

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

CARLSON CHO,

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CRIMINAL NO. PWG-17-661

**AFFIDAVIT IN SUPPORT OF THE GOVERNMENT’S RESPONSE TO DEFENDANT
CHO’S SENTENCING MEMORANDUM**

I, Darren R. Rusakiewicz, Special Agent (SA) with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI), hereby swear and affirm that the following is true and accurate to the best of my knowledge, information and belief:

1. I am currently employed by the U. S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI). I have been a Special Agent with (HSI) since March 2009 and am currently assigned to the Document and Benefit Fraud Task Force. Prior to employment with HSI, I was an Officer with the United States Secret Service Uniformed Division (USSS/UD). I have attended and completed the Criminal Investigator Training Program at Glynco, GA, as well as academies for HSI and USSS/UD. I have personally conducted and participated in numerous investigations involving criminal activity including but not limited to controlled substance offenses, firearms violations, money laundering (including international money laundering), bulk cash smuggling, structuring, benefit fraud, credit card fraud, and identity theft.

2. During the course of these investigations, I have been involved in the use of the

following investigative techniques: interviewing informants and cooperating witnesses; conducting physical surveillance; conducting short and long-term undercover operations, consensual monitoring and recording of both telephonic and non-telephonic communications; analyzing telephone pen register and caller identification system data; conducting court-authorized electronic surveillance, including wire interceptions. I have participated in the arrest of numerous persons for offenses involving controlled substance offenses, firearms violations, money laundering, structuring, bulk cash smuggling, benefit fraud, credit card fraud, and identity theft. I have also authored and/or executed search and seizure warrants relating to controlled substance offenses, firearms violations, money laundering, structuring, bulk cash smuggling, benefit fraud, credit card fraud, and identity theft.

3. In June 2017, HSI Baltimore began an investigation into a fraud ring run in the District of Maryland by Aldrin Fomukong (“Fomukong”). The investigation showed that Fomukong was recruiting individuals in the United States to open up drop accounts. Once these drop accounts were opened, Fomukong would pass the information to co-conspirators, including those in South Africa, who would then direct victims of BEC fraud to send fraudulent wire transfers into these accounts. Fomukong then coordinated the withdrawal of the funds from the drop accounts via various means to include wire transfers, cash withdrawals, and the purchase of cashier’s checks.

4. On March 12, 2018, Fomukong and five other defendants, including Carlson CHO (“CHO”), were charged in a Superseding Indictment with conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h). Fomukong and one other defendant were also charged with conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349. On August 6, 2018, CHO pled

guilty to conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h). The following facts relate to CHO's involvement in the money laundering conspiracy.

5. Your affiant and other investigators with whom your affiant has spoken have reviewed Bank of America employment records for CHO, relevant bank statements, and relevant wire transfer records which confirm the following: On or about March 9, 2017, CHO, using his position as a Bank of America employee, facilitated wiring or attempting to wire funds fraudulently obtained from Victim C and Victim D to accounts in Cameroon and South Africa. Specifically, Cho successfully wired \$350,000 to a bank account located in South Africa in the name of Business 2. Cho unsuccessfully attempted to wire \$393,750 to an individual believed to be Fomukong's mother in Cameroon. This fraudulent wire was discovered and the \$393,750 wire was not completed. The total loss to Victim C and Victim D was approximately \$350,048.

6. On January 3, 2019, your affiant and another Homeland Security Investigations Special Agent interviewed Victim C. Victim C stated the fraud resulted in severe and substantial financial hardship to Victim C and Victim D. Victim C stated the fraudulently obtained assets compromised a large percentage of Victim C's and Victim D's savings. Victim C stated the savings were accumulated over at least fifteen (15) years, during which time Victim C and Victim D had endured multiple moves and sacrifices to accrue the savings. The savings were to be used for the purchase of Victim C's and Victim D's first home. The fraud interrupted and nearly fatally compromised the purchase of Victim C's and Victim D's first home. Were it not for a benevolent gift from Victim C's in-laws, the fraud and subsequent loss would have resulted in Victim C and Victim D losing the purchase of their first home.

7. Your affiant and other investigators with whom your affiant has spoken have

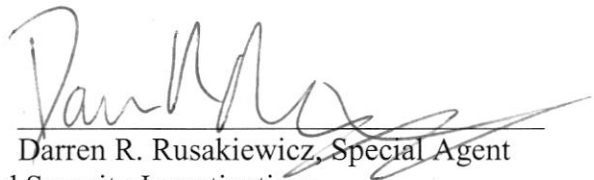
reviewed relevant Bank of America bank statements, and relevant wire transfer records which confirm the following: On or about April 19, 2017 and April 20, 2017, CHO facilitated four wire transfers of Victim M's funds to four separate accounts abroad: (1) a \$250,000 wire to a bank account in the Czech Republic; (2) a \$500,000 wire to a bank account in South Africa; (3) a \$574,955 wire to a bank account in Poland; and (4) a \$760,000 wire to a second bank account in Poland. Your affiant has spoken with the attorney representing Advantage Bank, the originator of the wires and Victim M's bank. The attorney representing Advantage Bank advised that of the original \$2,085,000 fraudulent amount, the bank was able to stop and recover \$1,509,985. However, the remainder went unrecovered and resulted in a loss of \$575,015. Advantage Bank and Victim M negotiated a settlement in which Victim M received \$318,000 from Advantage Bank's insurer, forgoing the remainder of \$257,015, which is considered a loss for Victim M.

8. Your affiant was apprised of an interview of Victim M conducted on January 3, 2019 by another Homeland Security Investigations Special Agent. Victim M stated to the other Special Agent the fraud and subsequent loss resulted in financial hardship and interruptions and changes to Victim M's business. Victim M stated that due to the email compromise and subsequent fraud, the business lost a major profit and the major investor to the business. Victim M was therefore forced to undertake a search for new people and businesses to invest in Victim M's business to maintain its current business model. Victim M also initiated financial monitoring services and pays approximately \$1,300 per year for these services for fear of Victim M's information being compromised again.

9. Investigators have reviewed supporting Bank of America bank statements, check images, surveillance photos, and American Airlines travel records, which confirm the following:

CHO and Individual 3 (who was acting under the direction of CHO) received into Bank of America x7760 a \$227,000 wire from Victim L, which was later laundered by CHO and his co-conspirators by cash withdrawals and cashier's checks. The loss to Victim L was approximately \$203,372. At the time the fraud was discovered, Bank of America x7760 had \$23,628, which was returned to Victim L.

I declare under the penalty of perjury that this information is true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read "Darren R. Rusakiewicz", written over a horizontal line.

Darren R. Rusakiewicz, Special Agent
Homeland Security Investigations
U.S. Department of Homeland Security