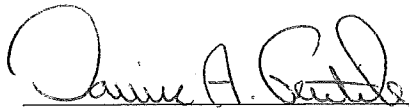


18 MAG 2236

Approved:



DOMINIC A. GENTILE

Assistant United States Attorney

Before: HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

- - - - - X
UNITED STATES OF AMERICA : SEALED COMPLAINT
- v. - : Violations of 18 U.S.C.
IGOR GOLDSHTEYN, : §§ 666(a)(1)(A), 1343,
Defendant. : and 2
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ALEKSANDRO TILKA, being duly sworn, deposes and says that he is a Special Investigator with the New York City Department of Investigation ("DOI"), and charges as follows:

COUNT ONE

(Theft of Federal Funds)

1. From in or about August 2015 up to in or about December 2017, in the Southern District of New York and elsewhere, IGOR GOLDSHTEYN, the defendant, being an agent of a State and local government, and an agency thereof, willfully, and knowingly, did embezzle, steal, obtain by fraud and otherwise without authority, knowingly convert to the use of a person other than the rightful owner and did intentionally misapply property valued at \$5,000 and more and owned by and under the care, custody, and control of such organization, government and agency, and that such organization, government and agency received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance and other form of Federal assistance, to wit, GOLDSHTEYN, converted property belonging to the New York City Fire Department ("FDNY") to his own use and benefit.

(Title 18, United States Code, Section 666(a)(1)(A) and 2.)

COUNT TWO
(Wire Fraud)

2. From in or about the August 2015 up to in or about December 2017, in the Southern District of New York and elsewhere, IGOR GOLDSHTEYN, the defendant, did knowingly and intentionally devise a scheme and artifice to defraud the FDNY, and to obtain money and property from the FDNY by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, did transmit and cause to be transmitted writings, signs, signals, pictures and sounds by means of wire communication in interstate commerce, to wit, GOLDSHTEYN caused the transmission of interstate wire communications relating to the transfer of property and funds belonging to the FDNY.

(Title 18, United States Code, Sections 1343 and 2.)

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

3. I am a Special Investigator with the DOI and have been so employed for approximately one and one half years. I am assigned to a DOI squad charged with enforcing state and federal laws prohibiting the misappropriation and misuse of property owned by and under the care, custody, and control of the City of New York. As such, I have worked on numerous investigations and prosecutions involving New York City employees who have engaged in the theft of city owned property that was purchased, in part, with funds provided by the United States government. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of documents, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

4. As described in greater detail below, based on my investigation into this matter, my review of law enforcement reports and my conversations with other law enforcement officers, I have learned, among other things, that between in or

about August 2015, and in or about December 2017, IGOR GOLDSHTEYN, the defendant, executed a fraudulent scheme whereby GOLDSHTEYN, an FDNY employee, placed requisition orders for mobile telecommunications devices with the New York City Department of Information Technology and Telecommunications on behalf of the FDNY, and without permission or authority to do so, diverted this equipment from the custody and control of the FDNY, and sold these telecommunications devices through a third party vendor for his own personal enrichment and benefit.

The Investigation

New York City Department of Information, Technology and Telecommunications Services

5. Based on my participation in this investigation, I have learned, among other things, the following:

a. The New York City Department of Information, Technology and Telecommunications ("DOITT") is a municipal public agency created under Chapter 48 of the New York City Charter and regulated under Title 67 of the Rules and Regulations of the City of New York to develop, maintain and implement all telecommunications policies for New York City agencies.

b. DOITT is a local government agency that received federal assistance in the form of grants from the United States Department of Homeland Security, in excess of \$10,000 each calendar year, including the one year periods beginning January 1, 2015 to December 31, 2015, January 1, 2016 to December 31, 2016, and January 1, 2017 to December 31, 2017.

c. DOITT is responsible for the oversight and administration of the telecommunications franchises that provide city agencies with land based and wireless communications services, including the distribution of mobile phones to city employees. DOITT manages a portfolio of approximately 46,000 mobile phones that are either actively being used by city employees, are in the process of being distributed by DOITT to a city agency, or are in the possession of a city agency.

d. Each agency has a wireless coordinator assigned to manage that agency's telecommunications needs. The agency coordinator is authorized to act on behalf of the agency to requisition telecommunications equipment for distribution to agency personnel. After the requisitions are processed by DOITT,

the service provider delivers the equipment to the agency coordinator. In the case of mobile phones, the agency coordinator activates these devices prior to distribution, which allows DOITT to manage billing for use of the mobile devices by agency personnel. The cost of the equipment is then deducted from the respective agency's budget appropriation.

e. Verizon is a franchisee service provider for the mobile devices purchased by DOITT for use by city agencies, including the FDNY.

f. Verizon runs a monthly report for DOITT that identifies each of the mobile phones purchased by DOITT. This report includes information on how, and by whom, those mobile devices were activated.

g. Starting in or about April 2017, Verizon began notifying DOITT that a number of mobile devices requisitioned for use by FDNY personnel were being activated by non-city employees.

