

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
:
- v. - :
:
SUNDAY OKORO, :
COLLINS ENEH, and :
IKECHUKWU ELENDU, :
:
Defendants. :
:
- - - - - :
:
X

**SEALED SUPERSEDING
INDICTMENT**

S1 20 Cr. 179 (DLC)

COUNT ONE

(Conspiracy to Commit Money Laundering)

The Grand Jury charges:

Overview of the Conspiracy

1. From at least in or about March 2018 up to and including at least in or about January 2020, in the Southern District of New York and elsewhere, SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants, and others known and unknown, conspired to launder the proceeds of various business email compromise and romance schemes (the "Fraudulent Schemes") by (i) opening bank accounts in the name of the purported counterparties to financial transactions and other legitimate business entities with which the conspirators had no actual connection; (ii) receiving wires directly from the victims of those Fraudulent Schemes; (iii) transferring the proceeds of the

Fraudulent Schemes multiple times between such accounts in order to hide the origin and fraudulent nature of the proceeds; and (iv) ultimately transferring most of those proceeds to foreign bank accounts or withdrawing them in cash.

The Fraudulent Schemes

2. The Fraudulent Schemes that generated the proceeds of specified unlawful activity included but are not limited to the following:

a. A scheme to defraud a Sint Maarten health services company in or around March 2018 (the "Sint Maarten BEC"). Due to the compromise or mimicking of an email account, on or about March 6, 2018, the health services company was fraudulently induced to send approximately \$500,000 to a bank account it believed to be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDE, the defendants, were members.

b. A scheme to defraud a South Korean law firm in or around the period from March 2018 to June 2018 (the "South Korea BEC"). Due to the compromise or mimicking of an email account, on or about March 15, April 20, May 21, and June 22, 2018, the law firm was fraudulently induced to send a total of approximately \$235,000 to several bank accounts it believed to be controlled by a counterparty, but were in fact controlled by

one or more members of the conspiracy of which OKORO, ENEH, and ELEN DU were members.

c. A scheme to defraud an intergovernmental organization headquartered in New York, New York in or around July 2018 (the "IGO BEC"). Due to the compromise or mimicking of an email account, on or about July 23 and July 31, 2018, the intergovernmental organization was fraudulently induced to send approximately \$340,000 total to a bank account it believed to be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELEN DU were members.

d. A scheme to defraud a Fijian law firm in or around October 2018 (the "Fiji BEC"). Due to the compromise or mimicking of an email account, on or about October 4 and October 9, 2018, the law firm was fraudulently induced to send approximately \$390,000 total to a bank account it believed to be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELEN DU were members.

e. A scheme to defraud a German food processing company in or around March 2019 (the "Germany BEC"). Due to the compromise or mimicking of an email account, on or about March 5, 2019, the food processing company was fraudulently induced to send approximately \$4,135,000 to a bank account it believed to

be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELENDU were members.

f. A scheme to defraud a Chinese technology company in or around April 2019 (the "China BEC"). Due to the compromise or mimicking of an email account, on or about April 2, 2019, the technology company was fraudulently induced to send approximately \$4,088,000 to a bank account it believed to be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELENDU were members.

g. A scheme to defraud an individual victim who resides in Pennsylvania in or around the period from June 2019 until at least August 2019 (the "Pennsylvania Romance Fraud"). The victim was duped into believing that the victim was in a romantic online relationship with "Joseph Cordoba," an individual who did not in fact exist, and the victim was fraudulently induced to send \$136,000 to bank accounts the victim believed were paying various expenses for "Joseph Cordoba," but were in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELENDU were members.

h. A scheme to defraud a Malaysian shipping company in or around January 2020 (the "Malaysia BEC"). Due to the compromise or mimicking of an email account, on or about January

15, 2020, the shipping company was fraudulently induced to send approximately \$220,000 to a bank account it believed to be controlled by a counterparty, but was in fact controlled by one or more members of the conspiracy of which OKORO, ENEH, and ELENDU were members.

Role in the Offense

3. SUNDAY OKORO, the defendant, received proceeds from various Fraudulent Schemes, and directed at least one coconspirator ("CC-1") to open bank accounts in the names of legitimate entities with which CC-1 had no affiliation, receive proceeds from various Fraudulent Schemes into those accounts, and further transfer those fraudulent proceeds to others involved in the offense. For example:

a. On or about January 15, 2020, CC-1 received a wire for approximately \$220,000 as part of the Malaysia BEC that was in fact intended for a counterparty of the victim. On or about January 17, 2020, at OKORO's direction, CC-1 transferred almost all of that approximately \$220,000 to another account CC-1 controlled that was in the name of a legitimate company, but with which CC-1 was not in fact affiliated ("Fraudulent Account-1"). On or about January 31, 2020, at OKORO's direction, CC-1 transferred approximately \$151,000 total of those proceeds to two foreign bank accounts and wrote a cashier's check for approximately \$40,000 of those proceeds to another coconspirator

("CC-2") with whom OKORO resides.

b. On or about August 20, 2018, OKORO received approximately \$5,000 of the proceeds of the IGO BEC from a coconspirator ("CC-3") into an account OKORO controlled in the name of "Global Concepts."

c. On or about March 20, 2018, OKORO received approximately \$3,000 of the proceeds of the South Korea BEC from IKECHUKWU ELENDU, the defendant, into an account OKORO controlled in the name of "Global Concepts."

