

MASTER AFFIDAVIT

I, Noel F Martinez Jr., being duly sworn, depose and state as follows:

1. I am a sworn Deputy Sheriff with the Osceola County Sheriff's Office and have been so employed since October 1993. Your affiant is currently assigned to the Internal Revenue Service – United States Secret Service Financial Crimes and Money Laundering Task Force and has been so since January 2004. Your affiant successfully completed the Florida Police Standards Training Program required by the State of Florida while attending the Osceola County Criminal Justice Academy. During attendance, your affiant studied police procedures, search and seizure laws, and controlled substance laws of the State of Florida. Your affiant has attended numerous training courses relating to criminal investigations that include the following: Drug Identification and Investigation, Domestic and International Money Laundering, Investigating Terrorists Financial Networks, Asset Forfeiture, and Identity Theft.

2. Since being assigned to the Internal Revenue Service and U.S. Secret Service Financial Crimes and Money Laundering Task Force as a Task Force Agent, your affiant has been responsible for the investigation of money laundering, credit card fraud, bank fraud, mortgage fraud, and wire fraud offenses. In particular, your affiant has participated in investigations involving Ponzi/Pyramid schemes. Furthermore, this assignment involves the identification and prosecution of individuals and or entities involved in specified unlawful activities, which are the investigative responsibility of the Internal Revenue Service.

3. This investigation is being conducted jointly by the USSS, the Internal Revenue Service (IRS), Immigration Customs Enforcement (ICE) and the St. Cloud (FL) IRS-USSS Financial Task Force (task force). Information obtained as a result of the investigative efforts of each agency is being shared with agents from the other agencies and has been incorporated into

this affidavit. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other law enforcement officers, review of documents and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein (including participants), and information gained through my training and experience and the training and experience of others. Because this affidavit is being submitted for the limited purposes of establishing probable cause, I have not included every detail of every aspect of the investigation for this affidavit.

4. This affidavit is being submitted for the limited purpose of supporting the civil forfeiture complaint against the defendant properties.

INTRODUCTION

5. This following is an overview of the Ponzi scheme described herein:

a. Between on or about December 2007 through March 2009, Evolution Market Group (EMG), d/b/a Finanzas Forex (FFX),¹ a Panamanian corporation, operated several websites, including www.finanzasforex.com,² www.finance4x.com and www.ffx4u.com. On these websites, EMG solicited individuals to invest in short-term investments yielding rates of return between 77 percent and 300 percent.

b. EMG falsely represented on these websites that investors' funds would be invested in a European brokerage firm which specialized in the buying and selling of foreign currency, i.e., the forex market. In fact, instead of investing such funds for their investors, EMG used such funds to further promote its scheme by partially paying back early investors with new investor money, which is typical in Ponzi schemes, and further used these funds to reward

¹ EMG and FFX are used interchangeably throughout this affidavit.

² This website is still currently up and running.

promoters working with EMG with money, luxury vehicles and housing allowances.

c. Investors were originally directed to send their investments directly to EMG. EMG did this by utilizing accounts Crowne Gold, Inc. held at federally insured financial institutions specifically for EMG investors. Crowne Gold was a digital currency provider that operated in the United States from March 2002 through July 2008. Crowne Gold, an internet based entity, acted much like an intermediary bank that accepted investor funds on behalf of EMG customers. According to EMG's website, after investor funds were sent to Crowne Gold, the funds were supposed to be sent to European brokerage houses for investment in the forex market. However, as will be explained below, instead of investors' funds being invested in the forex market, the majority of these funds were not invested at all or were used for the personal benefit of those involved with the EMG scheme.

d. For reason explained more fully below, Crowne Gold ceased doing business with EMG on or about the end of July 2008. Thereafter, EMG's websites directed investors to send their money to one of several accounts held by other entities, including DWB Holding Company (DWB) (an Orlando-based company), Superior International Investments Corporation (SIIC) (an Orlando-based company) and Obbalube Investment Corporation (OIC) (a Miami-based company), which were run by Daniel Fernandez Rojo Filho (Rojo Filho) and Pedro Benevides (Benevides). Much like Crowne Gold, DWB, SIIC and OIC acted as intermediary banks and accepted funds on behalf of EMG investors. The DWB, OIC, and SIIC bank accounts were also held at a federally insured financial institution.

e. While neither Rojo Filho nor Benevides are currently listed as officers/directors of these companies on paper, as will be discussed below, it is believed that Rojo Filho and Benevides were removed as officers/directors of these corporations as the result

of the seizure of two accounts holding the proceeds of the Ponzi scheme described herein.

I. Background on Ponzi/Pyramid Schemes

6. As part of my training and experience, as well as from information obtained from discussions with other law enforcement officers with experience in cases involving computer use, I have become familiar with the Internet, which is a global network of computers and other electronic devices that communicate with each other using various means, including standard telephone lines, high speed telecommunications links (e.g., copper and fiber optic cable), and wireless transmissions including satellite. Due to the structure of the Internet, connections between computers on the Internet routinely cross state and international borders, even when the computers communicating with each other are in the same state. Individuals and entities use the Internet to gain access to a wide variety of information; to send information to, and receive information from, other individuals; to conduct commercial transactions; and to communicate via electronic mail (e-mail). An individual who wants to use Internet e-mail must first obtain an account with a computer that is linked to the Internet, for example, through a university, an employer, or a commercial service (called an "Internet Service Provider" or "ISP"). Once the individual has accessed the Internet, that individual can do a variety of things, including visiting websites and making purchases from websites.

7. Based on my training and experience, I know that computers are frequently used to perpetrate fraud schemes and that several fraud schemes have successfully been implemented over the Internet, including: 1) advance fee schemes; 2) chain letters schemes; and 3) Ponzi schemes. Advance fee schemes occur when an offender advertises the availability of goods or services and requires payment in advance. Only after paying do victims discover that the goods and services are defective, inferior, or nonexistent. With chain letters, victims may receive,

either via postal mail or now by e-mail, a letter containing a list of names and addresses to which the recipients are urged for various reasons to send money. Recipients may add their names to the list (sometimes removing the top-most name to keep the number of participants constant) before redistributing the updated letter. Ponzi schemes promote allegedly lucrative business opportunities, often involving foreign currency exchange, precious metals trading, or other high-return investments. However, in a Ponzi scheme, there is, in fact, no underlying profitable business to support the payments promoters say they will make to the investors. Instead, the promoters simply use the money obtained from a growing base of later investors to pay so-called "profits" to earlier investors. Such schemes, which depend on growing the base of new victims to support payments to prior participants, are also referred to as pyramid schemes. The Internet is increasingly used as a vehicle to promote each of these types of frauds. Ponzi schemes have evolved with the development of the Internet, but their basic premise remains the same: later investors' funds are used to pay the earlier investors.

8. During the course of this task force investigation, it has become apparent that EMG is operating a Ponzi scheme over the Internet.

II. EMG Ponzi Scheme

A. Websites

1. Finance4x Website

9. On or about August 18, 2008, agents reviewed www.finance4x.com. The Finance4x website publicly discloses the following:

EVOLUTION MARKET GROUP, INC. with marketing name FINANZAS FOREX has in an easy way made it possible for everybody to take part in money trading on Forex Market with or without knowledge of forex market investment. Finanzas Forex is an affair in which you have the opportunity to get profits from Forex Market with only 100 USD minimum investments.

10. On its website, EMG stated that it is an “on-line financial intermediation company, that integrates a team of professionals and experts in investments in the Foreign Currency Market, and whose function is to facilitate, to the general public – our investors – access to this Market: forex, but without the necessity of having to make large investments.” Internet research has revealed that the officers of EMG are President: Tatiana Itzel Saldana Escobar, Treasurer: Humberto Gregorio Mojica Barrier, and Secretary: Roger Alberto Santamaria del Cid. EMG has been a registered corporation in Panama since September 3, 2007. EMG further indicated on its website that it invested the capital of its investors into a European brokerage firm, which specialized in the buying and selling of foreign currency. The website further reflected that the participants did not need to know anything about the foreign market because “professionals from the brokerage firm make all of the decisions related to the participants’ investments.” Unlike a typical investment platform, EMG offered a variable rate of return based upon the amount that is given to the company. It offered various investment opportunities that they stated offered minimal risk, if any. Agents conducted research on EMG and the only business which agents have found that EMG participates in are the investment schemes described in this affidavit, which leads your affiant to believe that EMG does not operate any legitimate businesses.

11. The investment plans advertised on the Finance4x website were reviewed. These plans guaranteed unrealistic monthly returns for approximately six (6) months with an option of re-investing your balance and principle for even higher returns. If, at the end of the six months, the participants decided to reinvest their capital, the monthly return was increased by one percent. Unlike typical investment platforms, EMG offered a 0.5% commission on referrals into

the company. From previous investigations, typical payment plans and commissions are typical of other investment schemes that are operated online, which have been found to be a Ponzi or Pyramid scheme. Some examples of the plans offered by Finance4x were as follows:

Basic Plan – investment from \$100 to \$3,999 USD, maximum monthly estimated interest is 10%.

Medium Plan – investment from \$4,000 to \$19,999 USD, maximum monthly estimated interest is 14%.

Top Plan – investment from \$20,000 to \$49,999 USD, maximum monthly estimated interest is 16%.

20Plus Plan – investment from \$50,000 USD, maximum monthly estimated interest is 20%.

High Risk Plan – investment of \$300,000 USD and up, maximum monthly estimated variable interest between 40%-50%, but with a higher risk of partial loss of capital.

Major Account Plan – investment of \$50,000 USD and up. This was a secured account with the investor as the account holder with a European Broker. *Finanzas Forex assumes all risks for loss of investor capital in the market place which means this plan holds no risk to the investor.*

The following is an example of the returns that allegedly would be realized if one participated in the EMG program:

Interest Rate	10%	14%	16%	20%
Investment Amount	\$1,000.00	\$4,000.00	\$20,000.00	\$ 50,000.00
1 month	\$1,100.00	\$4,560.00	\$23,200.00	\$ 60,000.00
2 month	\$1,210.00	\$5,198.40	\$26,912.00	\$ 72,000.00
3 month	\$1,331.00	\$5,926.17	\$31,217.92	\$ 86,400.00
4 month	\$1,464.10	\$6,755.83	\$36,212.79	\$103,680.00
5 month	\$1,610.51	\$7,701.64	\$42,006.84	\$124,416.00
6 month	\$1,771.56	\$8,779.87	\$48,727.93	\$149,299.20
Profit	\$ 771.56	\$4,779.87	\$28,727.93	\$ 99,299.20
Return on Investment	77.16%	119.50%	143.64%	198.60%

2. FFX4you Website

12. On or about October 12, 2008, agents identified another investment scheme called “FFX4you,” which was being operated on the Internet at www.ffx4you.com. On its website, FFX4you stated that the FFX4you teams are all investors and promoters whose goal was to promote the foreign exchange market and provide real, up-to-date information to investors.

13. The FFX4you website publicly disclosed that it was associated with Finanzas Forex, a subsidiary of EMG. The Finance4x and FFX4you websites were identical in web content. FFX4you promised an investment opportunity identical to that of Finance4x, promising investors 10-20% interest on a personal investment and a 0.5% bonus for monies invested by individual investors to entice customers to invest into the program, every single month. Additionally, the investment plans on the FFX4you.com website were identical to those advertised on the Finance4x.com website. As previously noted, your affiant believes the payment plans and commissions listed on the Finance4x.com website were typical of other investment schemes that are operated online, which have been found to be a Ponzi scheme. FFX4you.com advertised and promoted Finanzas Forex on its website as an “on-line financial intermediation company, that integrates a team of professionals and experts in investments in the Foreign Currency Exchange Market, and whose function is to facilitate, to the general public – our investors – access to this Market: forex, but without the necessity of having to make large investments.” The FFX4you.com website further stated that “[Finanzas Forex] is an honest and transparent investment opportunity created by CEO German Cardona,³ whose investments in

³ Although not listed on corporate documents as a director of EMG, the Comision Nacional Del Mercado De Valores’ (CNMV) website, www.cnmv.es/index.htm, Spain’s equivalent of the U.S Securities & Exchange Commission, and documents discussed below in this affidavit, state that he is the Chairman of EMG. Moreover, according to documents discussed in the Oregon action

forex, other investments, and confidential projects will allow the company to operate indefinitely.”

3. FinanzasForex Website

14. On or about August 14, 2008, agents reviewed www.finanzasforex.com. It should be noted that, for the most part, the Finance4x and FinanzasForex websites had similar, if not identical, information. The investment plans advertised on the FinanzasForex website were reviewed. These plans guaranteed unrealistic monthly returns for approximately six (6) months with an option of re-investing your balance and principle for even higher returns. If, at the end of the six months, the participants decided to reinvest their capital, the monthly return would be increased by one percent. Unlike typical investment platforms, EMG offers a 0.5% commission on referrals into the company. From previous investigations, typical payment plans and commissions are typical of other investment schemes that are operated online, which have been found to be a Ponzi or Pyramid scheme. Some examples of the plans offered by EMG are as follows:

Basic Plan:

Investment: \$100.00 to \$3,999.00
Earnings: 50% of the profits obtained by the Company that month
With biannual reinvestment of interests: 1% more.
Fixed term of your capital investment: 6 months.

Medium Plan:

Investment: \$4,000.00 to \$19,999.00
Earnings: 60% of the profits obtained by the Company that month
With biannual reinvestment of interests: 1% more.

discussed below, German Cardona transacted business on behalf of EMG with Crowne Gold. Internet bloggers have posted notices complaining that they had been involved in investments scams related to German Cardona.

Fixed term of your capital investment: 6 months.

Superior Plan:

Investment: \$20,000.00 to \$49,999.00

Earnings: 75% of the profits obtained by the Company that month

With biannual reinvestment of interests: 1% more.

Fixed term of your capital investment: 6 months.

20 Plus Plan:

Investment: \$50,000.00 and up

Earnings: 90% of the profits obtained by the Company that month

With biannual reinvestment of interests: 1% more.

Fixed term of your capital investment: 6 months.

High Risk Plans

Variable Plan:*

Investment: \$300.00 min.

Variable monthly earnings up to 40-50%, but with a higher risk of partial loss of capital.

*Investor must have a minimum of \$20,000 investment capital to invest in this Plan

B. EMG Investor Complaints

15. On January 18, 2009, agents interviewed a former EMG investor who lives in Clermont, FL. According to the investor, he/she learned of Finanzasforex.com through a family member who lives in close proximity to a Finanzasforex.com known promoter, Santiago Vargas (Vargas). Vargas instructed him/her on how to register on the finanzasforex.com website on his laptop. The website instructed the investor to wire his/her investment funds to EMG via an account with Crowne Gold at Wells Fargo Bank. After registering, the investor received an identification number which enabled him/her to wire the funds. In March 2008, the investor wired \$2,500 from his/her personal bank account to the Crowne Gold account at Wells Fargo per the website's instructions.

16. After investing his/her money, the investor was invited to attend two rallies in reference to FFX. The first rally was held the office of Camara Americana de Comercio, Inc. located at 2228 W. Columbia Ave., Kissimmee, Florida. The rally was spearheaded by an individual named "Luis," and Vargas spoke at the rally. The second rally was held at the Crowne Plaza on Semoran Blvd. near the airport in Orlando. There were approximately 100 people in attendance at the second rally and the speaker instructed the attendees not to tell anyone about the rally because FFX was in the process of becoming a bank.

17. The investor stated that his/her initial \$2,500 investment was for 12 months. However, approximately 3 months after he/she had wired her funds to Crowne Gold, the investor became suspicious that he/she was involved in an investment scam. The investor then attempted to contact FFX via e-mail and phone. He/she utilized the phone numbers listed on the FFX website, www.finanzasforex.com, for customer service, but could not get a response. The investor's e-mails also went ignored by FFX. Because the investor could not get a response directly from FFX, he/she contacted Vargas. The investor told Vargas that he/she believed that FFX was a scam and he/she wanted his/her money back or he/she would go to the authorities. As a result of his/her threats, Vargas gave the investor \$2,700, not by wire transfer or check from the company, but in cash. A review of FFX's percentages of returns during this time period indicated that for investments of \$100-\$3,999, investors would receive up to a 10% return per month.

18. This investor provided the following contact information for EMG:

Evolution Market, Group, Inc.
Calle 50, Global Bank Tower, Piso 16, Oficina 1607
Panamá, República de Panamá
Apartado Postal 0816
12496, El Dorado, Panamá, Rep. de Panamá

Vargas told the investor that he travels to Columbia, Spain, Brazil, Dominican Republic, and other South American countries to promote FFX for EMG. Vargas advised the investor that he had earned \$8 million in 8 months with FFX as a promoter and investor, and that he, as a recruiter, receives additional money for each person he recruits. He further advised the investor that EMG's investors' money is pooled together and invested in the currency exchange market and commodities. Vargas stated that EMG has the best brokers available in Europe investing for the company.

19. On April 16, 2009, agents interviewed another EMG investor in south Florida. He/she was introduced to EMG by one of his/her Columbian acquaintances. The investor knew his/her Columbian acquaintance from their previous dealings in other investment opportunities. The investor advised agents that his/her Columbian acquaintances was a promoter for EMG and received points for people he/she referred to EMG if they invested.

20. The investor researched EMG on the internet and noted that EMG purported to pay high rates of returns, 12–14% a month. After researching EMG, the investor decided to invest in EMG and on March 6, 2008, wired transferred \$5,000 to Crowne Gold's Wells Fargo Bank Account #1813430517. The investor advised agents that he/she was told by either an EMG promoter or representative that Crowne Gold was a bank or broker for EMG. According to EMG's website at finanzasforex.com, the investor's account indicated his \$5,000 investment had produced a return of approximately \$6,000.

21. In September and October 2008, the investor requested via an e-mail to the EMG website that EMG send him/her the balance in his/her account. The investor indicated to agents that after about 4 or 5 unanswered e-mails, he/she spoke with his/her Columbian acquaintance and another investor, who advised him/her of a way to withdraw or receive the money from

his/her EMG account. The investor was told by his/her Colombian acquaintance and the other investor that in order to receive a payment out of his/her account, he/she would need to find a third party (new investor) that wanted to invest in EMG and have that third party make a check payable to him/her for their investment with EMG. The investor would then have to transfer funds equal to what he/she obtained from the new investor from his/her EMG account to the new investor's account and he/she could keep the new investor's money for himself/herself. The investor was able to find a new investor and take the new investor's money so that he/she could receive payments from his/her investment. The investor received approximately \$6,341 from new investors.

22. The investor indicated to agents that EMG purported to invest in forex. The investor further indicated that his/her EMG account is currently frozen (inactive). According to either EMG promoters or representatives, his/her account is allegedly in this state because the investor did not upload his/her investment contract. The investor is unable to deposit, transfer or withdraw any money from his/her EMG account. The investor stated that he/she would not have invested with EMG if it was not investing in the foreign currency markets.

23. On April 21, 2009, agents conducted an interview with another EMG investor in south Florida, in reference to his/her investments with EMG. The investor was introduced to EMG when he/she was visiting friends in Panama. The investor's friends were from Colombia and had heard about EMG there. It was the investor's understanding that EMG invested in the forex and commodities markets.

24. In or around October 2007, the investor attended an EMG meeting at an unknown hotel in the Miami, FL area. A male from Spain, whose name the investor could not recall, was there to represent and promote EMG. The investor indicated that there were approximately 40

people in attendance at this meeting. At this presentation, the investor was advised that he/she could receive returns of 10-15% per month on his/her investment if he/she invested with EMG. The investor sent EMG an initial investment of \$100 to open his/her account. Thereafter, in or around November 2007, the investor wired \$10,000 to a Crowne Gold account in Panama to fund his/her EMG account. The investor indicated that his/her account eventually grew to \$13,000.