The FDNY

6. Based on my participation in this investigation, I have learned, among other things, the following:

a. The FDNY is a municipal public agency created under Chapter 19 of the New York City Charter and is regulated under Title 3 of the Rules and Regulations of the City of New York to ensure the fire safety of New York City residents.

b. The FDNY is a local government agency that received federal assistance in the form of grants from the United States Department of Homeland Security, and the United States Department of Health and Human Services, in excess of \$10,000 each calendar year, including the one year periods beginning January 1, 2015 to December 31, 2015, January 1, 2016 to December 31, 2016, and January 1, 2017 to December 31, 2017.

The Defendant

7. Based on my participation in this investigation, my conversations with other law enforcement officers, and FDNY personnel, I have learned, among other things, the following:

a. IGOR GOLDSHTEYN, the defendant, has been employed as a Certified Information Technology ("IT") Administrator with the

FDNY since in or about August 2015.

b. As the FDNY's IT Administrator, GOLDSHTEYN manages the agency's technology systems, and is authorized to act on its behalf to requisition telecommunications equipment, including mobile devices, for use by FDNY personnel.

8. Based on my participation in this investigation, including my review of information obtained from eBay, I have learned, among other things, the following:

a. IGOR GOLDSHTEYN, the defendant, operates three eBay accounts under the names:

- i. richmond.tech
- ii. netfinitytech
- iii. net_finity

b. The email account "richmond.tech@outlook.com" has been used in connection with the operation of the eBay account "netfinitytech."

9. Based on my review of information obtained from PayPal, I have learned, among other things, the following:

a. PayPal account no. 1535321031732592748 is registered to "Igor Goldshteyn" (the "Goldshteyn PayPal Account") at the residence in Staten Island, New York that, based on FDNY records, I know belongs to IGOR GOLDSHTEYN, the defendant.

b. The email account "richmond.tech@outlook.com" has been registered for use in connection with the operation of the Goldshteyn PayPal Account.

The Illegal Scheme

10. Based on my participation in this investigation and my review of law enforcement reports, I have learned, among other things, the following:

a. Verizon reported that between in or about August 2015 and in or about December 2017, 297 mobile devices that were requisitioned for use by the FDNY, were activated for use by non-city employees (the "Subject Devices").

b. Between in or about August 2015 and in or about December 2017, the Subject Devices were either requisitioned by

IGOR GOLDSHTEYN, the defendant, or requisitioned by another FDNY employee on behalf of GOLDSHTEYN.

c. The Subject Devices were either delivered directly to GOLDSHTEYN, in his capacity as the FDNY's IT Administrator, or were in his custody and control at FDNY facilities.

11. Based on my review of information obtained from PayPal, I have learned, among other things, the following:

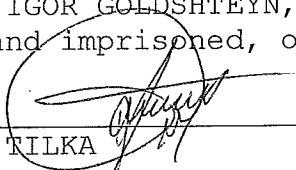
a. Between in or about August 2015 and in or about July 2016, IGOR GOLDSHTEYN, the defendant, collected payment in excess of \$10,000 from the sale of at least thirty six Subject Devices through the Goldshteyn PayPal Account.

b. The thirty six Subject Devices were sold through the eBay account operating under the name "netfinitytech," some which were purchased by, and delivered to, buyers in the Southern District of New York.

12. Based on my review of information obtained from JPMorgan Chase Bank, I have learned, among other things, the following:

a. From in or about December 2015 to in or about May 2016, approximately \$40,000 was deposited from the Goldshteyn PayPal Account into the defendant, IGOR GOLDSHTEYN's, personal checking account.

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



ALEKSANDRO TILKA
Special Investigator
New York City
Department of Investigation

Sworn to before me this
16th day of March, 2018



HONORABLE SARAH NETBURN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK