Account-1—in furtherance of the Fraud Scheme:

i. On or about March 10, 2023, a Magistrate Judge sitting in this District authorized a search warrant (the “Warrant”) for the iCloud account used by GAMBOA (“GAMBOA’s iCloud Account”).²

ii. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA’s iCloud Account contained spreadsheets showing a breakdown of Victim-1’s \$265,785 wire transfer, including the transfer of some of those funds into accounts for other entities that are owned by GAMBOA. As noted above, Victim-1 sent the \$265,785 wire transfer to a FABUCredit Corp. account at FABUCredit Bank Account-1.

iii. Based on my review of records received from Bank-1, and publicly available information from the Florida Department of State, I know that the account opening documents associated with FABUCredit Bank Account-1 list GAMBOA’s name, telephone number, email address, and mailing address.

iv. Based on my review of publicly available Florida state records, I know that GAMBOA is listed as the president of FABUCredit Corp.

v. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA’s iCloud Account contained a photograph of a check made out to FABUCredit Corp.

j. Also on or about July 13, 2022, three wire transfers totaling approximately \$250,000 were sent from FABUCredit Corp. to three separate bank accounts in Costa Rica.

k. In or about September 2022, Victim-1 received a phone call from an individual who identified himself as the Chief of the Criminal Division of the United States Attorney’s Office for the Southern District of New York (the “SDNY Impersonator”). The SDNY

¹ From my review of publicly available materials, as well as my training and experience, I know that, at all relevant times, the deposits of Banks 1-5, discussed herein, were insured by the Federal Deposit Insurance Corporation (“FDIC”).

² The phone number associated with FABUCredit Bank Accounts 1-3, discussed herein, is the same phone number associated with GAMBOA’s iCloud Account, which is subscribed to in the name “Federico Hernandez.” Moreover, the address associated with GAMBOA’s iCloud Account is the same address listed in Florida state records for FABUCredit Corp.

Impersonator told Victim-1 that he was investigating the Sweepstakes Lottery and informed Victim-1 that there were outstanding taxes associated with Victim-1's winnings that needed to be paid immediately.

l. On or about September 29, 2022, Victim-1 received an email in which the SDNY Impersonator provided Victim-1 with the account details associated with a particular bank account ("Bank Account-2"), where the pending payment in the amount of \$68,931.16 should be sent.

m. On or about September 29, 2022, Victim-1 followed the SDNY Impersonator's instructions and initiated a wire for \$68,931.16 to Bank Account-2.

n. That same day, three wire transfers totaling \$63,950 were sent from Bank Account-2 to three separate bank accounts in Costa Rica.

o. On or about November 17, 2022, Victim-1 received an email from the FinCEN Impersonator requesting an additional \$92,355 for taxes and fees associated with Victim-1's sweepstakes winnings. Attached to the email was an account statement showing Victim-1's prior wire transfers to Bank Account-1 and FABUCredit Bank Account-1. The letterhead on the invoice read, "FABUCredit Corp[.:] Accurate Finance Group[;] a division of Raddhaus LLC." In the email to Victim-1, the FinCEN Impersonator provided Victim-1 with the account details associated with a particular bank account ("Bank Account-3"), where the pending payment should be sent. Victim-1 did not make the requested payment.

p. On or about January 17, 2023, Victim-1 received an email from the Department of Commerce Impersonator requesting an additional \$25,598.63 for taxes associated with Victim-1's sweepstakes winnings. In the email to Victim-1, the Department of Commerce Impersonator provided Victim-1 with the account details associated with a particular bank account ("Bank Account-4"), where the pending payment should be sent. The Department of Commerce Impersonator also provided Victim-1 a copy of a forged Department of Commerce identification card, which misspelled the words "Washington" and "Financial." Victim-1 did not make the requested payment.

q. On or about February 13, 2023, Victim-1 received a phone call from an individual who identified himself as the "Lead Attorney/Special Agent" with the "United States Attorney's Office – Western District of Virginia and Texas" (the "WDVA/WDTX Impersonator"). The WDVA/WDTX Impersonator informed Victim-1 that the SDNY Impersonator had turned over Victim-1's case to him. Also on or about February 13, 2023, Victim-1 received an email from the WDVA/WDTX Impersonator which contained the United States Department of Justice seal.