25. Starting in September 2008 and ending in December 2008, the investor attempted to contact EMG via their website to withdraw funds from his/her account. The investor indicated that he/she received e-mail replies from EMG telling him/her that: (1) his/her request would be processed within a few days (no transaction ever occurred); (2) to get a debit card (he/she did not qualify because at the time, he/she did not have the minimum amount of money in his/her account); (3) EMG was having banking issues; or (4) EMG just did not reply.

26. The investor learned from other EMG investors that he/she needed to find new investors who wanted to fund their FFX accounts in order to recoup his/her investments. If he/she found new investors, he/she could then take their cash and transfer his/her EMG funds to them. On one occasion while attending an EMG meeting in the Miami, FL area, the investor was able to trade his/her EMG funds to 3-4 new investors for cash. By doing this, the investor was able to recover approximately \$8,000 from the new investors. The investor indicated to agents that, "it's the only way to get money out!"

27. The investor advised agents that he/she was worried in March 2009 because EMG did not pay any returns, according to their website. The investor thought this was unusual because in April 2009, the EMG website showed a 1.5% return "even after the government seized its funds." The investor did not know how it was possible to obtain returns when the

government had seized some of EMG's funds. The investor indicated that according to the EMG website, his/her account was growing again after being frozen in March.

28. The investor believed the EMG website when it said it had the proper licenses and dealt with brokers. The investor advised agents that he/she would not have invested with EMG if they did not legitimately trade in forex markets.

29. On June 30, 2009, agents conducted an interview with another EMG investor in south Florida about his/her investments with EMG. The investor indicated that German Cardona is the president of EMG. The investor learned this by viewing EMG's website and from attending a meeting in Miami where two men from Spain presented material promoting EMG. The investor learned about EMG by researching forex investments on the Internet. The investor read about the returns EMG was offering and decided to invest money with the company. The investor further learned that FFX was the commercial name for EMG, which was a registered company in Panama that purported to be an intermediary between investors and foreign currency exchange brokers.

30. In or about March 2008, the investor wired \$4,150 from his/her Bank Atlantic Bank Account to Crowne Gold's Wells Fargo Account #1813430517. From his/her dealings with EMG, the investor believed that Crowne Gold was like a bank accepting investor money on behalf of EMG clients. In or about April 2008, the investor's spouse wired \$5,150 from the same Bank Atlantic Bank Account to Crowne Gold's Wells Fargo Account #1813430517. The investor and his/her spouse both signed contracts with EMG titled "Contract of Investment." EMG stated on both contracts that the money being collected from the couple was purportedly invested in the foreign currency exchange market and nothing else. Furthermore, the contract stated that the money was locked in for a 6 month term. If the couple decided to withdraw from

the investment program, EMG would return their principle, charge a 15% penalty fee and any interest earned would be automatically forfeited by them. The investor indicated that withdrawing from the program never crossed his mind because of the returns he/she and his/her spouse would be receiving.

31. Shortly after registering with EMG, the investor opened a Crowne Gold account at the direction of EMG'S website. The Crowne Gold account was used to transfer money from the couple's account to EMG's account. The investor indicated that any and all money he/she and his/her spouse sent to Crowne Gold was for the benefit of EMG. On or about June 16, 2008, the investor received, via wire transfer to his/her Bank of America account, \$1,055 in earned profit from EMG. In addition, he/she also received approximately \$4,000 of his/her profits by recruiting new investors and transferring the value of the investment from his/her EMG account to the third parties' EMG account. The new EMG investor would then give cash to the investor equal to the transfer amount. The investor stated this process was made available by EMG to investors and was recommended by EMG for an easier and quicker process to receive investor profits rather than waiting up to 15 days for a wire transfer into a bank account.

32. In or about December 2008, the investor attempted to withdraw his/her profits directly from EMG, but was advised through its website that the funds were frozen by U.S. authorities. At some point, the investor called the customer service phone number listed on EMG's website and spoke with a male employee about his/her investment and wanting a payout, but nothing was resolved. The investor indicated that he/she relied on what the EMG website advertised regarding brokering investor funds within the foreign currency exchange market. The investor further indicated that had he/she known his/her money was not being used in the capacity listed within the solicitation or investor contract, he/she would have never invested with

EMG.

C. Flow of EMG Investor Money to Crowne Gold

33. During an interview with Sean Trainor (Trainor), Crowne Gold's former President, on February 5, 2009, Trainor indicated that EMG was Crowne Gold's biggest customer and did approximately \$120 million worth of business with Crowne Gold.⁴ Trainor explained that EMG's business was trading in forex. Trainor further stated in his interview that Crowne Gold is merely a platform by which individuals can pay other individuals or companies. According to the settlement agreement between Crowne Gold and EMG discussed below, EMG had a "merchant relationship" with Crowne Gold which allowed EMG's customers to make investments or investment deposits with EMG through EMG's accounts with Crowne Gold. Crowne Gold, in its "terms of service," attached as Exhibit C, indicates that in a merchant relationship, the clients of the merchant are not the clients of Crowne Gold. Thus, the funds contained in EMG's merchant accounts with Crowne Gold, which were subsequently converted into gold bars, were EMG's clients' funds.

34. Agents have reviewed bank statements and supporting documentation from Crowne Gold's Wells Fargo Bank accounts and have determined that between December 2007 and May 2008,⁵ approximately \$189 million in EMG investor funds were deposited into Crowne Gold accounts at Wells Fargo. The supporting documents for the incoming wires show individual investors' names and EMG account numbers. Agents have also interviewed numerous EMG investors who have indicated that they sent money to Crowne Gold accounts at

⁴ Because of the large volume of wires from EMG's customers, Crowne Gold opened several accounts at federally insured institutions to receive funds solely on behalf of EMG clients.

⁵ At the time of preparing this affidavit, agents only reviewed Crowne Gold's Wells Fargo Bank Statements through May 2008.

Wells Fargo Bank in order to invest in EMG. Accordingly, the funds held in EMG's merchant accounts with Crowne Gold appear to be investor funds.

D. International Warning

35. In or about April 2008, CNMV website, www.cnmv.es/index.htm, Spain's equivalent of the U.S Securities & Exchange Commission, issued the following statement: "CNMV WARNS THE PUBLIC AGAINST AN UNREGISTERED FIRM." EMG, doing business as Finanzas Forex, was identified as an unregistered investment firm and according to the CNMV, is not authorized to provide investment services in Spain in relation to financial instruments, in particular, transactions over foreign currencies. The CNMV's website warns the public of the potential risks involved with conducting business with EMG. Per the CNMV website, EMG offers investments in the forex market, *guaranteeing* a profitability ranging from 10 to 21 percent per month. The CNMV website indicates that EMG conducts business all over the world and has company web pages in the following languages: Spanish, English, French, Italian, German and Portuguese. The website said "information received from staff linked to EMG indicated that as of March 2008, there were over 18,000 clients with over \$121,000,000 in funds collected." The CNMV's websites further indicates that EMG's clients had to send their deposits to an American company, Crowne Gold, which pooled all cash entries.

36. According to the CNMV, FFX also offers the possibility of becoming promoters of the scheme rather than mere investors. By becoming a promoter, FFX claimed that it would pay up to seven "referral levels," whereby promoters would receive a commission on the funds paid to FFX by any new investor they had enticed into investing with FFX. Additionally, promoters receive bonuses, including luxury cars, financial grants and €60,000 for the acquisition of housing. This is consistent with characteristics of a Ponzi and/or pyramid scheme.

37. In or about May 2008, the Austrian Financial Market Authority, www.fma.gv.at/cms/site/EN/Index.htm/, issued a warning against EMG and FFX stating that they were not licensed to operate in Austria. EMG and FFX were restricted from performing any activity, directly or indirectly, involving securities, including the solicitation of investors in Austria.

38. In or about June 2008, the Comision Nacional de Valores of Panama, Panama's equivalent of the U.S. Securities & Exchange Commission, issued a warning against Finanzas Forex for carrying out restricted activities from Panama without having obtained the required licensure. The restricted activities include selling investments to Panamanian citizens without the proper licenses.

39. In or about June 2008, the L'Autorite' des Marches Financiers of France, France's equivalent of the U.S. Securities & Exchange Commission, issued a similar warning against EMG and FFX in respect to foreign exchange transactions carried out on the foreign exchange markets.

40. In or about July 2008, the Bureau of Decision and Review in Securities, of the Quebec Province, issued a decision prohibiting EMG, FFX and two individual promoters from performing any activity directly or indirectly involving securities, including the solicitation of investors in Quebec. The ruling party also required that the websites www.finanzasforex.com, www.finanzasforex.bz, www.emicorp.com, and www.aramco.ws be shut down. On January 29, 2009, your affiant spoke with Investigator Gaetan Paul, Autorite des Marches Financiers (AMF), a division of the Quebec Province of the Bureau of Decision and Review in Securities, regarding his investigation of FFX. According to Investigator Paul, he believes FFX to be a Ponzi and/or pyramid scheme operated online. Investigator Paul is currently conducting an ongoing

investigation of two local FFX promoters. Investigator Paul said they issued an Administrative Order imposing an Injunction on FFX, EMG and the two local promoters, forbidding the entities from soliciting, promoting or selling their investment opportunities in Quebec. AMF's investigation has revealed that at least one investor was directed on the EMG website to send his/her investments to accounts held by OIC and SIIC (see paragraphs #60-70 below). Moreover, bank documents that Investigator Paul has reviewed indicate that FFX investor funds were sent to Crowne Gold account with Wells Fargo Bank in Carson City, Nevada.

III. EMG'S RELATIONSHIP WITH CROWNE GOLD

A. Background

41. Crowne Gold is a defunct digital currency provider that operated in the United States. EMG held several accounts with Crowne Gold and utilized Crowne Gold's services in its investment schemes from on or about December 2007 through July 2008. Specifically, investors with EMG would send funds to be invested with EMG to accounts Crowne Gold held at various financial institutions, including Wells Fargo, Washington Mutual and Key Bank. According to EMG's website(s), once Crowne Gold obtained investor funds, such funds were to be forwarded to European brokerage houses for investment in the forex market within a week of receipt. On or about July 29, 2008, Crowne Gold terminated its relationship with EMG.⁶ In order to avoid

⁶ In April 2007, the owners and operators of E-Gold (also a digital currency provider) were indicted in the United States District Court, District of Columbia, for money laundering, conspiracy, and for conspiring to operate and operating an unlicensed money transmitting business. See *United States v. E-Gold, Ltd.*, Case No. 07 109(RMC). Thereafter, in July 2008, Crowne Gold announced on its website that the business was shutting down. Clients with positive balances in the Crowne Gold system were encouraged by the website to contact Crowne Gold to obtain information on closing out their accounts and obtaining their money. Seven days prior to Crowne Gold announcing its closure on its website and 9 days prior to Crowne Gold closing EMG's accounts, guilty pleas were also entered with respect to the E-Gold case on July 21, 2008.

litigation, Crowne Gold entered into a settlement agreement with EMG⁷ to settle EMG's accounts. *See* attached Exhibit D. The settlement agreement reflects that Crowne Gold closed EMG's accounts due to the "large number of wire transfers, aggregate dollar amounts of wires, percentage of foreign-originated wires, increasing bank wire inquiries resulting from EMG clients contacting the banks as well as other factors attributable to the accounts and operations of EMG and its customers." Crowne Gold was to officially close EMG's accounts as of July 31, 2008. If any funds were deposited into EMG's Crowne Gold accounts after July 26, 2008, they were to be wired to Pegasus Capital Corp. (Pegasus), to be held "in trust for EMG and its customers," to the extent that those funds exceeded \$1 million.

42. As part of this settlement, EMG's deposits with Crowne Gold would be converted into gold.⁸ According to the settlement agreement, Crowne Gold owed EMG an amount equal to approximately \$122.5 million,⁹ subject to market fluctuations, for the investments Crowne Gold held on behalf of EMG. Of this amount, Crowne Gold was to withhold \$1 million dollars to pay legal fees and costs Crowne Gold may incur as a result of the "claims threatened or made by the

⁷ Although the settlement agreement was between Crowne Gold and EMG, Columbo Asset Mgmt, Zentrum Biz, Inc., Oceanin, S.A., German Cardona and Lina Marin Mantilla Grande were also part of that agreement. The parties were collectively known as "EMG" for purposes of the settlement agreement. EMG's business account with Crowne Gold was the primary account into which all inbound monies from all parties were credited. Additionally, documents filed in the lawsuit referenced below indicate that these companies and individuals invested in a company in Panama for the purchase of electronic gold.

⁸ Crowne Gold allowed members to take physical delivery of their precious metals for a 20% delivery fee. Account holders could also sell or exchange their Crown Gold into national currency with a \$7.50 fee plus half of 1% of the amount of the transaction, or individuals could receive pay outs from their accounts by a bank wire for the following fees: pay outs from \$0-\$100,000 for \$95 and pay outs \$100,000 and over for \$95 plus a .06% fee. Accordingly, Crowne Gold would benefit substantially if it gave EMG gold in lieu of currency to settle EMG's accounts.

⁹ According to documents filed in the Oregon litigation discussed below, between 2007 and 2008, EMG transferred approximately \$175 million to its accounts with Crowne Gold.

customers of EMG against Crowne, returned checks, wires, bank fees, or any legal or administrative proceedings instituted by a governmental authority or agency relating to the activities of EMG or its relationship with Crowne.” If there were any funds leftover, those funds were to be paid to EMG. On August 12, 2008, Crowne Gold wired \$952,806 from its account at Key Bank in Oregon City, Oregon, to an account held by Pegasus at Credit Corporation Bank in Panama. Your affiant believes that these funds represent the remaining funds from the \$1 million withheld by Crowne Gold for legal fees and expenses.

B. Location of Proceeds from EMG’s Ponzi Scheme

43. The settlement agreement’s “account closure procedure” indicated that as soon as commercially possible, but no later than August 7, 2008, EMG would provide, in writing, a location where Crowne Gold should deliver the gold it owed to EMG as a result of Crowne Gold closing EMG’s accounts. EMG was to take delivery of the physical gold on or about August 8, 2008, but if EMG failed to specify a location by August 7, 2008, the gold was to be delivered to Via Mat International, 130 Sheridan Blvd, US-Inwood, NY 11096, for the benefit of EMG and its customers.

44. On August 11, 2008, Crowne Gold shipped all of the gold it believed it owed to EMG (over 100,000 ounces) to the Delaware Depository Service Company (“DDSC”), located at 3601 North Market Street, Wilmington, DE, 19802, where it currently remains.¹⁰ As will be explained below, prior to the seizure of the gold on February 9, 2009, the gold was being held in

¹⁰ On or about February 9, 2009, agents seized this gold pursuant to a seizure warrant issued by this Court after a probable cause finding that the gold constituted proceeds traceable to wire fraud violations. Case No. 6:09-mj-1023-01. At the time of seizure, agents seized **262 gold bars** the worth approximately \$94 million.

an account under the name of Pegasus¹¹ even though the gold belonged to EMG.

C. Lawsuit Between Crowne Gold and EMG

45. Despite the settlement agreement between Crowne Gold and EMG, on September 8, 2008, in the U.S. District Court of Oregon, Crowne Gold filed suit against EMG, Columbo Asset Management Inc., Zentrum Biz Inc.,¹² Oceana SA, German Cardona, Lina Maria Mantilla Grande, in the case styled *Crowne Gold Inc v. Evolution Marketing Group, et. al*, Case No. 08-1045-AC (“Oregon action”). Although the complaint (and above-referenced settlement agreement) indicates that EMG, Columbo Asset Management Inc., Zentrum Biz Inc., and Oceana SA are Panamanian corporations, record checks reveal that EMG is the only corporation registered in Panama.

46. The suit filed by Crowne Gold sought retention of the 20% delivery fee (\$20 million) Crowne Gold charged EMG to deliver the gold to the DDSC pursuant to the terms of the above-referenced settlement agreement. According to documents filed in the Oregon action, EMG threatened to file a lawsuit against Crowne Gold over the 20% delivery fee charged because EMG claimed that Crowne Gold had “stolen” the money. Thus, Crowne Gold initiated the Oregon action to retain its delivery fee.

47. On September 24, 2008, Michael Neal (Neal), President, Director and board member of Crowne Gold, filed a declaration in the Oregon action. In the declaration, Neal stated that Crowne Gold had received approximately \$175 million from companies and individuals

¹¹ Agents have determined that Pegasus registered as a corporation in Panama on July 14, 2007. Federico Roa is listed as its President.

¹² According to Florida Department of State Division of Corporations, Zentrum Biz incorporated in the state of Florida on April 28, 2008. The officers of the company are the same officers as those of EMG. Moreover, Rojo Filho is the registered agent of Zentrum Biz, Inc. Rojo Filho and his contact information is a previous business address for DWB.

investing in EMG, which was domiciled in the country of Panama, for the purchase of electronic gold. Neal further stated that, based on restrictions placed on Crowne Gold by the banks holding Crowne Gold's deposits, Crowne Gold closed its accounts and distributed gold to its customers. Neal also indicated that, pursuant to an agreement entered into between Crowne Gold and customers from Panama (EMG), Crowne Gold delivered approximately \$100 million of gold to a location in the state of Delaware (DDSC).

48. A review of information received from DDSC showed that on or about August 11, 2008, over 100,000 ounces of gold bars were sent from Crowne Gold to DDSC. The gold bars were placed into a custody account held in the name of Pegasus. According to a DDSC Corporate Resolution -- Certificate of Authorized Persons, the following individuals were listed as signors on the account: Frederico Roa (President of Pegasus), Raul Rojer¹³ (Power of Attorney) and Steve Kinard¹⁴ (Power of Attorney).

49. On February 7, 2009, agents received information from Inwood Security Vaults (ISV) that Crowne Gold had made shipment of an undetermined amount of precious metals¹⁵ to ISV in Dallas, TX on or about November 24, 2008. The shipment of precious metals from Crowne Gold to ISV was confirmed through Brinks records. According to an ISV representative, the precious metals were being stored in an account in the name of Pegasus Capital Corporation.¹⁶ As mentioned above, according to the settlement agreement between EMG and Crowne Gold, Crowne Gold owed EMG approximately \$122.5 million in gold.

¹³ Rojer represented EMG in the Oregon action.

¹⁴ Kinard is Rojer's brother-in-law.

¹⁵ ISV merely provides a secure location to store goods. Accordingly, ISV did not take an inventory of what Crowne Gold had shipped to ISV to be held on behalf of Pegasus.

¹⁶ As a result of obtaining this information, on or about February 11, 2009, agents obtained a seizure warrant for an undetermined amount of precious metals being held at ISV.

Because only approximately \$100 million in gold was shipped to the DDSC, and Crowne Gold sued EMG to retain a 20% delivery fee (roughly \$20 million), agents believed that the precious metals being held by ISV represented a settlement amount for the portion of the gold retained by Crowne Gold's for its delivery fee. Based upon the information received from ISV and Brinks, on or about February 11, 2009, agents obtained a seizure warrant from this Court after a probable cause finding that this gold¹⁷ constituted or was derived from proceeds of wire fraud offenses, in violation of 18 U.S.C. § 1343. Case No. 6:09-mj-1028. This gold represents additional EMG proceeds from their fraudulent activities.

50. Since the seizure, EMG has indicated that even though the subject gold was held in the name of Pegasus, it actually belongs to EMG.¹⁸ Additionally, Rojer's attorney has indicated that the gold at the DDSC represents EMG investors' funds. Moreover, Rojer's attorney has advised agents that the gold held in Texas represents the settlement funds from the Oregon litigation discussed above.