4. COLLINS ENEH, the defendant, directed at least three coconspirators to open numerous bank accounts in the names of legitimate entities with which they had no affiliation, receive proceeds from various Fraudulent Schemes into those accounts, and further transfer those fraudulent proceeds to others involved in the offense. For example:

a. On or about February 28, 2019, at ENEH's direction, a coconspirator ("CC-4") opened a bank account in the name of a legitimate company with which CC-4 and ENEH had no affiliation ("Fraudulent Account-2"). On or about March 11, 2019, at ENEH's direction, CC-4 deposited a cashier's check for approximately \$35,000 representing proceeds of the Sint Maarten BEC into Fraudulent Account-2. On or about March 12, 2019, at ENEH's direction, CC-4 withdrew substantially all of the \$35,000 from Fraudulent Account-2 in cash.

b. On or about March 19, 2019, at ENEH's direction, CC-4 opened a bank account in the name of another legitimate company with which CC-4 and ENEH had no affiliation, but that resembled the name of a counterparty of the victim of the China BEC ("Fraudulent Account-3"). On or about April 2, 2019, the victim of the China BEC sent a wire for approximately \$4,088,000 to Fraudulent Account-3. The victim of the China BEC had in fact intended that the wire be sent to a legitimate counterparty. On or about April 5, 2019, at ENEH's direction, CC-4 made the following transactions from Fraudulent Account-3: (i) CC-4 wired approximately \$1,000,000 of those proceeds to a foreign bank account; (ii) CC-4 wrote a cashier's check for approximately \$290,000 of those proceeds to an entity controlled by another coconspirator ("CC-5"); (iii) CC-4 wrote a cashier's check for approximately \$250,000 of those proceeds to an entity controlled by CC-1; and (iv) CC-4 withdrew approximately \$50,000 in cash from those proceeds.

c. On or about March 13, 2019, at ENEH's direction, CC-5 opened a bank account in the name of a legitimate company with which CC-5 and ENEH had no affiliation ("Fraudulent Account-4"). On or about April 8, 2020, at ENEH's direction, CC-5 deposited the cashier's check for approximately \$290,000 of the proceeds of the China BEC into Fraudulent Account-4. On or about April 22, 2018, at ENEH's direction, CC-5 made the

following transactions from Fraudulent Account-4: (i) CC-5 wrote a cashier's check for approximately \$20,000 of those proceeds to an entity controlled by CC-4; (ii) CC-5 wrote cashier's checks totaling approximately \$32,000 of those proceeds to an entity controlled by another coconspirator ("CC-6"); (iii) CC-5 wrote a cashier's check for approximately \$32,000 of those proceeds to an entity controlled by another coconspirator ("CC-7"), and (iv) CC-5 attempted to wire approximately \$89,000 to a foreign bank account. On or about April 23, 2019, at ENEH's direction, CC-5 wired approximately \$89,000 from Fraudulent Account-4 to a different foreign bank account.

d. On or about January 9, 2019, at ENEH's direction, CC-6 opened a bank account in the name of a legitimate company with which CC-6 and ENEH had no affiliation ("Fraudulent Account-5"). On or about March 11, 2019, at ENEH's direction, CC-6 deposited a cashier's check for approximately \$35,000 representing proceeds of the Sint Maarten BEC into Fraudulent Account-5. On or about March 11, 2019, at ENEH's direction, CC-6 withdrew approximately \$34,000 of those proceeds in cash from Fraudulent Account-5.

e. On or about March 21, 2019, at ENEH's direction, CC-6 opened a bank account in the name of another legitimate company with which CC-6 and ENEH had no affiliation ("Fraudulent Account-6"). On or about April 26, 2019 and April 29, 2019, at

ENEH's direction, CC-6 deposited cashier's checks from CC-5 representing approximately \$32,000 of the proceeds of the Sint Maarten BEC into Fraudulent Account-6. In the period between April 26, 2019 and April 30, 2019, at ENEH's direction, CC-6 withdrew approximately \$31,000 of those proceeds in cash from Fraudulent Account-6.