Victim-2

12. As set forth below, from in or about August 2022, up to and including in or about September 2022, Victim-2, who is 72 years old, was induced to send approximately \$73,800 to bank accounts purportedly controlled by operators of the Sweepstakes Lottery, nearly all of which Victim-2 sent to FABUCredit Corp. bank accounts that were controlled by FEDERICO HERNANDEZ GAMBOA, the defendant.

13. Based on my participation in at least three interviews of Victim-2 that took place from on or about November 10, 2022, through on or about August 28, 2023, my review of records and information provided by Victim-2, as well as my review of law enforcement records, I have learned the following:

a. In or about August or September 2022, Victim-2 received a phone call from an individual who identified herself as an employee of the “Consumer Protection Agency,” (the “CPA Impersonator”), and an individual who identified herself as an employee of the “Give-A-Way Sweepstakes” (the “GAW Sweepstakes Impersonator”). During the phone call, the CPA and GAW Sweepstakes Impersonators informed Victim-2 that Victim-2 won an approximately \$750,000 prize in the Sweepstakes Lottery. The CPA and GAW Sweepstakes Impersonators instructed Victim-2 to mail a check for approximately \$1,800 to a particular name and mailing address in Texas in order to have a federal bonded trustee issue an insurance policy for the transaction.

b. On or about September 1, 2022, Victim-2 followed the instructions and mailed a check in the amount of approximately \$1,800 to the address that the CPA and GAW Sweepstakes Impersonators had provided.

c. A short time later, Victim-2 received a phone call from an individual who identified himself as an employee of a particular bank (“Bank-2”), (the “Bank-2 Impersonator”). The Bank-2 Impersonator informed Victim-2 that Victim-2 needed to wire \$28,000 to cover the “State Entry Fee” for the “State of Nevada Gaming Commission.” The Bank-2 Impersonator provided Victim-2 with account details for FABUCredit Bank Account-1, the banking information associated with FABUCredit Corp. However, when Victim-2 attempted to wire the money to FABUCredit Bank Account-1, bank personnel from Bank-1 rejected the transaction. Bank personnel told Victim-2 that the transaction was rejected due to suspicious activity in FABUCredit Bank Account-1, namely, the high volume of money moving in and out of FABUCredit Bank Account-1. Victim-2 relayed that information to the Bank-2 Impersonator, who then instructed Victim-2 to mail a check to FABUCredit Corp. at its business address in Miami, Florida (the “Florida Address”).

d. On or about September 7, 2022, Victim-2 complied with the instructions and mailed a check to FABUCredit Corp. for approximately \$28,000 to the Florida Address. This check was ultimately deposited into a bank account for FABUCredit Corp. (“FABUCredit Bank Account-2”) at a particular bank, (“Bank-3”).

e. Based on my review of records provided by Bank-3, I know that the following day, on or about September 8, 2022, approximately \$28,000, plus an additional \$2,000,

was transferred out of FABUCredit Bank Account-2 into another bank account, and then into a cryptocurrency wallet.

i. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA's iCloud Account contained an email dated October 29, 2022 from Bank-3 that was addressed to FEDERICO HERNANDEZ GAMBOA, the defendant, regarding FABUCredit Bank Account-2.

f. Shortly after Victim-2 mailed a check for approximately \$28,000 to FABUCredit Corp. at the Florida Address, the GAW Sweepstakes and Bank-2 Impersonators contacted Victim-2 and instructed Victim-2 to mail another check for approximately \$44,000 to FABUCredit Corp. at the Florida Address for additional fees.

g. On or about September 16, 2022, Victim-2 mailed a check made out to FABUCredit Corp. for approximately \$44,000 to the Florida Address. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA's iCloud Account contained a photograph of this check.

h. Based on my interviews of Victim-2, I know that shortly after Victim-2 mailed a check for approximately \$44,000, Victim-2 began to suspect that Victim-2 was a victim of fraud and contacted Victim-2's bank to stop the payment. Personnel from Victim-2's bank informed Victim-2 that personnel from Bank-1 claimed that a contract was submitted between Victim-2 and FABUCredit Corp. to substantiate Victim-2's \$44,000 check to FABUCredit Corp. that was to be deposited into FABUCredit Bank Account-1. Victim-2 informed me that Victim-2 never signed any type of contract with FABUCredit Corp. As set forth below, it appears that GAMBOA submitted or assisted in the submission of this fraudulent contract to Bank-1:

i. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA's iCloud Account contained a photograph of the online banking profile for FABUCredit Bank Account-1 reflecting a \$44,000 hold in or about September 2022.