D. EMG's Response to Conversion of Investor Funds to Gold

51. As stated above, beginning in August 2008, EMG, through Crowne Gold, converted approximately \$122.5 million in investors' funds to gold. However, it was not until October 2008 that EMG advised its investors that some of their investments had not actually been invested in the forex market. On or about October 8, 2008, EMG advertised a "Guarantee Fund" on its website. According to EMG's website, this Guarantee Fund consisted of \$200 million that EMG had placed in physical gold deposits and real estate property in different

¹⁷ Agents seized **32 bars** worth approximately \$11 million at the time of seizure.

¹⁸ Agents have determined that Pegasus is a Panamanian Brokerage Firm. Rojer's attorney indicated to agents that the gold was being held in the name of Pegasus because EMG wanted to liquidate the gold and Pegasus had U.S. corresponding banks to make the process easier. Rojer's attorney further indicated that Cardona never directed that the gold in DDSC to be invested.

countries with a “high profit value.” EMG indicated that the fund had been set up to give investors “complete protection to their investments, and the fund would make investments so investors would have greater capital/investment guarantees.” Interestingly, EMG began advertising the Guarantee Fund two weeks after Michael Neal, President, Director and Board Member of Crowne Gold filed his declaration in the Oregon action indicating that Crowne Gold had received approximately \$175 million from companies and individuals investing in EMG and that such investments had been converted to gold as a result of Crowne Gold closing its business. Prior to this time, it was not advertised on EMG’s website that investors could invest in gold or in the real estate market. Indeed, agents believe that the Guarantee Fund was a mere cover to explain why EMG had not invested its investors’ funds as advertised.¹⁹

52. Indeed, had EMG actually been investing investor funds as advertised on its website, EMG’s Crowne Gold accounts would have smaller balances. A review of Crowne Gold’s Wells Fargo Account #1813430517 reveals that Crowne Gold received approximately \$174 million of investors’ funds on behalf of EMG’s clients between December 2007 and May 30, 2008. However, EMG’s Terms of Service advised investors that after their funds were sent to an EMG bank account, those funds would be forwarded to a brokerage house to be invested in the forex market within a week. Accordingly, the fact that Crowne Gold still held approximately \$120 million at the time of conversion indicates that funds were not being invested as advertised. Further, a review of Crowne Gold’s Wells Fargo Account #1813430517 reveals that only \$4,400,000 was sent to Dukascopy, a forex brokerage house advertised to EMG investors.

¹⁹ Aside from this one reference to investments in gold and real estate, and a “news update” on November 26, 2008, indicating that EMG was in the process of consolidating with a new brokerage house that held investments in commodities, precious metals, stock and options, there is not a single mention of EMG investing in anything other than forex. Even EMG’s “Question and Answer” page only advises clients that their investments are going to the forex market.

Additionally, the analysis reveals a total of approximately \$3,080,000 being sent to the following unknown Internet based investment companies: OptionsXpress (\$2,550,000), IFX Markets Inc. (\$368,000), Axiom Foreign Exchange International (\$117,000) and Forex Capital Markets LLC (\$45,000). As a result, only approximately \$7,480,000, or less than 5% of EMG investors' funds, appear to have been forwarded to a forex or investment company from this account.

53. A review of Crowne Gold's Wells Fargo Account #1007671637 reveals that Crowne Gold received approximately \$15 million of investor's funds on behalf of EMG's clients into this account between December 2007 and May 30, 2008. While this account showed no transfers to Dukascopy, or any other investment-type company, account activity did reveal approximately \$4 million in transfers into this account from Dukascopy, and \$6.7 million being paid out to EMG investors.

54. A review of Crowne Gold's Wells Fargo Account #7859038288 indicates that approximately \$1.13 million was sent to Dukascopy, \$500,000 was sent to ODL Securities, a U.S. based forex/investment firm, and approximately \$29.7 million was sent to DWB on behalf of EMG. It does not appear that this account received any investor funds directly, but investors' funds were moved from the above-referenced Wells Fargo accounts into this account.

55. Accordingly, an analysis of Crowne Gold's Wells Fargo Accounts #1813430517, #1007671637 and #7859038288 reveals that Crowne Gold received approximately \$189 million from EMG investors and only sent out approximately \$9,110,000, or less than 5%, to Dukascopy and other investment companies on behalf of EMG investors. Further, it appears EMG only received a return of \$4 million on investments totaling \$5.53 million (a 27% loss)²⁰ from

²⁰ A review of EMG's website from September 2008 to May 2009 does not show a single month where investors received a loss on their monthly returns, including in February 2009, when

Dukascopy.

IV. Other Entities Involved in EMG's Ponzi Scheme

A. DWB Holding Company

56. Since June 1, 2008, agents assigned to the task force have been investigating Rojo Filho and DWB. DWB was originally incorporated in the state of Florida on May 30, 2006 as AGFC Capital Management, Inc. On January 17, 2007, AGFC Capital Management, Inc. changed its name to DWB Holding Company. Rojo Filho was President of DWB until November 3, 2008, when DWB changed its board of directors, removing Rojo Filho as the President of DWB. However, despite this change, DWB's new President, Michael Clark, after entering the U.S. from Brazil, indicated during a secondary interview conducted by an ICE inspector at Orlando International Airport that Rojo Filho continues to maintain his controlling shares in the business. Michael Clark also indicated to the ICE inspector that he was hired by Rojo Filho for his expertise in securities. A review of Florida Department of Corporations' website further indicates that Rojo Filho maintains 100% of the controlling shares in DWB.

57. DWB's Internet website, www.dwbholdingcompany.com, advertises that it is involved in global trading, banking and finance, and investment projects. Further, as discussed below, it is believed that Rojo Filho was merely removed as an officer/director of DWB on paper after other financial accounts held in DWB's name were seized by federal agents based upon a drug and money laundering investigation out of the District of Arizona. On or about August 18, 2008, agents determined that DWB's M&I Bank Account #46017675 (DWB's M&I Bank Account) was commercially advertised on www.finance4x.com as a bank account where

agents seized EMG's gold and returns were not given to investors.

registered investors with EMG, with an issued ID number, could wire their investment funds.²¹

B. Superior International Investments Corporation

58. Superior International Investments Corporation (SIIC) was incorporated in the state of Florida on August 27, 2002. Pete Benevides was listed as SIIC's President. Rojo Filho was added as a Vice President of SIIC on August 6, 2008, but was removed as an officer on November 21, 2008, three days after SIIC removed Benevides as President. As described more fully in paragraphs 62-67 below, Rojo Filho and Benevides were removed on paper as officers/directors of SIIC shortly after federal agents seized an account related to these two individuals based upon violations of 18 U.S.C. § 1960. SIIC's commercial address is listed as 14238 Corkwood Lane, Astatula, Florida 32705, which is also Benevides' residence.²² A corporation check revealed that Benevides and Rojo Filho are associated with various other Florida companies wherein one or the other is listed as an officer or director. Additionally, surveillance has shown the two together, including both being present at DWB's office in Orlando.

59. On September 17, 2008, agents received additional information from a reliable source, which was confirmed through follow-up investigation, that Benevides and Rojo Filho were business partners in various other companies. The reliable source stated that he had seen Benevides on several occasions at Rojo Filho's office attending business meetings. The reliable source described Benevides as "shady" and stated he owned a high-end exotic car rental

²¹ DWB registered to use Finanzas Forex as a fictitious name with the Florida Department of State Division of Corporations on October 27, 2008.

²² However, at the time of the vehicle transaction discussed below, SIIC operated out of a room at the Knights Inn located at 7200 International Drive, Suite 101, Orlando, FL 32819. The Knights Inn is no longer in business.

company housed in a low-end motel on International Drive in Orlando.²³

60. Agents determined that as of October 3, 2008, the FFX4you²⁴ website advised EMG potential clients and current clients to make worldwide transfers to SIIC's Mercantile Bank Account #7600577985 with their FFX ID number and name. Mercantile Bank Account #7600577985 was opened on September 10, 2008, at the 12200 W. Colonial Drive, Winter Garden, Florida branch. As of October 13, 2008, the FFX4you website also advised EMG potential clients and current clients to make worldwide transfers to SIIC's SunTrust Bank Account #1000084021285 for transfers of \$20,000 to \$99,999.²⁵ SunTrust Bank Account #1000084021285 was opened at the 7677 Dr. Phillips Boulevard, Orlando, Florida, 32818 branch. Also, between August and September 2008, SIIC's RockBridge Commercial Bank Account #200002899 (SIIC's Main RockBridge Account) was identified on www.ffx4you.com as an account where EMG investors could wire funds to be invested in the forex market. SIIC's RockBridge Account was opened on or about August 20, 2008 at the 5607 Glenridge Drive NE, #100, Atlanta, Georgia branch. All three of these accounts were opened in SIIC's name.

61. Based upon my training and experience, and according to the FFX4you website, the money deposited by investors into SIIC's SunTrust and Mercantile Bank Accounts was done to further the EMG investment scheme so that ultimately, EMG, Benevides and Rojo Filho could reap the benefits of such scheme.

²³ Benevides operates his exotic car rental company under the name of Skyview Exotic Car Rental, LLC.

²⁴ SIIC registered to use Finanzas Forex as a fictitious name with the Florida Department of State Division of Corporations on October 7, 2008.

²⁵ Additionally, during this same time, the FFX4you website advised Finanzas Forex clients and potential clients who had investment ranging from \$2,000-\$19,000 to send those investments to an account in Frankfurt, Germany held in the name of EMG.

C. Obbalube Investment Corporation

62. Obbalube Investment Corporation (“OIC”) was incorporated in the state of Florida on October 11, 2007. Rojo Filho was made the Chief Financial Officer (“CFO”) of OIC on September 16, 2008. However, Rojo Filho was removed as the CFO on November 4, 2008. As discussed below, agents believe that this was in reaction to the seizure of OIC’s Accounts by federal agents.

63. Prior to the FFX4you website advertising to EMG clients to make investments utilizing SIIC’s bank accounts, the FFX4you website advertised to clients to make their investments with OIC’s bank accounts.²⁶ As of September 19, 2008, the FFX4you website advised EMG potential clients and current clients to make worldwide transfers to OIC’s Wachovia Account #2000040943374 with their FFX ID number and name.

64. ICE agents in Miami, Florida were investigating OIC. Agents learned that OIC president, Heriberto Perez Valdes (Valdes), had opened an OIC Wachovia Bank, N.A Account #2000040943374 at the Coral Gables branch of Wachovia Bank. From September 19-25, 2008, wire transfers in the approximate amount of \$13.85 million were transferred into OIC’s Wachovia Bank Account from various locations throughout the world. These wires were reviewed and determined to have similar characteristics of other wire transfers mentioned in this affidavit. Some of the wires referenced the originators name and ID number, while others referenced an ID number with a different person’s name other than the originator.

²⁶ OIC registered to use Finanzas Forex as a fictitious name with the Florida Department of State Division of Corporations on October 27, 2008.

65. As a result of a Google query for "OIC," agents linked OIC to a website, www.hagaplata.com,²⁷ that in turn identified OIC as a promotion company for a Foreign Currency Exchange business in the Republic of Panama, Finanzas Forex.

66. According to the Florida Department of State, Division of Corporations, OIC has a principal address of 1825 Ponce De Leon Blvd., Suite 262, Coral Gables, FL. Surveillance indicated that this location was a UPS Store. The suite, identified as #262, is actually a UPS mailbox at a UPS store. The promotional pamphlet obtained from that UPS Store advises that the use of a real street address, such as that supplied by the UPS Store, rather than a P.O. Box, helps project a "professional image."

67. On October 20, 2008, as a result of the investigation conducted by ICE agents in Miami, the government seized \$13.85 million from OIC's Wachovia Bank Account, based upon violations of 18 U.S.C. § 1960.²⁸ The investigation has revealed that at the time of the seizure of OIC's account, OIC was not registered with FinCEN as a money service business. However, on November 4, 2008,²⁹ 12 days after the seizure of funds, OIC applied for registration with FinCEN. It was further determined that OIC is not in compliance with Florida law to operate a money transmitting business since they are neither registered with the Office of Financial Regulation nor registered as a foreign money transmitter and/or registered with the U.S. Commodity Futures Trading Commission. Due to the timing of the removal of Rojo Filo and Benevides as officers/directors from DWB, SIIC and OIC, it is believed by agents that their

²⁷ The literal translation of the Spanish phrase "haga plata" is "make silver." Its slang meaning, however, is "make money."

²⁸ The seizure warrant was issued by a United States Magistrate Judge in the Southern District of Florida.

²⁹ This is also the same day that DWB applied for registration with FinCEN, Filho was removed as an officer from OIC, and is one day after Rojo Filho was removed as President of DWB.

removal was a result of the seizures of DWB, Benevides and OIC's bank accounts by federal agents, as discussed in this affidavit.

68. Based on the agents' research and my experience in investigating investment schemes, the information suggests that Valdes was a Coral Gables-based promoter for EMG through the www.FFX4you.com Internet website. Additionally, according to the FFX4you website, the money deposited by participants into OIC's Wachovia Account was done for the benefit of EMG/Finanzas Forex.

D. Rojo Filho and Benevides' Role with EMG

69. Based upon the information learned in this investigation, agents believe that Rojo Filho and Benevides are actually more than just promoters for EMG. It is believed that Rojo Filho and Benevides actually participated in the operation of EMG. As discussed more fully above and below, this belief is based in part upon the substantial financial ties between EMG, DWB, SIIC and other companies controlled by Benevides. Those financial ties include transfers of approximately \$29,000,000 of investor derived funds from the Crowne Gold accounts of EMG to DWB's BOA Account in Orlando from April 2008 through July 2008, and abnormally large amounts of money, approximately \$110,000,000, being deposited into Rojo Filho and Benevides' controlled financial accounts directly from EMG investors from August through November 2008.. Lastly, Rojo Filho's and Benevides' control over at least three companies (DWB, SIC and OIC) who advertised on EMG websites, as well as the fact that Rojo Filho and Benevides employed numerous promoters to help further the EMG scheme, leads agents to believe that Rojo Filho and Benevides are more than mere promoters for EMG.

V. **Tracing of the Purchase/Funding of Accounts and Vehicles Sought for Forfeiture**

A. **Tracing of EMG Investor Funds into DWB's Bank Accounts**

1. *DWB's M&I Bank Account #46017675*

70. On or about August 18, 2008, agents determined that **DWB's M&I Bank Account** was commercially advertised on www.finance4x.com as a bank account where registered investors with EMG with an issued ID number could wire their investment funds. According to M&I Bank records, on or about August 4, 2008, DWB's President, Rojo Filho, opened Business Checking Account #46017675 at the Maitland branch of M&I Bank, located at 100 East Packwood Avenue, Maitland, FL. Bank records list Rojo Filho as the President of DWB, and he was the only signatory on the account. The account-opening officer was told that DWB was involved in the foreign exchange market. Rojo Filho informed the account officer that the account would have up to 15,000 incoming wire transfers per month. Rojo Filho further informed the account officer that he had over 70,000 clients that conducted foreign exchange trading with his business, and the incoming wire transfers received would also be profits from the sale of forex software that he created and sells for use by individuals to conduct foreign exchange transactions. As of this affidavit's submission, no information, public or otherwise, has been found corroborating Rojo Filho's representations.

71. On August 22, 2008, in connection with a drug and international money laundering investigation by the DEA, IRS and ICE in the District of Arizona, the contents of this account were seized (\$24,350,221.35). The seizure warrant was issued by United States Magistrate Judge in the District of Arizona. While analysis of these bank records confirmed that drug proceeds were deposited into this account, it appears that such funds were being "invested."

72. Following the seizure, DWB filed a motion for return of seized property, pursuant

to Fed. R. Crim. P. 41(g), in the Middle District of Florida.³⁰ See *DWB Holding Co. v. United States of America, Drug Enforcement Administration, and Internal Revenue Service*, Case No. 6:08-cv-1881-Orl-28KRS (“Orlando action”). On or about November 28, 2008, counsel for DWB filed a Certificate of Interested Persons and Corporate Disclosures Statement in the Orlando action in which DWB describes its relationship with EMG as follows:

DWB has an agreement with Evolution Market Group (“Evolution”), a Panamanian corporation, to advise and manage funds raised from clients by Evolution. The funds seized by the government from the DWB account at M&I Bank (approximately \$24.3 million) represent funds wired by approximately 1700 clients of Evolution from around the world directly into the DWB account. Those Evolution clients are not the owners of the DWB account at M&I Bank; rather, they perhaps may be viewed as creditors of Evolution...

73. A review of DWB’s M&I Bank Account information confirms that this account received deposits from EMG investors. For example, for the time period of August 8, 2008 through August 12, 2008, there were a total of 1,249 incoming wire transfers, totaling more than \$11.3 million, from various individuals and entities, domestic and international. Some of the wires referenced the originators’ name and ID number while others referenced an ID number with the name of someone other than the originator. This type of activity is typical of Ponzi schemes operated on the Internet wherein the participant, once registered with the website, are given an ID number, then instructed to include the ID number in their wiring instruction to program operators.

74. According to the representations DWB made in the Orlando action and on the Finance4x.com website, the money deposited in DWB’s M&I Bank Account was deposited by EMG investors so that it could fund forex investments. However, no forex investments were

³⁰ The motion was filed in Orlando because that is where DWB is located. This Court denied the motion on January 12, 2009 and the case was transferred to the District of Arizona for any additional challenges to the seizures.

actually made even though funds were supposed to be sent to brokerage house within a week of deposit into this account.

2. *DWB's Whitney National Bank Account #0730660109*

75. On August 8, 2008, Rojo Filho opened **Whitney National Bank Business Edge Checking and Saving Account #0730660109** at the 1465 South Fort Harrison Ave., Clearwater, Florida branch. Rojo Filho was the sole signor on the account and was identified on the signature card as President and CEO of DWB. On August 11, 2008, this account was funded with a \$200,000 check from DWB's M&I Bank Account made payable to DWB Holdings LLC. As stated above, DWB's M&I Account was funded exclusively with EMG investor funds. Whitney National Bank froze this account shortly after it was opened due to suspicious activity. Thereafter, on August 26, 2009, agents from the District of Arizona obtained a seizure warrant for the contents of this account after a United States Magistrate Judge from the District of Arizona made a probable cause finding that the funds were the proceeds of violations of 21 U.S.C. § 841 and were engaged in international financial transactions in violations of 18 U.S.C. §§ 1956 and 1957. While some of the funds in the Whitney Bank Account may have been traceable to drug proceeds, it appears those funds were "invested" with EMG.

B. Tracing³¹ of EMG Investor Funds into Benevides' and Rojo Filho's Bank Accounts³²

³¹ Pursuant to 18 U.S.C. § 984, in any forfeiture action *in rem* in which the subject property is funds deposited in an account in a financial institution, any identical property found in the same account as the property involved in the offense that is the basis for the forfeiture shall be subject to forfeiture to the extent the funds involved in the offense were located in the year preceding the seizure. 18 U.S.C. § 984.

³² The contents of the accounts discussed in this section were seized, between October 29 and November 17, 2008, pursuant to seizure warrants issued after a United States Magistrate Judge from the District of Arizona made a probable cause finding that the funds were the proceeds of violations of 21 U.S.C. § 841 and were engaged in international financial transactions in violations of 18 U.S.C. §§ 1956 and/or 1957. While some of the funds in these accounts may

76. Between August and November 2008, four of SIIC's financial accounts received a total of approximately \$102,069,304 in EMG investor funds, including Whitney Bank Account #730659860, RockBridge Commercial Bank Account #200002899, Merchantile Bank #760077985,³³ and SunTrust Account #1000084021285. Additionally, Bankers Credit Corp's³⁴ Old Southern Bank Account #110000304 received approximately \$8,899,490 in EMG investor funds and Superior International Timeshares, LLC's SunTrust Account #1000084021137 received \$1,492,731.21. As will be explained below, after receiving EMG investor funds into these accounts, Benevides would then transfer investor funds to accounts held by: 1) Rojo Filho personally; 2) Benevides' wife; 3) multiple corporations not advertised to EMG investors; and 4) SIIC that were not advertised to investors. In total, between August and October 2008, Benevides and/or his wife opened at least 45 financial accounts that received EMG investor funds.

1. *Superior International Timeshares, LLC's³⁵ SunTrust Account #1000084021137*

have been traceable to drug proceeds, it appears those funds were "invested" with EMG.

³³ Benevides opened this account on September 10, 2008 at branch address 12200 West Colonial Drive, Winter Garden, FL, 34787. Benevides and Heather Perkins, discussed below, were the sole signors on the account. Account records revealed that between September 11 and 18, 2008, this account received a total of \$15,064,178 in wire transfers from various individuals and entities, domestic and international. These were the only deposits into this account. As discussed, above, this account was advertised on ffx4you.com. Because of the large number of wires into this account, Mercantile Bank closed this account. Benevides was given a cashier's check for the remaining funds in this account, \$9.8 million. The other funds were disbursed to other accounts Benevides controlled and/or benefitted from prior to the bank closing the account.

³⁴ Banker's Credit Corp is controlled by Cleveland Hightower, a known business associate of Benevides. Between August 4 and September 24, 2008, this account directly received investor funds. However, according to bank records, Banker's Credit Corp is in the business of mortgage and loan processing, not investing in the forex market.

³⁵ Superior International Timeshares, LLC (SIT) was incorporated in the state of Florida on August 11, 2002. Both Benevides and Rojo Filho are listed as managers of SIT.

77. On or about September 5, 2008, Benevides opened **Superior International Timeshares, LLC's (SIT) SunTrust Business Checking Account #1000084021137** at branch address 7677 Dr. Phillips Boulevard, Orlando, Florida, 32819. Benevides was the sole signor on the account and was identified on the signature card as President of SIT.

78. Account records revealed that between September 15, 2008 and October 31, 2008, a total of approximately \$1,492,731.21 in wire transfers were deposited into this account from various individuals and entities, domestic and international. Agents have not located evidence that this account was identified on any of the known websites advertised to EMG investors; however, account activity in this account was similar to account activity in other accounts controlled by Benevides that were advertised to EMG investors. Specifically, there were numerous wire transfers from various individuals and entities, domestic and international, and the wires being deposited into this account referenced the originator's name and ID number, while others referenced an ID number with a different person's name other than the originator. The only other funds deposited into this account was a transfer of \$2,113,661.30 on September 18, 2008, from Mana International, a corporation run by one of Benevides' business associate. There was only one large disbursement out of this account, on October 2, 2008, for \$2.5 million to a Walker & Tudhope, P.A. (Walker and Tudhope) Real Estate Trust Account.³⁶ Between October 30 and November 3, 2008, the remaining funds in this account, totaling \$1,006,042.52, were seized by the DEA in the District of Arizona.

³⁶ Walker and Tudhope is a closing/escrow agent out of Maitland, FL. Prior to the schemes described herein, Benevides had purchased numerous properties. However, based upon account analysis of all of the accounts described herein, Benevides was utilizing EMG investor funds to pay off mortgages on many of these properties as well as purchase new properties. Based upon the amount of funds that were disbursed to Walker and Tudhope from Benevides' accounts, it is believed that it had some involvement in many of Benevides' real estate transactions.

2. *SIIC's SunTrust Bank Account #1000084021285*

79. On or about October 14, 2008, agents determined that SIIC's SunTrust Bank Account #1000084021285 was commercially advertised on FFX4you.com as a bank account into which registered investors with EMG, with an issued ID number, could wire their investment funds. According to bank records, on or about September 5, 2008, Benevides opened **SIIC SunTrust Business Checking Account #1000084021285** at branch address 7677 Dr. Phillips Boulevard, Orlando, Florida, 32819. Benevides was the sole signor on the account and was identified on the signature card as President of SIIC.

80. Account records revealed that the deposits into this account total approximately \$36,891,194.90. A total of at least approximately \$34,234,952.34 is traceable to wire fraud proceeds. Specifically, between September 11, 2008 to November 19, 2008, approximately \$34,234,952.34 in wire transfers were deposited into this account from various individuals and entities, both domestic and international. Many of the wires referenced the originators name and ID number, while others referenced an ID number with a different person's name other than the originator. Account analysis indicates that approximately \$35,000 was sent, via outgoing wire transfers, to EMG investors, representing only a fraction of what was deposited into this account. As will be discussed below, the remainder of the funds deposited into this account were moved by Benevides to other accounts controlled by Benevides and/or Rojo Filho, or accounts which were set up to benefit Benevides and/or Rojo Filho. Indeed, agents believe that because funds from this account were moved to bank accounts held by Rojo Filho personally, Benevides' wife and two DWB employees and to financial institutions not advertised to investors, these transfers -- many of which are discussed below -- were done in an attempt to conceal or disguise EMG investor funds from investors and/or law enforcement. Between October 30, and November 20,

2008, the remaining funds in this account, totaling approximately \$8,383,371.54, were seized by the DEA in the District of Arizona.

a. Rojo Filho's First National Bank of Central Florida Account #123000153

81. On or about August 18, 2008, **Rojo Filho** opened **First National Bank of Central Florida (FNBCF) Money Manager Now Account #123000153** at branch address 2160 W. State Road 434, Longwood, Florida 32779. Rojo Filho was identified on the opening account documents as the sole signor on the account.

82. Based upon a review of account records, the deposits into this account total approximately \$900,000. A total of at least \$500,000 is traceable to wire fraud proceeds. Specifically, on October 16 and 28, 2008, there were two wire transfers deposited into this account totaling \$500,000.00 (\$100,000.00 on October 16 and \$400,000 on October 28) from SIIC's SunTrust Bank Account # 1000084021285. The majority of disbursements from this account went to pay Rojo Filho's personal expenses. On or about November 17, 2008, the remaining funds in this account, totaling \$316,207.00, were seized by the DEA in the District of Arizona.

b. Rojo Filho's FNBCF Account #001508156

83. On or about August 18, 2008, Rojo Filho also opened **First National Bank of Central Florida (FNBCF) Personal Money Market Account #001508156** at the Longwood branch. Rojo Filho was identified on the opening account documents as the sole signor on the account.

84. Based upon a review of account records, agents determined that on or about October 31, 2008, \$10,000.00 was transferred from Rojo Filho's FNBCF Account #123000153

to this account. No other funds were deposited into this account. After Rojo Filho's FNBCF Account #123000153 was opened, Benevides conducted transfers from that account into this account to further conceal and disguise EMG investor funds from investors and/or law enforcement. On or about November 17, 2008, the remaining funds in this account, totaling \$10,000.37³⁷ were seized by the DEA in the District of Arizona.

c. Fuad Abuchaibe's FNBCF Account #001040804

85. On or about October 22, 2008, **Fuad Abuchaibe opened FNBCF First Direct Checking Account #0001040839** at the Longwood branch. Fuad Abuchaibe³⁸ was identified on the signature card as the sole signor on the account. Account records revealed that on or about October 22, 2008, approximately \$50,000 was wire transferred into this account directly from SIIC's SunTrust Bank Account #1000084021285. This was the only deposit into this account. On or about November 4, 2008, the remaining funds in this account, totaling approximately \$46,089, were seized by the DEA in the District of Arizona.

d. Enrique Puellos Schlegel's FNBCF Account #0001040839

86. On or about October 22, 2008, **Enrique A. Puellos Schlegel opened FNBCF First Direct Checking Account #0001040839** at the Longwood branch. Enrique Puellos³⁹ was identified on the signature card as the sole signor on the account. Account records revealed that on or about October 22, 2008, approximately \$50,000 was wire transferred into this account directly from SIIC's SunTrust Bank Account #1000084021285. This was the only deposit into

³⁷ The additional \$0.37 is interest earned on the account.

³⁸ Based upon interviews conducted with DWB employees and a review of corporate records, it is believed that Fuad Abuchaibe was an employee of DWB Holding Company.

³⁹ Based upon interviews conducted with DWB employees and a review of corporate records, it is believed that Enrique Puellos was an employee of DWB Holding Company.

this account. On or about November 4, 2008 the remaining funds in this account, totaling approximately \$46,499.76 were seized by the DEA in the District of Arizona.

e. Funding of Brittany Benevides' Bank First Accounts

87. On or about September 2, 2008, Benevides opened SIIC Orion Bank Small Business Checking Account #8300073452 at branch address 605 N. Olive Avenue, West Palm Beach, Florida. Benevides and Rojo-Filho were identified on the signature cards as the sole signors on the account and as President and Vice-President of SIIC, respectfully.

88. Account records reveal that a total of approximately \$7,750,000 was deposited into this account. Of those deposits, at least \$4.3 million are traceable to wire fraud proceeds. Specifically, between October 17, 2008 and October 24, 2008, approximately \$4.3 million was transferred into this account from SIIC SunTrust Bank Account #10000840021285. The same day this account was opened, Benevides opened four additional accounts at Bank First in the name of his wife, Brittany Benevides. After this account received investor funds, Benevides conducted transfers from this account to his wife's newly opened accounts in order to further conceal and disguise EMG investor funds from investors and/or law enforcement. All of the Bank First accounts discussed below were opened at branch address 1000 E. Highway 50, Clermont, Florida, 34711. Each account was initially funded with a \$100.00 cash deposit. There is no evidence that any of the Bank First accounts were used as a conduit for investment activity.

i. Brittany Benevides' Bank First Bank Account #100002294

89. On or about September 2, 2008, Benevides' wife, **Brittany Benevides, opened Bank First Personal Platinum Plus Checking Account #100002294.** Brittany Benevides was identified on the opening account documents as the sole signor on the account.

90. Based upon a review of account records, a total of approximately \$1,503,750.52

was deposited into this account. Of those deposits, at least \$1.3 million is traceable to wire fraud proceeds. Specifically, on or about September 3, 2008, approximately \$500,000 was wire transferred into this account from LTES Center State Bank Account #542007275.⁴⁰ Thereafter, on or about October 28, 2008, approximately \$500,000 was wire transferred into this account from Brittany Benevides' CNL Bank Account #1044171.⁴¹ Then, on or about October 31, 2008, approximately \$300,000 was wire transferred into this account from SIIC's Orion Bank Account #8300073452. Approximately \$850,000 from this account was then moved to the three accounts discussed below. On or about November 4, 2008, the remaining funds in this account, totaling approximately \$71,736.84, were seized by the DEA in the District of Arizona.

ii. Brittany Benevides' Bank First Bank Account #200001188

91. On or about September 2, 2008, **Brittany Benevides opened Bank First Pass Book Savings Account #200001188**. Brittany Benevides was identified on the opening account documents as sole signor and custodian of the account, which was held in trust for Vincent Peter Benevides, Benevides' minor child.

92. Brittany Benevides only conducted two transfers, on or about September 8, 2008 and October 28, 2008, respectfully, totaling approximately \$200,000 into this account from her Bank First Bank Account #100002294. On or about November 17, 2008, \$200,551.20⁴² was seized by the DEA in the District of Arizona.

iii. Brittany Benevides' Bank First Bank Account #200001162

93. On or about September 2, 2008, **Brittany Benevides opened Personal Bank**

⁴⁰ As will be discussed below, between May 2008 and September 2008, at least \$5 million in EMG investor funds were deposited into LTES Center State Bank Account #542007275.

⁴¹ On September 2, 2008, this account received approximately \$889,000 from LTES Center State Bank #542007275.

⁴² The additional funds came from interest earned on the account.

First Passbook Savings Account #200001162. Brittany Benevides was identified on the account opening documents as the sole signor on the account.

94. Brittany Benevides only conducted two transfers totaling \$450,000 into this account from her Bank First Bank Account #100002294 on or about September 8, 2008 and October 20, 2008, respectfully. On October 30, 2009, Brittany Benevides transferred \$200,000 back to her Bank First Account #100002294. On or about November 04, 2008, the remaining funds in this account, totaling approximately \$251,535.35, were seized by the DEA in the District of Arizona.

iv. Brittany Benevides' Bank First Bank Account #200001170

95. On or about September 2, 2008, **Brittany Benevides opened Personal Bank First Pass Book Savings Account #200001170.** Brittany Benevides was identified on the account opening documents as sole signor and custodian of the account, which was held in trust for Sabrina Louise Benevides, minor child of Benevides.

96. Brittany Benevides only conducted two transfers totaling \$200,000 into this account from her Bank First Bank Account #100002294 on or about September 8, 2008 and October 28, 2008, respectfully. On or about November 17, 2008, the remaining funds in this account, totaling approximately \$200,551.20⁴³ were seized by the DEA in the District of Arizona.

3. *SIIC's RockBridge Commercial Bank Account #200002899*

97. On or about August 12, 2008, Benevides opened **SIIC RockBridge Commercial Bank Business Checking Account #200002899 (identified above as SIIC's Main**

⁴³ The additional funds came from interest earned on the account.

RockBridge Account) at branch address 5607 Glenridge Drive NE, Suite 100, Atlanta, Georgia, 30342. Benevides was the sole signor on the account and identified on the signature card as President of SIIC.

98. Account records reveal that a total of approximately \$34,198,961 was deposited into this account. Of those deposits, at least \$33,198,961 is traceable to wire fraud proceeds. Specifically, between August 13 and September 5, 2008, approximately \$33,198,961 in wire transfers were deposited into this account from various individuals and entities, domestic and international. Some of the wires referenced the originators name and ID number while others referenced an ID number with a different persons' name other than the originator. As discussed above, during the course of the investigation, agents discovered that this account was advertised on the Internet as an account into which EMG investors could wire money in order to invest.

99. There is no evidence that this account was used as a conduit for forex investment activity. Indeed, account analysis indicates that Benevides utilized EMG's investors' funds to purchase luxury vehicles (discussed below) and real estate for Benevides and Rojo Filho and paid personal and business related expenses of their respective companies. Moreover, funds from this account were used to pay participants of another investment scheme perpetrated by Rojo Filho, Green Power System (discussed more fully below). Funds from this account were also moved to the nineteen⁴⁴ RockBridge Commercial bank accounts described below (a-s),⁴⁵ as well as other accounts Benevides controlled at SunTrust Bank (t and u). Interestingly, all of the

⁴⁴ Of these nineteen accounts, only SIIC and SIT were corporations advertised to EMG investors. Additionally, aside from the Sky View Aviation, Knights Inn and Day Inn corporations, bank account analysis for the other corporations indicates that these corporations did little else than act as a conduit for Benevides to conceal and disguise investor funds.

⁴⁵ All but two of these Rockbridge Commercial accounts were opened on either August 13 or 18, 2008 at branch address 5607 Glenridge Drive NE, Suite 100, Atlanta, Georgia, 30342, and Benevides was listed as the sole signor on each account.

transfers into seventeen (a-c, e-g, i-s) of the nineteen RockBridge Commercial bank accounts occurred four days after the seizure of DWB's M & I Bank account, the first seizure made in the Arizona investigation. Moreover, out of those seventeen accounts, sixteen (a-c, e-g, j-s) all made disbursements back to SIIC's Main RockBridge Account.⁴⁶ There appears to be no business reason for the transfer of these funds to accounts not advertised to EMG investors other than to remove investor funds from advertised accounts. Accordingly, based on the timing of these transfers into the seventeen RockBridge Accounts, as well as the use of multiple bank accounts not advertised to EMG investors, it appears that these transfers were conducted in an attempt to conceal or disguise EMG investor funds from the investors and/or law enforcement.

100. Additionally, on September 5, 2008, Benevides transferred EMG investor funds to two accounts held in the name of hotels Benevides had an interest in, the Days and Knights Inn (t and u). While agents believe that these hotels were operating legitimately, the hotel business was not an advertised investment opportunity for EMG investors. Thus, it appears that Benevides was attempting to conceal and hide investor funds by removing them from SIIC's Main RockBridge Account and transferring them to two accounts not advertised to investors.

101. Lastly, agents believe that Benevides made transfers from SIIC's Main RockBridge Account to SIIC's RockBridge Account #200001353 (d) and to Sky View Aviation's RockBridge Account #200000845 (h) in order to conceal or disguise EMG investor funds because, again, these accounts were not advertised to EMG investors.

102. On or about October 29, 2008, the funds still remaining in this account, totaling \$303,521.37, were seized by the DEA in the District of Arizona.

⁴⁶ The one account that did not make a disbursement to SIIC's Main RockBridge Account made one to the Sky View Aviation's RockBridge Account discussed below.

- a. Skyview Investments Group, LLC's⁴⁷ RockBridge Commercial Bank Account #200001507

103. On or about August 19, 2008, Benevides also opened **Skyview Investments Group, LLC's (Skyview Investment Group) RockBridge Commercial Bank Business Checking Account #200001507**. Based upon a review of account records, there was approximately \$431,993.57 in deposits into this account. Of those deposits, at least a total of approximately \$399,843.66 is traceable to wire fraud proceeds. Specifically, on or about August 26, 2008, approximately \$399,843.66 was transferred into this account directly from SIIC's Main RockBridge Account. The majority of the disbursements from this account went back to SIIC's Main RockBridge Account and to SIIC's RockBridge Account #400002469, discussed below. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$20,333.41, were seized by the DEA in the District of Arizona.

- b. Supreme Car Wash, LLC's⁴⁸ RockBridge Commercial Bank Account #200001531

104. On or about August 19, 2008, Benevides opened **Supreme Car Wash, LLC (SCW) RockBridge Commercial Bank Business Checking Account #200001531**. Based upon a review of account records, agents determined that there was approximately \$266,225.84 in total deposits into this account. Of those deposits, at least approximately \$234,694.64 is traceable to wire fraud proceeds. Specifically, on or about August 26, 2008, approximately \$234,694.64 was transferred into this account directly from SIIC's Main RockBridge Account.

⁴⁷ Skyview Investment Group, LLC (Skyview Investment Group) was incorporated in the state of Florida on November 20, 2006, with Benevides as manager.

⁴⁸ Supreme Car Wash, LLC was incorporated in the state of Florida on November 20, 2006. Benevides was listed as the manager at the time of incorporation. However, on March 18, 2009, Benevides was removed as manager. Heather Perkins (Benevides' accountant and personal assistant) and Benevides' wife also served as managers of this corporation at different times since Benevides removal.

A total of \$200,000 was disbursed back to SIIC's Main Rockbridge Account. Another \$30,000 was transferred to the Skyview Investment Group RockBridge Commercial Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$39,606.82, were seized by the DEA in the District of Arizona.

c. SIIC's RockBridge Commercial Bank Account #400002469

105. On or about August 19, 2008, Benevides opened **SIIC's RockBridge Commercial Bank Money Market Account #400002469**. Account records revealed that there was a total of approximately \$641,464.45 deposited into this account. Of those deposits, a total of approximately \$641,337.53 is traceable to wire fraud proceeds. Specifically, on August 26, 2008, \$41,337.53 was transferred into this account directly from SIIC's Main RockBridge Account. An additional \$600,000 came from the DiVello Family's RockBridge Account, discussed below. Approximately \$600,000 was transferred back into SIIC's Main RockBridge Account. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$12,627.65, were seized by the DEA in the District of Arizona.

d. SIIC's RockBridge Commercial Bank Account #200001353

106. On or about September 17, 2008, Benevides opened **SIIC's RockBridge Commercial Bank Business Checking Account #200001353**. Account records reveal that there were a total of approximately \$6,850,000 deposits into this account. Of those deposits, at least approximately \$3,050,000 is traceable to wire fraud proceeds. Specifically, between September 17, 2008 and October 23, 2008, approximately \$3,050,000 was transferred into this account directly from SIIC's Main RockBridge Account, including a \$3,000,000 deposit on September 17. The only disbursements out of this account went back to SIIC's Main RockBridge Account (\$4,775,000) and to SIIC's Old Southern Bank Account #0110001419 (\$2

million), discussed below. On or about October 29, 2008, remaining funds in this account, totaling approximately \$74,978, were seized by the DEA in the District of Arizona.

e. SIT's RockBridge Commercial Bank Account #200002902

107. On or about August 13, 2008, Benevides opened **SIT's RockBridge Commercial Bank Business Checking Account #200002902**. Account records reveal that on or about August 26, 2008, approximately \$189,175.50 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. The only disbursement out of this account, \$175,000, went back to SIIC's Main RockBridge Account. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$14,165.50, were seized by the DEA in the District of Arizona.

f. Skyview Trust LLC's RockBridge Commercial Bank Account #200001523

108. On or about August 19, 2008, Benevides opened **Skyview Trust, LLC (Skyview Trust) RockBridge Commercial Bank Business Checking Account #200001523**. Account records revealed that on or about August 26, 2008, approximately \$110,250.01 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. The only disbursement from this account, \$100,000, went back to SIIC's Main RockBridge Account. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$10,250.01, were seized by the DEA in the District of Arizona.

g. Skyview Limo Service of Central Florida, LLC's⁴⁹ RockBridge Commercial Bank Account #200001515

109. On or about August 19, 2008, Benevides opened **Skyview Limo Service of**

⁴⁹ Skyview Limo Service of Central Florida, LLC's was incorporated in the state of Florida on November 21, 2006, and administratively dissolved for not filing an annual report on September 25, 2009. Benevides was listed as manager.

Central Florida, LLC (Skyview Limo) RockBridge Commercial Bank Business Checking Account #200001515. Account records revealed that on or about August 26, 2008, approximately \$84,767.88 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into the account. The only disbursements out of this account went to SIIC's Main RockBridge Account (\$50,000) and to Sky View Aviation's RockBridge Account (\$25,000), discussed below. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$9,767.88, were seized by the DEA in the District of Arizona.

h. Sky View Aviation, Inc's⁵⁰ RockBridge Commercial Bank Account #200000845

110. On or about January 18, 2008, Benevides opened **Sky View Aviation, Inc. (Sky View Aviation) RockBridge Commercial Bank Business Checking Account #200000845.** However, it appears from bank statement that this account sat dormant until August 8, 2008. Unlike many of the other corporations discussed herein, Sky View Aviation actually did conduct some legitimate business activity -- chartering services. However, chartering services were not an advertised investment opportunity for EMG investors.

111. Account records reveal a total of approximately \$2,585,000 was deposited into this account. At least approximately \$1.1 million is traceable to wire fraud proceeds. Specifically, on or about August 8, 2008, approximately \$1,000,000 was wire transferred into

⁵⁰ Sky View Aviation, Inc was incorporated in the state of Florida on February 10, 2006. Benevides was listed as its President and Rojo Filho was listed as its Vice President. However, on May 27, 2009, Rojo Filho was removed as an officer. Unlike many of the other corporations discussed herein, Sky View Aviation actually did conduct some legitimate chartering services. However, chartering services were not an advertised investment opportunity for EMG investors.

account this account from SIIC's Whitney National Bank Account #730659860.⁵¹ Thereafter, on or about October 21, 2008, approximately \$100,000 was transferred into this account directly from SIIC's Main RockBridge Account. The majority of the disbursements out of this account went back to SIIC's Main RockBridge Account and to various leasing companies, which agents believe to be lease payments for Sky View Aviation's aircrafts. On or about October 30, 2008, the remaining funds in this account, totaling approximately \$110,699.89, were seized by the DEA in the District of Arizona.

- i. Skyview Exotic Car Rental, LLC's⁵² RockBridge Commercial Bank Account #200001485

112. On or about August 19, 2008, Benevides opened **Skyview Exotic Car Rental, LLC's (Skyview Exotic Car) RockBridge Commercial Bank Business Checking Account #200001485**. Account records revealed that on or about August 26, 2008, approximately \$55,775 was transferred directly into this account from SIIC's Main RockBridge Account. This was the only deposit into this account other than a \$80.50. The only major disbursement from this account, \$40,000, went to the Sky View Aviation RockBridge Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$15,826.61, were seized by the DEA in the District of Arizona.

- j. Skyview International Investments, LLC's⁵³ RockBridge Commercial Bank Account #200001493

113. On or about August 19, 2008, Benevides opened **Skyview International**

⁵¹ As will be discussed below, this account received approximately \$18,570,391.00 in EMG investor funds in August 2008.

⁵² Skyview Exotic Car Rental, LLC was incorporated in the state of Florida on January 29, 2007, and voluntarily dissolved on February 17, 2009. Benevides was listed as manager.

⁵³ Skyview International Investments, LLC was incorporated in the state of Florida on June 5, 2008 and administratively dissolved for not filing an annual report on September 25, 2009. Benevides was listed as manager.

Investments, LLC (Skyview International Investment) RockBridge Commercial Bank

Business Checking Account #200001493. Account records revealed that on or about August 26, 2008, approximately \$437,115.57 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. A total of \$375,000 was transferred back to SIIC's Main RockBridge Account, with another \$50,000 going to the Sky View Aviation RockBridge account discussed above. On or about October 29, 2008, remaining funds in this account, totaling approximately \$12,115.57, were seized by the DEA in the District of Arizona.

k. Skyview Air, Inc's⁵⁴ RockBridge Commercial Bank Account
#200001477

114. On or about August 19, 2008, Benevides opened **Skyview Air, Inc. (Skyview Air) RockBridge Commercial Bank Business Checking Account #200001477.** Account analysis revealed that on or about August 26, 2008, approximately \$113,681.94 was transferred into this account from SIIC's Main RockBridge Bank Account. This was the only deposit into the account. A total of \$70,000 was transferred back to SIIC's Main RockBridge Account, as well \$30,000 to the Sky View Aviation Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$13,681.94, were seized by the DEA in the District of Arizona.

l. Benevides & Associates, LLC's⁵⁵ RockBridge Commercial Bank
Account #200001426

115. On or about August 19, 2008, Benevides opened **Benevides & Associates, LLC**

⁵⁴ Skyview Air, Inc. was incorporated in the state of Florida on December 3, 2007, and voluntarily dissolved on March 12, 2009. Benevides was listed as President.

⁵⁵ Benevides & Associates, LLC was incorporated in the state of Florida on February 11, 2005, and administratively dissolved for not filing an annual report on September 25, 2009. Benevides was listed as manager.

RockBridge Commercial Bank Business Checking Account #200001426. Account records revealed that on August 26, 2008, approximately \$161,943.88 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into the account. A total of \$100,000 was transferred back to SIIC's Main RockBridge Account and \$50,000 was transferred to the Sky View Aviation RockBridge Account discussed above. On or about October 29, 2008, remaining funds in this account, totaling approximately \$11,943.88, were seized by the DEA in the District of Arizona.

- m. Infinity Mortgage Group, LLC's⁵⁶ RockBridge Commercial Bank Account #200001299

116. On or about August 13, 2008, Benevides opened **Infinity Mortgage Group, LLC (Infinity Mortgage) RockBridge Commercial Bank Business Checking Account #200001299.** Account records revealed that between August 26 and October 23, there were three transfers directly into this account, totaling \$157,615.14, from SIIC's Main RockBridge Account. The only disbursements out of this account went back to SIIC's Main RockBridge Account (\$45,000) and to an account held by Lidio A. Rancharan⁵⁷ at HSBC New York (\$100,000). On or about October 29, 2008, the remaining funds in this account, totaling approximately \$12,581.14, were seized by the DEA in the District of Arizona.

- n. Infinity Properties, LLC's⁵⁸ RockBridge Commercial Bank Account #200001450

⁵⁶ Infinity Mortgage Group, LLC was incorporated in the state of Florida on May 26, 2005, and administratively dissolved for not filing an annual report on September 25, 2009. Benevides & Associates, LLC, Stephanie Garcia and Kathryn Gillingham were listed as managers.

⁵⁷ Internet research associates Lidio Rancharan with Grupo Bannorth, a company advertised on DWB's website.

⁵⁸ Infinity Properties, LLC was incorporated in the state of Florida on May 26, 2005, and voluntarily dissolved on February 17, 2009. Benevides & Associates, LLC, Stephanie Garcia and Kathryn Gillingham were listed as managers.

117. On or about August 19, 2008, Benevides opened **Infinity Properties, LLC (Infinity Properties) RockBridge Commercial Bank Business Checking Account #200001450**. Account records revealed that on August 26, 2008, approximately \$61,739.81 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. Thereafter, one disbursement was made for \$50,000 back to SIIC's Main RockBridge Account. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$11,739.81, were seized by the DEA in the District of Arizona.

- o. ABC Auto Wholesalers, Inc.'s⁵⁹ RockBridge Commercial Bank Account #200001418

118. On or about August 19, 2008, Benevides opened **ABC Auto Wholesalers, Inc. (ABC Auto) RockBridge Commercial Bank Business Checking Account #200001418**. Account records revealed that on August 26, 2008, approximately \$598,271.56 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. A total of \$540,000 was transferred back to SIIC's Main RockBridge Account while an additional \$50,000 was transferred to the Sky View Aviation RockBridge Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$8,271.56, were seized by the DEA in the District of Arizona.

⁵⁹ ABC Auto Wholesalers, Inc. was incorporated in the state of Florida on September 25, 1996 and voluntarily dissolved on February 2, 2004. Benevides was listed as the President. It appears that Benevides then reinstated the corporation on February 15, 2005. However, the corporation was again voluntarily dissolved on March 12, 2009. Benevides was listed as the President.

- p. DiVello Family, LLC⁶⁰ RockBridge Commercial Bank Account
#200001434

119. On or about August 19, 2008, Benevides opened **DiVello Family, LLC (DiVello) RockBridge Commercial Bank Business Checking Account #200001434**. Account records revealed that on August 26, 2008, approximately \$350,685.99 was transferred into this account from SIIC's Main RockBridge Account. This was the only deposit into the account. A total of \$40,000 was disbursed back to SIIC's Main RockBridge Account, while \$300,000 was transferred to SIIC's RockBridge Account #400002469, discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$10,685.99, were seized by the DEA in the District of Arizona.

- q. Fidelity Investment Group, LLC's⁶¹ RockBridge Commercial
Bank Account #200001442

120. On or about August 19, 2008, Benevides opened **Fidelity Investment Group, LLC (Fidelity Investment) RockBridge Commercial Bank Business Checking Account #200001442**. Account records revealed that on August 26, 2008, approximately \$254,354.64 was transferred into this account from SIIC's Main RockBridge Account. This was the only deposit into this account. A total of \$40,000 was disbursed back to SIIC's Main RockBridge Account, while \$200,000 was disbursed to the Sky View Aviation RockBridge Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling

⁶⁰ DeVillo Family, LLC was incorporated in the state of Florida on August 13, 2004. However, it was not until January 29, 2008 that Benevides became manager of DeVillo Family, LLC. Thereafter, on October 31, 2008, Benevides was removed as manager, and Larry Frederick, a business employee of Benevides', and Heather Perkins were added. On August 5, 2009, Benevides' wife was added as a manager. On August 31, 2009, Frederick and Perkins were removed as managers. Barry Walker and Benevides' wife are the current managers.

⁶¹ Fidelity Investment Group, LLC was incorporated in the state of Florida on November 21, 2006. Benevides is listed as the manager. This corporation is still active.

approximately \$14,354.64, were seized by the DEA in the District of Arizona.

- r. MK & FK Management, Inc's⁶² RockBridge Commercial Bank Account #200001469

121. On or about August 19, 2008, Benevides opened **MK & FK Management, Inc (MK & FK) RockBridge Commercial Bank Business Checking Account #200001469.**

Maksoodkhan Pathan was identified on the opening account documents as President of MK & FK. However, during this time, Maksoodkhan Pathan was not listed as a corporate officer and/or director of MK & FK. Account records revealed that on August 26, 2008, approximately \$201,900.00 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. A total of \$150,000 was disbursed back to SIIC's Main RockBridge Account, while \$40,000 was disbursed to the Sky View Aviation RockBridge Account discussed above. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$11,900.00, were seized by the DEA in the District of Arizona.

- s. RGB Outdoor Advertising, LLC's⁶³ RockBridge Commercial Bank Account #200001302

122. On or about August 13, 2008, Benevides opened **RGB Outdoor Adversting, LLC (RGB) RockBridge Commercial Bank Business Checking Account #200001302.**

⁶² MK & FK Management, Inc. was incorporated in the state of Florida on October 5, 2004. Maksoodkhan Pathan was the original President. On July 6, 2007, Benevides was added as President of MK & FK Management, Inc. Thereafter, on March 13, 2008, PJB Investments Inc, another Benevides' company, was made the President. Subsequently, on October 31, 2008, Benevides' company was removed as President and Heather Perkins and Larry Frederick, Benevides' associates, were added. Then, on January 22, 2009, Benevides was again added as the President of MK & FK. However, on February 19, 2009, Benevides was again removed as President and Heather Perkins was added.

⁶³ RGB Outdoor Advertising, LLC's was incorporated in the state of Florida on May 29, 2008. Benevides' wife, along with Vimal Okhai and Gary L Hoeing, are listed as managers. This corporation was voluntarily dissolved on February 17, 2009.

Benevides was the sole signor on the account even though he was never listed as an officer/director of RGB. A further review of the account opening documents indicated that Benevides' wife was listed as a manager of RGB, as well as Vimal Okhai and Gary L Hoeing. Account records revealed that on or about August 26, 2008, approximately \$40,201.50 was transferred into this account directly from SIIC's Main RockBridge Account. This was the only deposit into this account. The only disbursement out of this account, \$30,000, was back to SIIC's Main RockBridge Account. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$10,191.50, were seized by the DEA in the District of Arizona.

t. DiVello Family LLC d/b/a Days Inn Seastone SunTrust Account #1000075166313

123. On or about March 5, 2008, Benevides opened **DiVello Family LLC d/b/a Days Inn Seastone (DiVello/Days Inn) Business Checking Account #1000075166313**. Unlike many of the other corporations discussed herein, the Days Inn was a legitimate business. However, the hotel business was not an advertised investment opportunity for EMG investors. Account records revealed that as of September 1, 2008,⁶⁴ this account had a balance of \$2,568.58. A total of \$528,478.99 was deposited into this account from September 1, 2008 through the seizure of funds in this account. Of these deposits, at least a total of approximately \$385,000 is traceable to wire fraud proceeds. Specifically, on September 5, 2008, \$385,000 was wire transferred into this account from SIIC's Main RockBridge Account. The only major disbursements during this time frame went to pay business related expenses. Between October 30 and November 28, 2008, the remaining funds in this account, totaling \$363,247.19, were seized by the DEA in the District of Arizona.

⁶⁴ It does not appear that funds from the EMG scheme were deposited into this account prior to this date.

- u. MK & FK Management, Inc d/b/a Knights Inn's SunTrust Account #1000046692819

124. On or about February 8, 2005, **MK & FK Management Inc. d/b/a Econolodge⁶⁵ (MK & FK/Knights Inn) SunTrust Business Checking Account #1000046692819** was opened at branch address 8101 S John Young Parkway, Orlando, Florida, 32819. Maksoodkman Pathan, President, and Firojhhan Pathan, Vice-President, of MK & FK/Econolodge, were identified on the opening account documents as signors. On or about June 13, 2008, records indicate that Benevides was added to the account as a signor and President of MK & FK/Knights Inn. Larry Frederick and Heather Perkins were also added as additional signors, both being identified as managers of MK & FK/Knights Inn. Unlike many of the other corporations discussed herein, the Knights Inn was a legitimate business. However, the hotel business was not an advertised investment opportunity for EMG investors.

125. Account records revealed that as of September 1, 2008,⁶⁶ this account had a balance of \$6,924.82. From September 1, 2008 through the seizure of funds, this account had total deposits of approximately \$643,222.06. At least approximately \$488,000 in funds traceable to wire fraud proceeds were deposited into this account. Specifically, on or about September 5, 2008, approximately \$488,000 was wire transferred into this account from SIIC's Main RockBridge Account. The only major disbursement out of this account during this time frame was a \$300,000 wire transfer to an account held by Grupo Bannorth, a company advertised on DWB's website. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$85,454.78, were seized by the DEA in the District of Arizona.

⁶⁵ The account was originally opened as an Econo Lodge, but later the account holder information was changed to the Knights Inn.

⁶⁶ Funds from SIIC's Main RockBridge Account were not deposited into this account until September 2008.

4. *SIIC's Whitney Bank Account #730659860*

126. On or about May 23, 2008, Benevides opened SIIC's Whitney National Bank Business Edge Account #730659860 at branch address 1465 South Fort Harrison Ave., Clearwater, FL, 33756. Benevides was identified on the account opening documents as the sole signor on the account and President of SIIC. Accounts records reveal this account received a total of approximately \$20,070,391.00 in deposits. Of those deposits, a total of approximately \$18,570,391 in wire transfers is traceable to wire fraud proceeds. Specifically, between August 4 and 28, 2008, this account received approximately \$18,570,391 in deposited from various individuals and entities, domestic and international. Some of the wires referenced the originators name and ID number while other referenced an ID number with a different persons' name other than the originator. Agents were able to locate this account as being advertised to EMG investors on the Internet. This account was closed by Whitney Bank prior to agents being able to seize funds from this account. However, prior to the bank closing the account, Benevides transferred investor funds to accounts held by Leesburg Title & Escrow Services, Inc (LTES), his wife and Infinity Mortgage. Additionally, Benevides transferred funds to an SIIC Old Southern Bank and Community Bank of Florida Account not advertised to investors. Because neither LTES, Benevides' wife nor Infinity Mortgage were known to investors, and SIIC's Old Southern Bank and Community Bank of Florida Accounts were not advertised to investors, it is believed that investor funds were transferred to these accounts to conceal or disguise the funds from investors and/or law enforcement.

a. SIIC's Old Southern Bank Account #0106000144

127. On or about August 22, 2008, Benevides opened **SIIC Old Southern Bank Money Market Account #0106000144** at the Orange Ave. branch. Account opening documents

identify Benevides as the sole signor on the account. Account records reveal this account received \$985,285.11 in total deposits. Of these deposits, between August 28, 2008 and August 29, 2008, approximately \$985,201.78 in cashier's checks were deposited into this account, including a deposit of \$112,081.41 on August 28, 2008. These cashier's checks originated from SIIC's Whitney National Bank Account #730659860. The only major disbursements out of this account, \$686,790.81, went to SIIC's Old Southern Bank, discussed below. Between October 29, 2008 and November 21, 2008, the remaining funds in this account, totaling approximately \$18,236.04, were seized by the DEA in the District of Arizona.

b. Leesburg Title & Escrow Services, Inc.⁶⁷ Center State Bank
Account #542007275

128. On or about February 7, 2008, Heather Perkins (Perkins) opened **Center State Bank Business Checking Account #542007275 in the name of Leesburg Title & Escrow Services, Inc.** (LTES) at bank branch address 1017 S. Main Street, Wildwood, Florida, 34785. Perkins, LTES President, was listed as the sole signor on the account.

129. LTES' Center State Account #542007275 was initially funded on February 7, 2008, with a \$3,000 check from a Wachovia bank account. This account sat dormant until May 20, 2008, when EMG investor funds began being deposited into the account. Account records reveal that this account received deposits totaling approximately \$7,927,432.63. Of these deposits, at least approximately \$5,905,211.47 is traceable to wire fraud proceeds. Specifically, on May 20 and July 24, 2008, deposits of \$50,000 and \$100,000, respectively, were made into

⁶⁷ Agents reviewed LTES records from the Florida Department of State, Division of Corporations, and found that LTES was created on or about November 13, 2006. Heather Perkins was identified as President. Based upon interviews conducted by agents with individuals who personally know Perkins and Benevides, Perkins was employed by Benevides as his accountant and personal assistant.

this account from DWB's BOA Account.⁶⁸ Thereafter, on August 11, 2008, this account received a deposit of \$898,000 from SIIC's Whitney Bank Account #730659860. This account also received: 1) a \$3 million deposit on August 5, 2008; 2) a \$1,357,211.42 deposit on September 2, 2008; and 3) a \$500,000 deposit on September 15, 2008, from SIIC's Main Rockbridge Account. Benevides' wife received a disbursement of approximately \$1,857,211.42 million, Castaneda and Chin received approximately \$1.95 million and Banker's Credit Corp received \$1 million out of this account. On or about November 4, 2008, the remaining funds in this account, totaling approximately \$95,849.71, were seized by the DEA in the District of Arizona.

i. Brittany Benevides' CNL Bank Account #0001044171

130. On or about August 29, 2008, **Brittany Benevides opened CNL Bank Plantinum Personal Personal Account #0001044171** at branch address 7625 Sand Lake Road, Orlando, Florida, 32819. Brittany Benevides was identified on the signature cards as sole signor on the account.

131. Account records reveal that there was a total of approximately \$914,936.83 deposited into this account. Of these deposits, at least \$889,000 is traceable to wire fraud proceeds. Specifically, on or about September 2, 2008, \$889,000 was transferred into this account from LTES Center State Bank Account #542007275. The only major disbursement out of this account went to Brittany Benevides' Bank First bank Account #100002294. Additionally, a small amount of funds were disbursed to GMAC. On or about November 4, 2008, the remaining funds in CNL Account #0001044171 totaling approximately \$403,619.83 were seized

⁶⁸ Between April 2008 and July 2008, DWB's BOA Account received deposits of approximately \$29 million from EMG investors.

by the DEA in the District of Arizona.

ii. Brittany Benevides' CNL Bank Account #0007022585

132. On or about August 29, 2008, **Brittany Benevides opened CNL Bank Personal Money Market Account #0007022585** at the Sand Lake Road branch. Brittany Benevides was identified on the signature card as sole signor on the account. Account records revealed that a total of approximately \$494,148.25 was deposited into this account. Of those deposits, a total of approximately \$468,211.42 is traceable to wire fraud proceeds. Specifically, on or about September 2, 2008, \$468,211.42 was transferred into this account from LTES Center State Bank Account #542007275. On or about November 4, 2008, the remaining funds in this account, totaling approximately, \$484,870.45, were seized by the DEA in the District of Arizona.

iii. Infinity Mortgage's SunTrust Account #1000077641073

133. On or about August 20, 2008, Benevides opened **Infinity Mortgage Business Checking Account #1000077641073** at branch address 7677 Dr. Phillips Boulevard, Orlando, Florida, 32819. Benevides was identified on the opening account documents as sole signor on the account and President of Infinity Mortgage.

134. Account records revealed that a total of approximately \$865,000 was deposited into this account. Of those deposits, at least approximately \$865,000 is traceable to wire fraud proceeds. Specifically, on or about September 3, 2008, approximately \$500,000 was wire transferred into this account from LTES' Center State Bank Account #542007275.

135. Additionally, agents learned that Benevides obtained two credit lines from Washington Mutual: 1) Loan #0746805092 for \$1,000,000; and 2) Loan #0747720662 for \$500,000. The collateral used for these credit lines were two properties purchased by Benevides prior to the schemes described in this affidavit commencing. However, bank analysis indicated

that Benevides utilized EMG investor funds to pay down the majority of the two credit line balances, benefiting Benevides. Indeed, on September 1, 2008, Benevides drew two separate checks totaling \$1,447,000 from SIIC's Main RockBridge Account. These checks were made payable to Washington Mutual Bank and the memo fields noted "credit line loan principle only." Thereafter, on or about October 28, 2008, two Washington Mutual cashier's checks: 1) a \$205,000 check drawn on loan #0747720662; and 2) a \$160,000 check drawn on loan #0746805092 were deposited into Infinity Mortgage's SunTrust Bank Account #1000077641073. Because the homes used for collateral were not purchased with proceeds traceable to the wire fraud scheme described herein, the initial disbursements to Benevides were not proceeds of any crimes. However, once Benevides used wire fraud proceeds to repay the loans, any subsequent draws he took meant he was redrawing from proceeds.

136. Because neither this account nor Infinity Mortgage was advertised to investors, agents believe that investor funds were transferred into this account to conceal or disguise investor funds from investors and/or law enforcement. On or about October 30, 2008, the remaining funds in this account, totaling approximately \$864,985.00, were seized by the DEA in the District of Arizona.

c. SIIC's Community Bank of Florida Account #1308453

137. On or about April 22, 2008, Benevides opened **SIIC Community Bank of Florida Commercial Smart Checking Plus Account #1308453** at branch address 3221 S. Florida Avenue, Lakeland, Florida 33803. Benevides was identified on the account opening documents as the sole signor on the account.

138. Account records revealed that there was a total of approximately \$3,198,211.22 deposits into this account. Of those deposits, at least a total of approximately \$699,211.22 is

traceable to wire fraud proceeds. Specifically, on or about August 7, 2008, approximately \$699,211.22 was transferred into this account directly from SIIC's Whitney National Bank Account #730659860. Thereafter, on or about August 20, 2008, approximately \$1,500,000 was wire transferred into this account from SIIC's First Commercial Bank Account #247190.⁶⁹ The majority of the disbursements from this account went back to accounts controlled by Benevides. On or about October 29, 2008, the remaining funds in this account, totaling \$439,815.22, were seized by the DEA in the District of Arizona.

5. *SIIC's Old Southern Bank Account #0110001419*

139. On or about August 15, 2008, Benevides opened **SIIC's Old Southern Bank Business Checking Account #0110001419 (SIIC's Main Old Southern Account)** at branch address 5607 Glenridge Drive NE, Suite 100, Atlanta, Georgia, 30342. Account opening documents identified Benevides as the sole signor on the account.

140. Account records revealed there were a total of approximately \$34,073,289.24 deposits into this account. Of those deposits, approximately \$17,698,333.25 came from the six accounts described in paragraph 76 that received wires transfers from EMG investors directly (including a \$3,201,776.41 deposit from SIIC's Whitney Bank Account #730659860 on August 18, 2008), another approximately \$6.4 million came into this account from other accounts that received deposits from the six accounts described in paragraph 76, and approximately \$1,468,772.04 came back into this account from other accounts held by Benevides at Old Southern Banks Accounts.

141. Between August 22, 2008 and October 20, 2008, Benevides transferred funds

⁶⁹ In August 2008, SIIC's First Commercial Bank Account #247190 received deposits totaling approximately \$8,463,439.90 from SIIC's Whitney National Bank Account #730659860.

from this account to accounts held by: 1) other Benevides controlled corporations; 2) Rojo Filho's wife and step-children; 3) known business associates of Benevides believed to be involved in the investment schemes described herein; 4) OIC; 5) EMG; and 6) German Cardona. Moreover, funds from this account were also used to pay investors from Rojo Filho's Green Power Systems scheme (GPS) (discussed more fully below) and EMG investors.

142. It appears that this account was created to conceal and disguise investor funds from investors and/or law enforcement because SIIC's Old Southern Bank account was not an account advertised to EMG investors. Additionally, there is no legitimate business reason for Benevides to move investor funds from accounts that directly received investor funds into this account. Indeed, within a week's period of time after investors sent their money to accounts advertised by EMG, investor funds were supposed to be invested in the forex market, not moved to other accounts controlled by Benevides.

143. Moreover, after investor funds were transferred into this account, Benevides attempted to further conceal or disguise these funds from investors and/or law enforcement by transferring the funds to the twelve⁷⁰ Old Southern Bank Accounts discussed below, which were not advertised to investors. All of these accounts were opened between August 15 and 21, 2008. Indeed, nine of these accounts (b,⁷¹ d-f, h-l) were all funded with \$100.00 on September 19, 2008, and no other transactions were made within these accounts. With the exception of SIT's OLD Southern Bank Account, these additional transfers were made to accounts held by corporations not advertised to EMG investors. On or about October 29, 2008, the remaining

⁷⁰ The twelve Old Southern Bank accounts discussed below were all opened at branch address 250 N. Orange Avenue, Orlando, Florida, 32801. Account opening documents all identify Benevides as the sole signor on the account.

⁷¹ This account was actually funded with \$200.00.

funds in this account, totaling approximately \$1,698,599.09, were seized by the DEA in the District of Arizona.

a. Sky View Aviation, Inc's Old Southern Bank Account
#0110001393

144 On or about August 15, 2008, Benevides opened **Sky View Aviation's Old Southern Bank Business Checking Account #0110001393**. Account records revealed that there was a total of approximately \$491,308.87 deposited into this account. Of those deposits, a total of approximately \$424,500 is traceable to wire fraud proceeds. Specifically, between September 2, 2008 and October 20, 2008, \$424,500 was deposited into this account directly from SIIC's Main Old Southern Account, including a \$250,000 deposit on September 4, 2008. The majority of disbursements out of this account went to pay for business expenses, as well as to pay off mortgages on properties owned by DiVello. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$85,256.43, were seized by the DEA in the District of Arizona.

b. Skyview Air's Old Southern Bank Account #0110001641

145. On or about August 19, 2008, Benevides opened **Skyview Air's Old Southern Bank Business Checking Account #0110001641**. Account records revealed that on September 19, 2008, \$200.00 was transferred into this account from SIIC's Main Old Southern Account. On or about October 29, 2008, \$200.00 was seized by the DEA in the District of Arizona.

c. Skyview Construction, LLC's⁷² Old Southern Bank Account
#0110001658

146. On or about August 19, 2008, Benevides opened **Skyview Construction, LLC**

⁷² Skyview Construction, LLC was incorporated in the state of Florida on August 11, 2008. Benevides is currently listed as the manager. Rojo Filho was also listed as a manager when the company was incorporated, but was removed from this position on January 6, 2009.

(Skyview Construction) Old Southern Bank Business Checking Account #0110001658.

Account records revealed that between September 5, 2008 and October 16, 2008, approximately \$50,000 was transferred into this account directly from SIIC's Main Old Southern Account, including a deposit of \$20,000 on October 6, 2008. These were the only deposits into this account. The only disbursements from this account were to pay for Benevides' business expenses. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$19,845.71, were seized by the DEA in the District of Arizona.

d. Skyview International Investments' Old Southern Bank Account #0110001724

147. On or about August 21, 2008, Benevides opened **Skyview International Investments Old Southern Bank Business Checking Account #0110001724**. Account records reveal that on September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

e. Skyview Trust's Old Southern Bank Account #0110001757

148. On or about August 21, 2008, Benevides opened **Skyview Trust's Old Southern Bank Business Checking Account #0110001757**. Account records reveal that on September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

f. SIT's Old Southern Bank Account #0110001427

149. On or about August 19, 2008, Benevides opened **SIT's Old Southern Bank Business Checking Account #0110001427**. Account records reveal that on September 19,

2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. Account analysis indicates that none of the funds that were deposited into this account were invested as advertised by EMG. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

g. Fidelity Investment's Old Southern Bank Account #0110001609

150. On or about August 19, 2008, Benevides opened **Fidelity Investment's Old Southern Bank Business Checking Account #0110001609**. Account records revealed that there was a total of approximately \$8,529.60 deposited into this account. Of those deposits, at least \$5,000 is traceable to wire fraud proceeds. Specifically, on or about October 20, 2008, there was a \$5,000 deposit transferred into this account directly from SIIC's Main Old Southern Account. The only disbursements appear to have gone to pay for home improvement/construction costs. On or about October 29, 2008, the remaining funds in this account, totaling approximately \$5,141.42, were seized by the DEA in the District of Arizona.

h. MK & FK's Old Southern Bank Account #0110001625

151. On or about August 19, 2008, Benevides opened **MK & FK's Old Southern Bank Business Checking Account #0110001625**. Accounts records reveal that on or about September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

i. SCW's Old Southern Bank Account #0110001666

152. On or about August 19, 2008, Benevides opened **SCW's Old Southern Bank Business Checking Account #0110001666**. Account records reveal that on or about September

19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

j. DiVello's Old Southern Bank Account #0110001690

153. On or about August 21, 2008, Benevides opened **DiVello's Old Southern Bank Business Checking Account #0110001690** Account records reveal that on September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

k. Benevides & Associates' Old Southern Bank Account #0110001708

154. On or about August 21, 2008, Benevides opened **Benevides & Associates' Old Southern Bank Business Checking Account #0110001708**. Account records reveal that on September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

l. PBBB Investments, LLC's Old Southern Bank Account #0110001716

155. On or about August 21, 2008, Benevides opened **PBBB Investments, LLC's (PBBB) Old Southern Bank Business Checking Account #0110001716**. Account records reveal that on September 19, 2008, \$100.00 was transferred into this account directly from SIIC's Main Old Southern Account. On or about October 29, 2008, \$100.00 was seized by the DEA in the District of Arizona.

6. SIIC First National Bank of Central Florida Account #0002112426

156. On August 12, 2008, Benevides opened **SIIC's First National Bank of Central**

Florida (FNBCF) Business Checking Account #0002112426 at bank branch address 2160 W. State Road 434, Altamonte Springs, FL, 32779. Benevides was the sole signor on the account and identified on the signature card as President of SIIC. Thereafter, on or about August 18, 2008, Benevides added Rojo Filho as a signor on the account. Benevides subsequently removed Rojo Filho from the account on or about September 2, 2008, in what agents believe to be an attempt to avoid having additional funds associated to Rojo Filho being located and possibly seized.⁷³

157. Account records reveal that this account received a total of approximately \$3,602,385.90 in deposits. Of these deposits, at least approximately \$623,503.48 is traceable to wire fraud proceeds. Specifically, this account was initially funded on or about August 18, 2008, with cashier's checks totaling \$23,503.48 from three DWB BOA Business Accounts⁷⁴ and an individual GPS investor's check (\$600,000), all made payable to Rojo Filho. The only disbursements made out of this account went to other Benevides' controlled accounts and to Panama.

158. Agents believe that this account was used to conceal or disguise EMG and GPS investor funds from investors and/or law enforcement because this account was not advertised to either EMG or GPS investors. Moreover, this bank was not a bank where any advertised accounts were held. On October 30, 2008, the total remaining funds in this account, approximately \$35.00, were seized from this account by the DEA in the District of Arizona.

⁷³ On or about August 22, 2008, DEA Arizona seized approximately \$24 million from DWB's M & I Bank Account.

⁷⁴ These accounts include DWB's BOA Account, DWB Holding Company's BOA Account #005480914656 and DWB Holding Company Payroll Account #005565620483. DWB Holding Company's BOA Account #005480914656 and DWB Holding Company Payroll Account #005565620483 were funded entirely from DWB's BOA Account.

a. SIIC's FNBCF Account #2506963

159. On or about September 26, 2008, Benevides opened **SIIC's FNBCF Money Market Account #2506963** at the Altamonte Springs branch. Benevides was the sole signor on the account and identified on the signature card as President of SIIC.

160. Account records reveal on the same day the account was opened, the account received a wire transfer from SIIC's NBCF Account #0002112426 for \$602,269.90. This wire transfer was the only transaction that occurred in this account. Agents believe that this account was used to further conceal and disguise EMG and GPS investors' funds from investors and law enforcement because this account was not advertised to either EMG or GPS investors. Moreover, this bank was not a bank where any advertised accounts were held. On or about October 29, 2008, the funds in SIIC's NBCF Account #2506963, approximately \$602,398.47,⁷⁵ were seized by the DEA in the District of Arizona.

C. Tracing of EMG and DWB Investor Funds into Purchase of Vehicles and Funding of Rojo Filho's Family Members' Accounts

1. *DWB's Green Power Investment Scheme*

161. Agents have obtained DWB "investment contracts" from a search executed at DWB's business location, and directly from actual investors, which indicated DWB was also operating an investment scheme through DWB's Bank of America (BOA) Account #00556520470 (DWB's BOA Account) from as early as July 2007, when the account was opened.

162. Based upon a review of the contract, it appears that DWB, through Rojo Filho, was involved in a non-internet based investment scheme involving Green Power Systems (GPS),

⁷⁵ The additional funds represent interest earned on the account.

as well as the EMG Ponzi scheme described above, which lured and solicited funds from investors with unrealistic returns on investments. The DWB GPS contract stated that investors could deposit money into DWB's BOA Account and DWB would give back huge returns on investments in an alternative power source. For example, per the agreement between DWB and investors, an initial investment of \$25,000 would result in a return of \$100,000 in 63 banking days. Based on these calculations, the investor would realize a 300% return on his/her investment. Additionally, Rojo Filho purported having Series 7, 20, 21, 22, 63, 65 and 66 securities licenses.⁷⁶ Although this investment is separate from the EMG internet based scheme described above, this non-internet based scheme was running simultaneously with the EMG Ponzi scheme and money from these investors and the EMG investors were being deposited into DWB's BOA Account during the same time.⁷⁷ However, as will be explained below, without the knowledge of GPS' president, Rojo Filho solicited approximately \$24 million from investors to invest in GPS. Instead of giving that money to GPS' president to develop his alternative energy source, Rojo Filho used such funds to pay off personal debt and business related expenses, and to buy real estate and vehicles for Rojo Filho's personal use. While Rojo Filho promised GPS investors returns on their investments, the GPS technology was still in its developmental stages and was not yet generating any profits. Regardless, some investors were still receiving returns on their investments with GPS even though GPS' president was never given any of the \$24 million to fully develop his project.

⁷⁶ Agents have determined that Rojo Filho holds no such licenses.

⁷⁷ Money from the non-internet based scheme was deposited into this account from July 2007 through August 2008 while money derived from the EMG Ponzi scheme was being deposited into this account from April 2008 through July 2008.

a. Interview with GPS President

163. On March 23, 2009, agents interviewed Ingo Krieg (Krieg), the president of GPS. Krieg indicated to agents that GPS developed the technology to make renewable energy by converting waste gases into useable synthetic gas. In late 2006 early 2007, Krieg met with Rojo Filho and others in Orlando to provide them with a presentation about selling them the GPS technology for use in the Dominican Republic. After hearing the presentation, Rojo Filho and the other potential investors indicated that they had money to invest in GPS. Krieg advised them that he required \$600 million for the renewable energy project in the Dominican Republic. At this time, neither Rojo Filho nor any of his associates invested any money with GPS. However, Krieg and Rojo Filho remained in contact with one another.

164. Krieg indicated to agents that approximately one year after his initial meeting with Rojo Filho, Krieg again presented Rojo Filho with an opportunity to invest in GPS. An agreement was entered into between the two whereby Krieg and Rojo Filho agreed that if Rojo Filho could provide GPS with \$180 million, Rojo Filho would receive 40% ownership of GPS. However, after this agreement was made, Krieg, through his business associates, was unable to verify that Rojo Filho possessed the funds to invest in GPS. Krieg indicated to agents that after the agreement was entered into, he confronted Rojo Filho and told him that he did not believe that he had the funds to invest with GPS. The next day, Rojo Filho traveled to Jacksonville from Orlando and met with Krieg at his home. At this meeting, Rojo Filho showed Krieg documentation that he was in possession of fifty, one million dollar euro notes. In order to determine whether the notes were legitimate, Krieg took Rojo Filho to Wachovia Bank to meet with Rita Entsminger (Entsminger), who is employed as a wealth manager with the bank. Entsminger determined that the notes were fraudulent. Rojo Filho denied the accusation and

took the notes back to Orlando.