5. IKECHUKWU ELENDU, the defendant, opened bank accounts in the names of legitimate entities with which he had no affiliation, received proceeds from Fraudulent Schemes into those accounts, and further transferred those fraudulent proceeds to others involved in the offense. He also received proceeds from various Fraudulent Schemes into other accounts he controlled. For example:

a. On or about March 1, 2018, ELENDU opened a bank account in the name of a legitimate company with which ELENDU had no affiliation, but that resembled the name of a counterparty of the victim of the South Korea BEC ("Fraudulent Account-7"). On or about March 15, 2018, the victim of the South Korea BEC sent a wire for approximately \$91,000 to Fraudulent Account-7. The victim of the South Korea BEC had in fact intended that the wire be sent to a legitimate counterparty. On or about March 20, 2018, ELENDU transferred approximately \$28,000 of those funds from Fraudulent Account-7 to foreign bank accounts and approximately \$3,000 of those funds

from Fraudulent Account-7 to SUNDAY OKORO, the defendant.

b. On or about March 26, 2019, ELENDU received approximately \$50,000 of the proceeds of the Sint Maarten BEC into an account he controlled in the name of "Alik Investment of California," and, on or about March 27, 2019, ELENDU transferred approximately \$47,500 of those funds to a foreign bank account.

c. On or about April 1, 2019, ELENDU received approximately \$91,000 in additional proceeds of the Sint Maarten BEC into an account he controlled in the name of "Alik Investment of California," and, on or about April 2, 2019, ELENDU transferred approximately \$87,000 of those funds to a foreign bank account.

d. On or about August 3, 2018, ELENDU received approximately \$38,000 of the proceeds of the IGO BEC into an account he controlled in the name of "Alik Investment of California," and on or about August 6, 2018, ELENDU transferred approximately all of those funds to foreign bank accounts.

e. On or about October 5, 2018, ELENDU received approximately \$40,000 of the proceeds of the Fiji BEC into an account in his own name, and, on or about October 9, 2018, ELENDU transferred approximately \$38,000 of those funds to foreign bank accounts.

f. On or about October 12, 2018, ELENDU received approximately \$40,000 in additional proceeds of the Fiji BEC

into an account in his own name, and, on or about October 15, 2018, ELENDU transferred approximately \$35,000 of those funds to a foreign bank account and withdrew approximately \$5,000 of those funds in cash.

g. On or about March 18, 2019, ELENDU received approximately \$50,000 of the proceeds of the Germany BEC into an account he controlled in the name of "Alik Investment of California," and, on or about March 18, 2019, ELENDU transferred approximately \$48,000 of those funds to a foreign bank account.

Statutory Allegations

6. From at least in or about March 2018 up to and including at least in or about January 2020, in the Southern District of New York and elsewhere, SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit money laundering, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

7. It was a part and an object of the conspiracy that SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants, and others known and unknown, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions which

in fact involved the proceeds of specified unlawful activity, to wit, wire fraud schemes involving business email compromises and romance frauds, knowing that the transactions were 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).

(Title 18, United States Code, Section 1956(h).)

COUNT TWO

(Conspiracy to Commit Bank Fraud)

The Grand Jury further charges:

8. The allegations contained in paragraphs 1 through 7 of this Superseding Indictment are hereby repeated, realleged, and incorporated by reference, as if fully set forth herein.

9. From at least in or about March 2018 up to and including at least in or about January 2020, in the Southern District of New York and elsewhere, SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

10. It was a part and an object of the conspiracy that SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the

defendants, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

11. The schemes to defraud financial institutions included but were not limited to the schemes to defraud financial institutions by opening bank accounts at financial institutions in the names of real entities with which the members of the conspiracy--including SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants--had no affiliation in order to receive and initiate transfer of funds in the name of those entities. The fraudulently created bank accounts received and transferred proceeds from, among other Fraudulent Schemes, the Sint Maarten BEC, the South Korea BEC, the IGO BEC, the Fiji BEC, the Germany BEC, the China BEC, and the Malaysia BEC.

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

FORFEITURE ALLEGATIONS

12. As a result of committing the offenses alleged in Count One of this Indictment, SUNDAY OKORO, COLLINS ENEH, and

IKECHUKWU ELENDU, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

13. As a result of committing the offense alleged in Count Two of this Indictment, SUNDAY OKORO, COLLINS ENEH, and IKECHUKWU ELENDU, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Asset Provision

14. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON

Audrey Strauss / KM
AUDREY STRAUSS
Acting United States Attorney

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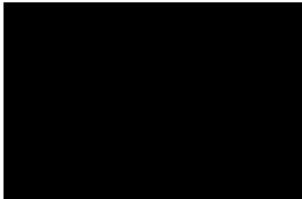
SEALED SUPERSEDING INDICTMENT

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(18 U.S.C. §§ 1349, 1956(h), and 2.)

AUDREY STRAUSS

Acting United States Attorney

 Foreperson