ii. GAMBOA's iCloud Account also contained a purported "Loan Agreement" between Victim-2 and FABUCredit Corp. dated April 15, 2022 ("Loan Agreement-1"), which, for the reasons noted below, I believe to be fraudulent. The notary public stamp on Loan Agreement-1 is from Florida and dated May 22, 2018—approximately four years prior to the date of Loan Agreement-1. The notary public stamp also appears to be identical to the May 22, 2018 notary public stamp on a Power of Attorney document, possessed by GAMBOA's lawyers, between FABUCredit Corp. and another victim ("Victim-4"), discussed below, *see infra* ¶ 17(e). Based on my review of travel records for GAMBOA, I know that GAMBOA was not in the United States on or about April 15, 2022, or on or about May 22, 2018 (i.e., on the dates that these two agreements were purportedly executed).

1. Loan Agreement-1 purports to contain the initials and signature of Victim-2. However, when shown Loan Agreement-1, Victim-2 confirmed that Victim-2 had never seen Loan Agreement-1 before and never signed or initialed it.

2. Based on my review of documents provided by Bank-1, I know that Bank-1 obtained Loan Agreement-1 from members of the Fraud Scheme, which was submitted to Bank-1 to substantiate the \$44,000 check deposit from Victim-2.

i. Based on my review of records provided by Bank-1, I know that on or about September 20, 2022, Victim-2's check in the approximate amount of \$44,000 was deposited into FABUCredit Bank Account-1 at Bank-1, and that on or about September 23, 2022, approximately \$43,000 was transferred out of FABUCredit Bank Account-1 into another bank account, and then into a cryptocurrency wallet.

i. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA's iCloud Account contained a photograph of Victim-2's \$44,000 check to FABUCredit Corp., and a photograph of a deposit ticket from FABUCredit Bank Account-1 dated September 22, 2022, in the amount of \$44,000. GAMBOA's iCloud Account also contained a contacts list that includes Victim-2's name and a phone number that is linked to Victim-2 based on publicly available information but which Victim-2 confirmed has never been associated with Victim-2.

Victim-3

14. As set forth below, from in or about July 2022, up to and including in or about May 2023, Victim-3, who is 66 years old, was induced to send approximately \$3,600,000 to bank accounts purportedly controlled by operators of the Sweepstakes Lottery, at least approximately \$77,600 of which Victim-3 sent to FABUCredit Corp. bank accounts that were controlled by FEDERICO HERNANDEZ GAMBOA, the defendant.

15. Based on my participation in at least two interviews of Victim-3 that took place from on or about June 30, 2023, through on or about August 28, 2023, my review of records and information provided by Victim-3, as well as my review of law enforcement records, I have learned the following:

a. In or about July 2022, Victim-3 received a phone call from the GAW Sweepstakes Impersonator who informed Victim-3 that Victim-3 had won an approximately \$8,000,000 prize in the Sweepstakes Lottery.

b. From in or about July 2022, through in or about December 2022, the GAW Sweepstakes Impersonator and other individuals that purported to work for the Sweepstakes Lottery, induced Victim-3 to send wires totaling approximately \$3,600,000 for purported taxes and fees associated with Victim-3's lottery winnings.

c. For example, on or about July 15, 2021 and July 21, 2021, Victim-3 sent two wire transfers totalling approximately \$77,600 to FABUCredit Bank Account-2, the bank account for FABUCredit Corp. at Bank-3. Based on my participation in this investigation, my review of publicly available documents, and my review of documents from Bank-3, I know that both wire transfers were interstate wire transfers and passed through a bank with an address in New York, New York.

d. In or about May 2023, at the direction of the GAW Sweepstakes Impersonator, Victim-3 emailed a copy of Victim-3's driver's license to an email address provided by the GAW Sweepstakes Impersonator.

i. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA's iCloud Account contained at least four photographs of driver's licenses that contain Victim-3's personal identifying information, but that contain photographs of four different individuals, none of which depict Victim-3. GAMBOA's iCloud Account also contained photographs of a U.S. passport and Massachusetts identification card that contain Victim-3's photograph and personal identifying information.

ii. GAMBOA's iCloud Account also contained screenshots of a text message conversation that included wire transfer information for one of the wire transfers that Victim-3 sent.

iii. GAMBOA's iCloud Account also contained a document depicting a wire transfer that Victim-3 sent to a co-conspirator in the Fraud Scheme. The document depicts Victim-3's outgoing wire transfer into a particular bank ("Bank-4").

Victim-4

16. As set forth below, from in or about October 2020, up to and including in or about November 2021, Victim-4, who passed away on or about August 19, 2022 at the age of 102, was induced to send approximately \$250,000 to FABUCredit Corp. bank accounts that were controlled by FEDERICO HERNANDEZ GAMBOA, the defendant.

17. Based on my participation in at least three interviews of a relative of Victim-4 (the "Nephew") that took place from on or about June 29, 2023, through on or about October 13, 2023, my review of records and information provided by the Nephew, as well as my review of law enforcement records, I have learned the following:

a. In or about the spring or summer of 2020, Victim-4 was contacted by an individual who identified himself as an employee of the United States Department of the Treasury (the "Department of the Treasury Impersonator"). The Department of the Treasury Impersonator told Victim-4 that Victim-4 won approximately \$11,000,000 from the Sweepstakes Lottery and was entitled to an additional \$2,700,000 from "State Bridge Insurance." The Department of the Treasury Impersonator sent Victim-4 a document that purported to be a contract in which Victim-4 was to receive \$11,000,000 from the Sweepstakes Lottery and \$2,700,000 from State Bridge Insurance, in exchange for paying approximately \$20,000 for an "indemnity bond" for finalization of payment proceeds from the Sweepstakes Lottery. Thereafter, at the direction of the Department of the Treasury Impersonator, Victim-4 sent a cashier's check dated August 14, 2020, in the amount of \$250,000 to a FABUCredit Corp. bank account, ("FABUCredit Bank Account-3") at a particular bank ("Bank-5").

b. On or about August 15, 2020, Victim-4's check was deposited into FABUCredit Bank Account-3 at Bank-5. By on or about August 26, 2020, the money was withdrawn via seven separate wire transfers.

c. In or about the fall of 2021, the real and legitimate United States Department of the Treasury opened an investigation into the Fraud Scheme and contacted Victim-4. On or about November 19, 2021, Victim-4 emailed a Special Agent with the Department of the Treasury and informed him that the Department of the Treasury Impersonator asked Victim-4 to loan approximately \$250,000 to FABUCredit Corp. for “expansion purposes.”

d. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA’s iCloud Account contained a photograph of a cashier’s check dated August 14, 2020, from Victim-4 in the amount of approximately \$250,000 made out to FABUCredit Corp. GAMBOA’s iCloud Account also contained a loan agreement dated June 2, 2021, between FABUCredit Corp. and Victim-4 for a loan in the amount of approximately \$250,000 (“Loan Agreement-2”).

i. On or about October 13, 2023, when I showed the Nephew Loan Agreement-2, the Nephew informed me that Loan Agreement-2 did not look familiar to him.

e. Based on my review of documents I obtained from the Nephew, I know that on or about January 16, 2021, the Nephew sent the then-lawyers of FEDERICO HERNANDEZ GAMBOA, the defendant, a legitimate Power of Attorney document that Victim-4 signed on or about July 31, 2017. The notary stamp on the Power of Attorney document is dated May 22, 2018 and is identical to the notary stamp on Loan Agreement-1, which is dated April 15, 2022—approximately four years after the date of the notary stamp.

f. Based on my interviews of the Nephew, I know that in or about October 2020, Victim-4 and the Nephew informed Victim-4’s bank that the \$250,000 cashier’s check was sent to FABUCredit Corp. under fraudulent pretenses. As a result, Bank-5 froze FABUCredit Bank Account-3.

g. Based on my review of data obtained pursuant to the Warrant, I know that GAMBOA’s iCloud Account contained emails between GAMBOA and bank personnel at Bank-5 dated October 26, 2020, in which GAMBOA describes Victim-4 as an investor that he met through his attorneys.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of FEDERICO HERNANDEZ GAMBOA, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

s/ Jared Eannucci by the Court with permission

JARED EANNUCCI
Special Agent
United States Attorney's Office for the
Southern District of New York

Sworn to before me on
February 9, 2024 by reliable electronic means,
Pursuant to Federal Rule of Criminal Procedure 4.1



THE HONORABLE BARBARA MOSES
United States Magistrate Judge
Southern District of New York