165. Over the course of several months, Krieg continued to have communications with Rojo Filho about his intent to invest in GPS. During this time frame, Krieg had to continually harass Rojo Filho to obtain the investment funds Rojo Filho had agreed to provide him as part of their agreement. In all, Krieg only received between \$500,000-\$600,000 from Rojo Filho for investment into GPS even though Rojo Filho agreed to provide him with \$180 million to get his GPS project up and running.

166. However, unbeknownst to Krieg, Rojo Filho had been soliciting investors to invest in GPS. Krieg found this out when he was contacted by Maria DeCarmen (DeCarmen), an Ecuadorian woman who resides in south Florida. DeCarmen informed Krieg that she had signed a joint venture agreement with DWB to invest in GPS. Apparently, DeCarmen had not received the return on her investment that she was guaranteed, so she unsuccessfully attempted to contact DWB in an attempt to retrieve her return. Accordingly, DeCarmen then contacted Krieg and informed him of her investment with DWB in GPS. Krieg then confronted Rojo Filho about DeCarmen's investment. Rojo Filho denied that he was soliciting investors for GPS. Krieg advised agents that Rojo Filho never received any profit from his investment with GPS. At that time, GPS had not made any profit. GPS was still in the development stages and was not yet producing energy, therefore it was impossible for GPS or its investors to make any profit.

167. During a search of DWB's business premise, Rojo Filho provided agents with a flash drive containing names of GPS investors, amounts of their investments, and copies of their contracts and settlement agreements. A review of this information for 418 of the investors contained on this flash drive has shown that none of these investors received the returns they were guaranteed in their contracts. Some of the investors who entered into settlement

agreements with DWB appear to have been paid out of Castaneda & Chin's (a California based law firm) BOA Escrow Account #1664306347. Approximately \$6.95 million was deposited into Castaneda & Chin's BOA Account, not from DWB or Rojo Filho's bank accounts, but from Benevides' SIIC's SunTrust Bank Account #1000084021285 (approximately \$5 million) and from Leesburg Title and Escrow's⁷⁸ CenterState Bank Account ##542007275 (approximately \$1.95 million). However, agents have been unable to trace investor money from GPS being deposited into SIIC or Benevides' bank accounts. As will be discussed below, agents have traced monies from EMG's Ponzi scheme to SIIC's SunTrust Bank Account #1000084021285. Because of the time frame when EMG investor money was being deposited into SIIC accounts and when SIIC was depositing money into Castaneda & Chin's trust accounts, it is believed that EMG investor money was being used to pay the investors from the GPS scheme.

168. Additionally, despite GPS investors not receiving contractually guaranteed returns on their investments, investors were often receiving a 100% growth on their original investment pursuant to settlement agreement terms. However, as stated above, the owner of GPS has indicated that GPS was not profitable, yet DWB provided disgruntled investors with their original investment plus additional monies.

2. *Tracing of EMG and GPS Investor Funds into DWB's Accounts*

169. In July 2007, Rojo Filho opened DWB's BOA Account. Rojo Filho was the sole signor and was identified on the signature card as the president of DWB. DWB's BOA Account remained open from approximately July 2007 through August 2008⁷⁹ resulting in over \$100

⁷⁸ Leesburg Title and Escrow is a Florida corporation established by Heather Perkins, Benevides' accountant.

⁷⁹ On or about August 31, 2008, BOA severed its relationship with Rojo Filho and DWB and closed all existing accounts because Rojo Filho was a foreign national without proper

million in financial transactions flowing through the account.

170. Based upon a review of DWB's BOA statements, it appears that investor funds were commingled from both the EMG and GPS schemes into DWB's BOA Account⁸⁰ and not actually invested as represented in either the GPS paper contracts reviewed or on EMG's website. A review of the wire transfers deposited into DWB's BOA Account establishes that from September 2007 through July 2008, this account received approximately \$8,974,158.91 million in GPS investor funds, as many of the wires specifically stated the purpose of the wire was "for investment contract." Also, approximately \$29.7 million was deposited into DWB's BOA Account from Crowne Gold's Wells Fargo Bank Account #7859038288. During this same time, there were approximately \$19.4 million in outgoing wire transfers from DWB's BOA Account, including \$8.4 million sent to Panamanian companies, \$1 million sent to an investor in the Orlando area, and \$250,000 to OIC. As will be explained below, account analysis suggests that investor funds were commingled into Rojo Filho's Personal BOA Account #0000898017936887 (Rojo Filho's BOA Account) and used to pay Rojo Filho's personal debt and business related expenses, to buy real estate and vehicles for Rojo Filho's personal use and to fund bank accounts held in his family members' names. Based upon information your affiant has reviewed, DWB's investors never received returns from investments. In actuality, any payments received by investors were funded by money DWB acquired from new investors investing in the scheme, as is typical of a Ponzi scheme.

documentation and BOA was concerned that DWB was operating a Ponzi scheme.

⁸⁰ Prior to investors funds being deposited into this account, this account held approximately \$139,000. This figure includes an \$85,000 check from OIC's President, Valdes.

3. *Tracing of Purchase of the Vehicles from DWB's BOA Account*⁸¹

a. 2008 Black Chevrolet Suburban, VIN #3GNFC16008G186250

171. On January 28, 2009, agents obtained and reviewed vehicle sale records from Don Mealey Chevrolet⁸² pertaining to the financial transaction relative to the purchase of a **2008 Black Chevrolet Suburban, VIN #3GNFC16008G186250 (Suburban)**. A buyer's order dated December 17, 2007 reflects Luzia Maria Trindade, Rojo Filho's wife, contracted with Bill Seidle Chevrolet for the purchase of the Suburban for a total purchase price of \$52,375.00. Bill Seidle Chevrolet's records reflect that Luzia Trindade paid the dealership with BOA cashier's check #6091018, remitted by DWB on December 17, 2007, in the amount of \$23,911.48, representing the remaining balance of the purchase price; the records further indicate that Luzia Trindade traded in a Blue Nissan Armada⁸³ as partial payment for the Suburban. DWB's BOA Account records confirm that on December 17, 2007, cashier's check #6091018 was drawn on DWB's BOA Account, remitted by DWB, and then issued to Bill Seidle Chevrolet for \$23,911.48.

172. Agents saw the Suburban at DWB's business location on Futures Drive while conducting surveillance on various dates and times between November 2008 and February 2009. According to Florida Department of Highway Safety and Motor Vehicle (FDHSMV) registration files, the Suburban is registered to Javier Rivera Fernandez (Fernandez). Further analysis of FDHSMV files reveals that, on or about May 19, 2008, Luzia Trindade transferred ownership of

⁸¹ On or about February 9, 2009 and January 8, 2010 (Red Escalade) this Court issued seizures warrants for each of the vehicles listed below after finding probable cause that the vehicles were purchased with the proceeds of wire fraud violations, in violation of 18 U.S.C. § 1343, and were involved in money laundering transactions, in violation of 18 U.S.C. § 1957(a). Case Nos. 6:09-mj-1023-02 thru 10 and 6:10-mj-1006-02.

⁸² Due to a recent acquisition of Bill Seidle Chevrolet by Don Mealey Chevrolet, Don Mealey is the current custodian of records for this transaction.

⁸³ For reasons unknown to your affiant, on February 22, 2008, Sergio Castaneda, a lawyer who performs work for DWB, later repurchased the Blue Nissan Armada with DWB funds.

the Suburban to Fernandez. Based upon information obtained from the State of Florida Department of Corporations, Fernandez is listed as an officer of DWB. Although Fernandez is currently listed as the owner of the vehicle, the United States has traced funds used to purchase the vehicle to proceeds from the schemes described herein. A review of records from DWB and SIIC's multiple bank accounts reflect that Fernandez never paid any monetary consideration into those accounts for the vehicle that was transferred into his name.

b. 2008 Blue Chevrolet Corvette, VIN #1G1YY26E185118821

173. On January 28, 2009, agents obtained and reviewed vehicle sale records from Don Mealey Chevrolet pertaining to the purchase of a **2008 Blue Chevrolet Corvette VIN #1G1YY26E185118821 (Corvette)**. A buyer's order dated February 2, 2008 reflects Rojo Filho contracting with Bill Seidle Chevrolet for the purchase of the Corvette for a total purchase price of \$101,302.28. The dealerships records reflect that Rojo Filho presented a BOA cashier's check #2974350, in the amount of \$69,622.28, as a down payment for the Corvette and paid the balance with BOA cashier's check #6141985. DWB's BOA Account records reflect that on February 11, 2008, cashier's check #2974350 was drawn on DWB's BOA Account by Rojo Filho and issued to Bill Seidle Chevrolet for \$69,622.28. Further analysis of DWB's BOA records reveal that on April 25, 2008, cashier's check #6141985 for \$31,680 was drawn on DWB's BOA Account and remitted by Rojo Filho to Bill Seidle Chevrolet to pay the balance owed on the vehicle.

174. On various dates between November 2008 and February 2009, agents have witnessed the Corvette at DWB's business location on Futures Drive. According to FDHSMV registration files, the Corvette is registered to Angel Luis Sanchez (Sanchez) at P.O. Box 700304, St. Cloud, FL 34770. Further analysis of Florida's vehicle registration files reveal that,

on or about May 20, 2008, Rojo Filho transferred title to the Corvette to Sanchez.

175. On February 10, 2009, agents conducted a voluntary interview with Sanchez.⁸⁴ According to Sanchez, Rojo Filho paid Sanchez a salary of \$10,000 per month, regardless of company profitability or market conditions. Indeed, on or about April 18, 2008, Sanchez received a \$100,000 bonus from Rojo Filho via wire transfer from DWB's BOA Account. Rojo Filho indicated to Sanchez that he received the bonus because the business was growing and the company was doing well. Upon receiving his \$100,000 bonus, Sanchez said he learned Rojo Filho was selling his 2008 Chevy Corvette. Sanchez said he agreed to give Rojo Filho \$75,000 back of his \$100,000 bonus in return for the car. On or about April 28, 2008, Sanchez wired \$75,000 from his bank account to DWB's BOA Account for payment of the Corvette.

c. 2008 Fleetwood Revolution Motorcoach, VIN #4VZBT1D908C065809

176. On or about August 8, 2008, agents researched the FDHSMV registration files and discovered a **2008 Fleetwood Motorcoach, VIN #4VZBT1D908C065809 (Motorcoach)**, acquired on April 13, 2008, titled and registered to Luzia Trindade.

177. On January 19, 2009, agents obtained and reviewed vehicle sale records from Lazy Days RV Center, Inc., pertaining to the purchase of the Motorcoach. A buyer's order dated April 13, 2008 reflects Luzia Maria Trindade contracting with Lazy Days RV Center for the

⁸⁴ Sanchez, a 23 years old with a high school education and no formal training related to forex exchange and/or investments, met Rojo Filho in 2007 while working in a gift shop at the Florida Turnpike Canoe Creek rest area. At the time Sanchez worked at the gift shop, he was involved with various multi-level marketing programs such as "Own My Travel" and "Wealth Pools International." Sanchez repeatedly attempted to recruit Rojo Filho into these programs with no success. Shortly thereafter, Rojo Filho offered Sanchez a job with DWB promoting its investment platform. Rojo Filho was aware that Sanchez had been involved with past multi-level marketing programs and offered him a job with DWB promoting its investment platform.

purchase of the Motorcoach for a total purchase price of \$267,832.50. The dealership's records confirm that Luzia Trindade paid Lazy Days RV Center with DWB business check #1421 in the amount of \$267,832.50. DWB's BOA bank records reflect that on April 13, 2008, DWB business check #1421, signed by Rojo Filho in the amount of \$267,832.50 and was issued to Lazy Days RV Center Inc.

d. 2008 Gray Nissan Armada, VIN #5N1BA08DX8N621236

178. On or about August 8, 2008, agents researched the FDHSMV registration files and discovered a **2008 Gray Nissan Armada, VIN #5N1BA08DX8N621236 (Armada)**, was acquired on May 5, 2008 and titled and registered to Luiz Trindade. Luiz Trindade, the brother in law of Rojo Filho, has been seen by agents on several occasions at DWB's business location on Futures Drive. A review of records from DWB and SIIC's multiple bank accounts reflect that Luiz Trindade never paid any monetary consideration into those accounts for the vehicle that was transferred into his name.

179. On January 23, 2009, agents obtained and reviewed vehicle sale records from Action Nissan, d/b/a Universal Nissan, for the purchase of the Armada. A purchase agreement dated May 5, 2008, reflects Luiz M. Trindade contracting with Universal Nissan to purchase the Armada for a total purchase price of \$43,128.14. Luiz Trindade paid Universal Nissan with BOA cashier's check #2974780, dated May 5, 2008, remitted by DWB in the amount of \$43,128.14. DWB's bank records confirm that on May 5, 2008, cashier's check #2974780, payable to Universal Nissan in the amount of \$43,128.14, was drawn on DWB's BOA Account and signed by Rojo Filho.

e. 2008 Dodge Charger, VIN #2B3LA73W88H151292

180. On or about August 8, 2008, agents researched FDHSMV registration files and

discovered a **2008 Black Dodge Charger, VIN #2B3LA73W88H151292 (Charger)**, acquired on June 6, 2008, titled and registered to Luzia M. Trindade, Rojo Filho's wife. On January 23, 2009, agents obtained and reviewed vehicle sale records from Orlando Dodge, pertaining to the purchase of the Charger. The sale's contract, dated June 2, 2008, reflects Luzia M. Trindade, contracted with Orlando Dodge to the purchase the Charger for a total purchase price of \$47,500. Luzia Trindade paid Orlando Dodge with BOA cashier's check #6142243, remitted by Rojo Filho. DWB's BOA Account records reflect that on June 2, 2008, cashier's check #6142243 was drawn on DWB's BOA Account, remitted by Rojo Filho, and issued to Orlando Dodge in the amount of \$47,500.

f. 2008 White Chevrolet Equinox, VIN #2CNDL037X86296807

181. On January 28, 2009, agents obtained and reviewed vehicle sale records from Don Mealey Chevrolet pertaining to the purchase of a **2008 White Chevrolet Equinox, VIN #2CNDL037X86296807 (Equinox)**. A buyer's order dated June 11, 2008 reflects Cilmara A. Lourenco contracting with Bill Seidle Chevrolet for the purchase of the Equinox for a total purchase price of \$32,555.00. Bill Seidle Chevrolet was paid with BOA cashier's check #3439765, dated June 11, 2008, remitted by Rojo Filho, in the amount of \$32,555.00. DWB's BOA Account records reflect that on June 11, 2008, cashier's check #3439765 was drawn on DWB's BOA Account by Rojo Filho and issued to Bill Seidle Chevrolet for the amount of \$32,580.01.

182. On January 27, 2009, while conducting surveillance at Rojo Filho's residence in Winter Garden, FL, agents observed the Equinox at the residence. According to FDHSMV files, the Equinox is registered to Cilmara A. Lourenco at 6153 Metro West Blvd, Orlando Florida, 32835. Based on information from a source believed to be reliable based upon his/her

background and the nature of his/her relationship with Rojo Filho, Cilmara A. Lourenco is Rojo Filho's maid and Rojo Filho purchased this vehicle for her. A review of records from DWB and SIIC's multiple bank accounts reflect that Cilmara A. Lourenco never paid any monetary consideration into those accounts for the vehicle that was transferred into her name.

g. **2008 Blue Lamborghini Murcielago, VIN #ZHWBU47S98LA02961**

183. On or about August 8, 2008, agents learned from the FDHSMV registration files that a **2008 Blue Lamborghini Murcielago, VIN #ZHWBU47S98LA02961 (Lamborghini)**, was acquired on July 21, 2008 and is titled and registered to Rojo Filho. On January 13, 2009, agents obtained and reviewed vehicle sale records from Prestige Imports, d/b/a Lamborghini Miami, to the purchase of the Lamborghini. The purchase agreement, dated July 21, 2008, reflects Rojo Filho contracting with Lamborghini Miami to purchase the Lamborghini for a total purchase price of \$430,923.94. The dealership's records reflect that Rojo Filho paid \$430,923.94 to Lamborghini Miami for the vehicle with BOA cashier's check #6585057, dated July 21, 2008, and remitted by DWB. DWB's BOA Account records reflect that on July 21, 2008, cashier's check #6585057 was drawn on DWB's BOA Account and issued to Prestige Motorcar Imports, LLC for \$430,923.94.

184. On January 9, 2009, agents researched FDHSMV registration files for the subject Lamborghini. According to FDHSMV registration files, a title and registration transfer occurred on September 26, 2008, reflecting new ownership to Sky View Aviation. Sky View Aviation's advertised business purpose is to provide high level executives with private travel on helicopters, Cessnas and Gulfstream jets.

h. 2009 White Audi R8, VIN #WUAAU34259N000746

185. Agents reviewed records for SIIC's Main RockBridge Account. As discussed above, agents have determined that as early as August 2008, EMG, through www.ffx4you.com, advertised to EMG clients to deposit their investment funds into SIIC's Main RockBridge Account.

186. On January 13, 2009, agents obtained and reviewed sale records from Prestige Imports, d/b/a Lamborghini Miami, pertaining to the financial transaction relative to the purchase of a **2009 White Audi R8, VIN #WUAAU34259N000746 (Audi)**. A purchase agreement dated September 8, 2008 reflects Luzia Trindade, Rojo Filho's wife, contracting with Lamborghini Miami to purchase the Audi for a total purchase price of \$207,615.24. Luzia Trindade paid Lamborghini Miami by bank wire transfer on September 4, 2008, originating from SIIC's Main RockBridge Account, with the payment details on the wire transfer stating "Ref Daniel Rojo Filho." SIIC's Main RockBridge Account records reflect that on September 4, 2008, a \$207,615.24 wire transfer was received by Prestige Imports from SIIC's Main RockBridge Account, on behalf of Rojo Filho, for the purchase of the Audi.

187. On January 14, 2009, agents researched FDHSMV registration files for the Audi. According to FDHSMV registration files, a title and registration transfer occurred on September 26, 2008, reflecting Skyview as the current owner of the vehicle.

i. 2009 Red Cadillac Escalade, VIN #1GYFK26289R117904

188. On or about March 3, 2009, agents reviewed vehicle sale records from Rapid Chevrolet Company pertaining to the financial transaction relative to the purchase of a **2009 Red Cadillac Escalade, VIN #1GYFK26289R117904 (Red Escalade)**. A buyer's order dated

October 14, 2008 reflects ABC Auto Wholesalers Inc.⁸⁵ contracting with the dealership to purchase the Red Escalade for a total purchase price of \$69,378.00. The dealership's records reflect that on or about October 14, 2008, Benevides wired the dealership \$66,477.00 from SIIC's Main RockBridge Account. Agents reviewed account records for SIIC's Main RockBridge Account. These records confirm that on or about October 14, 2008, \$66,477.00 was wired to the dealership's designated bank account to complete the purchase of the Red Escalade. FDHSMV records indicate that the Red Escalade was titled and registered to Luzia Trindade as of October 22, 2008. On January 5, 2010, agents conducted a search of FDHSMV's database and found the Red Escalade is still titled in the name of Luzia Trindade, at 3968 Beacon Ridge Way, Clermont FL, 34711.

4. *Tracing of the Funds Seized from SunTrust/Regions Bank to DWB's BOA Account*⁸⁶

a. Rojo Filho's Regions Bank Accounts /Tracing of Funds Seized from DWB Developers Regions Bank Account #0095243542

189. On July 22, 2008, Rojo Filho opened Regions Bank personal money market Account #0099523957 at the 13700 South John Young Parkway, Orlando, Florida branch. Rojo Filho was the sole signor on the account and was identified on the signature card as President and CEO of DWB. Account analysis reveals a \$200,000 wire transfer on July 23, 2008, and a \$5

⁸⁵ ABC Auto Wholesalers is owned and operated by Benevides. At the time of the vehicle transaction, SIIC operated out of the Knights Inn located at 7200 International Drive, Suite 101, Orlando, Florida 32819. The Knights Inn is no longer in business.

⁸⁶ On or about September 11, 2009, this Court issued seizures warrants for each of the SunTrust accounts after finding probable cause that the accounts were traceable to proceeds of wire fraud violations, in violation of 18 U.S.C. § 1343, and were involved in money laundering transactions, in violation of 18 U.S.C. §§ 1956(a)(1)(B)(I) and 1957(a). Case Nos. 6:09-mj-1281 thru 1283.

million wire transfer on August 1, 2008, from Rojo Filho's BOA Account into this account.⁸⁷ Agents believe that the transfer of investor funds from DWB's BOA Account, to Rojo Filho's BOA Account into this account at a bank not advertised to investors was done in order to hide or conceal investor funds. Because only DWB's name, not Rojo Filho's, was advertised to investors, placing investor funds into an account held in Rojo Filho's name at a bank that investors were not familiar made the funds more difficult to locate and disguised their true source and ownership.

190. Thereafter, on July 28, 2008, Rojo Filho opened one additional personal account and seven DWB business accounts at Regions Bank. Rojo Filho was identified on all eight of these accounts' signature cards as the sole signor and manager of DWB. Between July 28 and August 4, 2008, these accounts were all funded by transactions from Rojo Filho's Regions Bank money market account, described above. Specifically, on July 28, 2008, Rojo Filho made eight transfers of \$9,999.50 from his money market account into the newly opened accounts. Thereafter, on August 4, 2008, Rojo Filho made seven transfers of \$90,000 each from his money market account into his newly opened DWB accounts and two transfers totaling \$490,240.66 from his money market account into his newly opened personal account. The following chart identifies all transfers made in and out of Rojo Filho's money market account, as described above:

⁸⁷ Between July 22 – 31, 2008, Rojo Filho transferred \$6 million from DWB's BOA Account into Rojo Filho's BOA Account.

ROJO FILHO'S REGIONS BANK MONEY MARKET ACCOUNT			
Date	Origin	Amount	Description
7/23/2008	Rojo Filho's BOA - wire	\$ 200,000.00	IN - opening deposit
7/23/2008	wire transfer fee	\$ (15.00)	OUT
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243259 DWB Hotels Resorts & Tours LLC
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243267 DWB Green LLC
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243445 DWB Holding Company
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243542 DWB Developers LLC
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0099523825 Daniel Rojo Filho - personal acct.
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243216 DWB Aviation LLC
7/28/2008	transfer from #0099523957	\$ (9,999.50)	OUT - #0095243240 DWB Holding Company
7/28/2008	transfer from #0099523957	\$ (9,999.00)	OUT - #0095243496 DWB Farms LLC
8/1/2008	Rojo Filho's BOA - wire	\$ 5,000,000.00	IN
8/1/2008	wire transfer fee	\$ (15.00)	OUT
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243259 DWB Hotels Resorts & Tours LLC
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243267 DWB Green LLC
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243445 DWB Holding Company
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243542 DWB Developers LLC
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0099523825 Daniel Rojo Filho - personal acct.
8/4/2008	transfer from #0099523957	\$ (400,240.66)	OUT - #0099523825 Daniel Rojo Filho - personal acct.
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243216 DWB Aviation Inc
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0095243240 DWB Holding Company
8/4/2008	transfer from #0099523957	\$ (90,000.00)	OUT - #0099523496 DWB Farms LLC

191. Account analysis reveals that no other funds were deposited into these accounts.

Again, agents believe that the movement of funds to these different corporations' and other personal accounts of Rojo Filho were done in an attempt to further conceal the true source and ownership of the funds. By continually moving funds to different corporations and entities' bank accounts, tracing investor funds became increasingly difficult.

192. On August 19, 2008, Regions Bank closed all of Rojo Filho and DWB's accounts due to the suspicious nature of the transfers into the eight accounts and the large \$5.2 million transfer by Rojo Filho from his BOA Account. On the same day, Rojo Filho withdrew all the

funds contained in his two personal accounts and six DWB accounts at Regions Bank Account in the form of eight cashier's checks totaling \$5,025,720.71, which were then deposited into SIIC's Old Southern Bank Account. However, **DWB Developers LLC's Regions Bank Account #0095243542** was held on reserve by the bank. Thereafter, on September 25, 2008, agents from the District of Arizona obtained a seizure warrant⁸⁸ for the contents of this account after a United States Magistrate Judge from the District of Arizona made a probable cause finding that the funds were the proceeds of violations of 21 U.S.C. § 841 and were engaged in international financial transactions in violations of 18 U.S.C. §§ 1956 and 1957. While some of the funds in DWB Developers LLC's Regions Bank Account may have been traceable to drug proceeds, it appears those funds were "invested" with EMG.

b. Deposit of Regions Bank's Cashier's Checks into SIIC's Old Southern Bank Account

193. Agents reviewed statements from SIIC's Old Southern Bank Account #110001419 (SIIC's Old Southern Bank Account). The account was opened on August 15, 2008, at the 250 N. Orange Avenue, Orlando, Florida branch. Pedro Benevides (Benevides) was the sole signor on the account and was identified on the signature card as President of SIIC.⁸⁹

194. Subsequently, on August 20, 2008, the eight cashier's checks from Regions Bank, totaling \$5,025,720.71, were deposited into SIIC's Old Southern Bank Account. The transfer of investor funds into yet another corporations' (SIIC) bank account further concealed the source and ownership of the funds. All eight cashier's checks were made payable to and endorsed by Rojo Filho. The only other deposits into SIIC's Old Southern Bank Account during

⁸⁸ The seizure warrant erroneously indicated that the account was held by DWB Holdings, LLC.

⁸⁹ As discussed was discussed above, SIIC's Mercantile Bank account #7600577985 was advertised on EMG's website as an intermediary bank where EMG's investors could send their investment funds.

this time were from cashier's checks written from SIIC's Whitney Bank Account #730659860, totaling \$6,196,464.85, and a \$3.5 million wire from SIIC's First Commercial Bank Account #247190. It appears from a cursory review of SIIC's Whitney Bank Account #730659860 and First Commercial Bank Account #247190, that these accounts were used to receive EMG investor funds. Specifically, in August 2008, SIIC's Whitney Bank Account received approximately 1,445 incoming wires originating from foreign countries, which totaled over \$18 million. This activity is very similar to the account activity associated with other EMG intermediary accounts previously reviewed and discussed in this Affidavit. Additionally, during this same time period, a cashier's check for \$7.8 million was drawn from SIIC's Whitney Bank Account and deposited into SIIC First Commercial Bank Account. Both Whitney Bank and First Commercial Bank's compliance departments terminated their relationship with SIIC on August 18 and 20, 2008, respectively, because of the suspicious financial transactions that were taking place and the manner in which these accounts were being funded.

195. Based on wire transfer analysis, agents further determined that approximately \$5.6 million was withdrawn from SIIC's Old Southern Bank Account and used to pay EMG investors and promoters, and to pay off property belonging to Benevides. Paying older investors with new investor money is typical in Ponzi schemes.

196. Interestingly, on August 27 and 29, 2009,⁹⁰ Rojo Filho and/or Benevides made three transfers totaling \$844,911.25 from SIIC's Old Southern Bank Account into three pass thru accounts held by Rojo Filho's family members at SunTrust Bank. Agents believe that Rojo Filho transferred funds into accounts held by his family members, all whom had different last

⁹⁰ As discussed in section above, on August 22, 2008, DEA agents from the District of Arizona seized approximately \$25 million from an account DWB had at M&I Bank in Orlando, FL.

names than him in order to further conceal the source and ownership of the funds. The following chart is a breakdown of all deposits and withdrawals into and out of SIIC's Old Southern bank Account during the relevant time period:

SIIC Old Southern Bank Account			
Date	Origin	Amount	Description
8/18/2008	Whitney Bank- SIIC cashier's check	\$ 3,201,776.41	IN
8/20/2008	Regions CC #5000205165	\$ 4,004,227.02	IN
	Regions CC #5000205168	\$ 100,000.00	IN
	Regions CC #5000205167	\$ 100,000.00	IN
	Regions CC #5000205170	\$ 36,687.00	IN
	Regions CC #5000205169	\$ 100,000.00	IN
	Regions CC #5000205166	\$ 100,000.00	IN
	Regions CC #5000205173	\$ 100,000.00	IN
	Regions CC #5000205171	\$ 484,806.69	IN
	First Commercial Bank - SIIC wire	\$ 3,500,000.00	IN
		\$ 11,727,497.12	Balance
8/21/2008	Whitney Bank - SIIC cashier's check	\$ 2,422,885.08	IN
		\$ (14,274.00)	OUT
		\$ 14,136,108.20	Balance
8/22/2008	Whitney Bank - SIIC cashier's check	\$ 336,920.21	IN
		\$(4,577,387.00)	OUT
		\$ 9,895,641.41	Balance
8/25/2008	Whitney Bank - SIIC cashier's check	\$ 234,883.15	IN
		\$ (267,968.00)	OUT
		\$ 9,862,556.56	Balance
8/26/2008		\$ (752,013.87)	OUT
		\$ 9,110,542.69	Balance
8/27/2008	wire transfer	\$ (294,000.25)	OUT - into SunTrust pass thru account #1
		\$ (731,469.06)	OUT
		\$ 8,085,073.38	Balance
8/28/2008		\$(3,900,070.00)	OUT
		\$ 4,185,003.38	Balance
8/29/2008	wire transfer	\$ (288,411.00)	OUT - into SunTrust pass thru account #2

	wire transfer	\$ (262,500.00)	OUT - into SunTrust pass thru account #3
		\$ 3,634,092.38	Balance

c. SunTrust Pass Thru Accounts

197. Agents reviewed statements for SunTrust Bank Account #0137117147465, a pass thru account (PTA 1). The account was opened on January 31, 2002, at the 581 E. Highway 50, Clermont, Florida branch. Luzia Trindade, wife of Rojo Filho, was identified on the signature card as the sole signor and Gabriel Trindade, minor child of Luzia Trindade, was identified as the beneficiary on the account. On August 29, 2009, \$294,000.25 was wire transferred from SIIC's Old Southern Bank Account into PTA 1. Prior to this transfer, this account had a balance of \$8,553.31.

198. Agents reviewed statements for SunTrust Bank Account #0137117160798 (PTA 2), also a pass thru account. The account was opened on February 26, 2002, at the 20295 S. Dixie Highway, Cutler Bay, Florida branch. Luzia Trindade was identified on the signature card as the sole signor, and Sabrina Trindade Zanchet, minor child of Luzia Trindade, was identified as the beneficiary on the account. On August 29, 2008, \$288,411.00 was wire transferred from SIIC's Old Southern Bank Account into PTA 2. Prior to this transfer, this account had a balance of \$1,882.26.

199. Agents reviewed statements for SunTrust Bank Account #1000013385967 (PTA 3), also a pass thru account. The account was opened on September 24, 2003, at the 581 E. Highway 50, Clermont, Florida branch. Luzia Trindade was identified on the signature card as the account holder and sole signor. On August 29, 2008, \$262,500 was wire transferred from SIIC's Old Southern Bank Account into PTA 3. Thereafter, on September 2, 2008, \$20,000 was

wire transferred from SIIC's RockBridge Account⁹¹ into PTA 3. Prior to these transfers, this account had a balance of \$21,956.53.

200. After the three pass thru accounts were funded from the transfer of \$864,911.25 in investor funds from SIIC's Old Southern Bank and Rockbridge Accounts, Rojo Filho opened three additional SunTrust Bank Accounts, in family members' names, in order to further hide and conceal investor funds. The following chart shows all deposits and withdrawals into and out of the SunTrust pass thru accounts during the relevant time period:

PASS THRU ACCOUNT #1			
Date	Origin	Amount	Description
8/8/2008		\$ 8,533.31	beginning balance
8/29/2008	SIIC Old Southern Bank wire transfer	\$ 294,000.25	IN
		\$ 302,533.56	Balance
8/29/2008	WT fee	\$ (15.00)	OUT
9/4/2008	interest	\$ 7.93	IN
		\$ 302,526.49	
9/4/2008		\$ (302,526.49)	OUT - Account #1
		\$ -	CLOSED ACCOUNT

PASS THRU ACCOUNT #2			
Date	Origin	Amount	Description
8/8/2008		\$ 1,882.26	beginning balance
8/29/2008	SIIC Old Southern Bank wire transfer	\$ 288,411.00	IN
		\$ 290,293.26	Balance
8/29/2008	WT fee	\$ (15.00)	OUT
	interest	\$ 7.25	IN
9/4/2008		\$ (290,285.51)	OUT - Account #3
		\$ -	CLOSED ACCOUNT

⁹¹ As discussed above, between August and September 2008, SIIC's RockBridge Commercial Bank account was identified on www.ffx4you.com as an account where EMG investors could wire funds to be invested in the forex market.

PASS THRU ACCOUNT #3			
Date	Origin	Amount	Description
8/8/2008		\$ 21,956.53	beginning balance
8/29/2008	SIIC Old Southern Bank wire transfer	\$ 262,500.00	IN
9/2/2008	SIIC Rockbridge Commercial Bank wire transfer	\$ 20,000.00	IN
		\$ 304,456.53	Balance
8/15/2008	misc debit	\$ (363.80)	OUT
8/27/2008	misc debit	\$ (112.16)	OUT
8/29/2008	WT fee	\$ (15.00)	OUT
9/2/2008	WT fee	\$ (15.00)	OUT
9/4/2008		\$ (50,000.00)	OUT - Account #1
		\$ (180,000.00)	OUT - Account #2
		\$ (50,000.00)	OUT - Account #3
		\$ 23,950.57	Balance

d. Funding of Subject SunTrust Accounts⁹²

i. SunTrust Bank Account #1000083744432

201. Agents reviewed bank records for **SunTrust Bank Account #1000083744432 (Account #1)**. On or about September 4, 2008, the account was opened the 581 E. Highway 50, Clermont, Florida branch. Luzia Trindade and Sabrina Trindade were identified on the signature cards as signors on the account, with Gabriel Trindade noted as the beneficiary.

202. On the same day, Account #1 received two deposits: (1) \$290,000.25 from PTA 1; and (2) \$50,000 from PTA 3. Account #1 has remained dormant with no additional funds

⁹² Interestingly, these SunTrust Accounts were opened two days after Brittney Benevides opened her accounts at Bank First to accept transfers of EMG investor funds.

deposited or withdrawn from the account prior to its seizure.

ii. SunTrust Bank Account #1000083744424

203. Agents reviewed bank records **SunTrust Bank Account #1000083744424 (Account #2)**. On or about September 4, 2008, the account was opened at the 581 E. Highway 50, Clermont, Florida branch. Luzia Trindade was identified on the signature card as the account owner and sole signor.

204. On the same day, Account #2 received a deposit of \$180,000 from PTA 3. Account #2 has remained dormant except for a withdrawal of \$169,500 in the form of a cashier's check on November 5, 2008, prior to its seizure.

iii. SunTrust Bank Account #100083744440

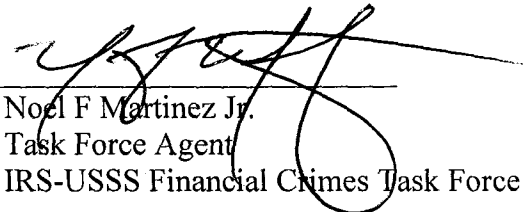
205. Agents reviewed bank records **SunTrust Bank Account #100083744440 (Account #3)**. On or about September 4, 2008, the account was opened at the 581 E. Highway 50, Clermont, Florida branch. Sabrina Trindade Zanchet was identified on the signature card as the sole signor on the account.

206. On or about September 4, 2008, Account #3 received two deposits: (1) \$288,411 from PTA 2; and (2) \$50,000 from PTA 3. Account #3 has remained dormant with no additional funds deposited or withdrawn from the account prior to its seizure.

CONCLUSION

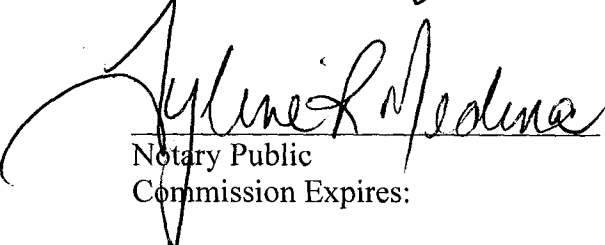
207. Based on the information provided in this affidavit, I submit that there is probable cause to believe that EMG, and others, devised and intended to devise a scheme or artifice to defraud, or a scheme for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, and that they transmitted or caused to be transmitted by means of wire, communications in interstate or foreign commerce, (including writings, signs, signals,


pictures, or sounds) for the purpose of executing such scheme or artifice, to wit: an internet-based Ponzi scheme, in violation of 18 U.S.C. § 1343 (Wire Fraud); and in violation of 18 U.S.C. § 371 (Conspiracy to Commit Wire Fraud). EMG and others orchestrated a complex scheme whereby EMG operated numerous investment scams over the Internet. Through these investment scams, investors were promised exceptional returns on their investments. EMG utilized promoters (such as Rojo Filho and Benevides) to advertise EMG's scams on multiple websites, and advised investors to send money to the various promoters' financial accounts held by the promoter's various businesses (DWB, OIC, and SIIC). From there, most of the investment funds were not invested as advertised on the websites. Thus, there is probable cause to believe that the defendant properties constitute or are derived from proceeds traceable to a violations of 18 U.S.C. § 1343, and therefore, are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C). Additionally, there is probable cause to believe that the defendant SunTrust Bank Account #1000083744432, SunTrust Bank Account #1000083744424, SunTrust Bank Account #1000083744440 (collectively "Trindade SunTrust Accounts"), Regions Bank Account #0095243542 (DWB Developers LLC's Regions Bank Account), Whitney National Bank Account #0730 660 109 (DWB's Whitney Bank Account) and the accounts more particularly described in paragraph 1(C)(9)-(16), (18)-(59) of the Amended Verified Complaint were involved in violations of 18 U.S.C. § 1956(a)(1)(B)(i), and therefore, are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A). Lastly, there is probable cause to believe that the defendant Trindade SunTrust, DWB Developers LLC Regions, DWB Whitney Bank Accounts, the accounts more particularly described in paragraph 1(C)(9), (11)-(16), (18)-(46), (48), (58)-(59), and the vehicles were involved in violations of 18 U.S.C. § 1957(a), and therefore, are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A).


Noel F Martinez Jr.
Task Force Agent
IRS-USSS Financial Crimes Task Force

State of Florida
County of Orange

Before me, the undersigned authority personally appeared, Task Force Agent Noel F Martinez Jr., who having produced his United States Secret Service credentials as identification and having being duly sworn, deposes and says that the foregoing Affidavit is true to the best of his knowledge, information and belief. Witness my hand and official seal in the State of Florida, County of Orange this 20th day of January, 2010.


Notary Public
Commission Expires:


Tyline R. Medina
Commission # DD590194
Expires December 29, 2010
Bonded Troy Farm - Insurance, Inc. 800-885-7019
