

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
**12-20049-CR-WILLIAMS/TURNOFF**  
Case No. \_\_\_\_\_

18 U.S.C. § 371  
18 U.S.C. § 981

**UNITED STATES OF AMERICA**

**vs.**

**DAVID CHRISTOPHER RICCI,**

**Defendant.**

**INFORMATION**

The United States Attorney charges that:

**GENERAL ALLEGATIONS**

At all times relevant to this Information:

1. The United States Securities and Exchange Commission (SEC) was an independent agency of the United States charged with enforcing the federal securities laws, which are designed to provide the investing public with full disclosure of all material facts regarding matters involving the offer, purchase, and sale of securities, among other things. These laws protect the investing public in the purchase of stock that is publicly distributed by maintaining fair and honest securities markets and eliminating manipulative practices that tend to distort the fair and just price of stock. The SEC regulated, among other things, the offers and sales of securities. In order for a company to offer or sell its securities to the public, federal securities laws, specifically Section 5 of the Securities Act of 1933, required that the company first file a registration statement with the SEC or that the transaction be exempt from registration. The requirement of a registration statement was

designed, in part, to protect the general investing public by requiring detailed disclosures about a company's actual operations and financial condition.

2. The National Association of Securities Dealers ("NASD") was an industry organization representing persons and companies involved in the securities industry in the United States. It was a self-regulatory organization ("SRO") responsible for the regulation of its industry, with oversight from the SEC. NASD licensed individuals and admitted firms to the industry, wrote rules to govern their behavior, examined them for regulatory compliance, and was sanctioned by the SEC to discipline registered representatives and member firms that failed to comply with the federal securities laws and NASD's rules and regulations.

3. The Over-the-Counter (OTC) securities market was the equity market for securities not listed on a United States stock exchange or the NASDAQ Stock Market. The OTC market was linked by computer networks, and quotations for OTC securities may have been quoted on listing services such as Pink Sheets.

4. The Pink Sheets was an inter-dealer electronic quotation and trading system in the OTC securities market.

5. A pump-and-dump scheme involves the artificial manipulation of the price and trading volume of a particular stock in order to sell that stock at an artificially inflated price. As part of the pump-and-dump scheme, an individual or group of individuals obtains control over a substantial portion of the free trading shares of a company. Free trading shares are shares of stock that the owner can trade without restriction on a national exchange, e.g., the New York Stock Exchange, or are traded in an over-the-counter market, e.g., the Pink Sheets.

6. The "pump" involves artificially inflating a company's stock price by engaging in coordinated trading of the stock to create the appearance of a more active market for that stock --

usually by controlling both the buying and selling activity of the stock. The pump also involved disseminating false and misleading promotional materials -- press releases purportedly from the company or advertisements touting the prospects of a company's stock, to encourage innocent investors to purchase the stock.

7. After pumping up the stock price in the manner described above, the stock is "dumped," meaning large quantities of the shares owned and controlled are sold to unsuspecting investors. The dump usually occurs soon after the dissemination of the promotional materials touting the particular company. A pump-and-dump scheme also involves "parking" shares by depositing or transferring them into different accounts, including accounts in the names of nominees, to conceal the manipulative trading of the stock. Nominee bank accounts are also often used to conceal the dissipation of the proceeds of the fraud.

8. A "nominee" is someone who owns an asset merely on paper, in order to disguise the true owner of the property. Nominee owners are also used in connection with the formation of shell companies. Bank and brokerage accounts opened in the name of a shell company with a nominee owner are often referred to as "nominee accounts."

9. A "shell company" or "shell corporation" is a company with no significant assets or business operation.

10. A "beneficial owner" is the true owner of a nominee account or shell company.

11. "Restricted" securities are securities acquired in an unregistered, private sale from an issuer or from an affiliate of the issuer. They typically bear a "restricted legend" clearly stating that the shares may not be resold in the public marketplace unless the sale is exempt from the SEC's registration requirements.

12. “Coordinated Trades” are securities transactions, i.e., buying and selling a security, to create the appearance of increased volume and volatility in a stock. Generally, the individual(s) behind “Coordinated Trading” will simultaneously buy and sell shares in one company through two different brokerage firms in order to create the appearance of substantial trading activity that will draw in other unsuspecting investors.

13. Rule 144 of the Securities Act of 1933, 17 C.F.R. § 230.144 *et seq.* (2005) (“Rule 144”) permitted, under certain circumstances, without registration, the public sale of limited amounts of securities by persons who had acquired restricted securities of the issuer. Among its other requirements, Rule 144 mandated a one-year holding period from the date that the restricted securities were bought and fully paid for.

14. Section 4(1) of the Securities Act of 1933 (“Section 4(1)”) permitted, under certain circumstances, an exemption from registration requirements for transactions by persons other than an issuer, underwriter or dealer. Transactions by control persons and underwriters intended to distribute securities to the public were not exempt from registration under Section 4(1).

#### **The Defendant**

15. The defendant, **DAVID CHRISTOPHER RICCI**, was a citizen of Canada who resided in Costa Rica and was a stock trader for Sentry Global Securities Limited.

#### **Relevant Individuals**

16. Jonathan Randall Curshen (“Curshen”) was a dual citizen of the United States and United Kingdom who resided in Florida and Costa Rica. Curshen was the principal of Red Sea Management Ltd. and Sentry Global Securities Limited.

17. Ronny Salazar Morales, a/k/a Ronny Salazar ("Salazar"), was a dual citizen of the United States and Costa Rica who resided in Costa Rica. Salazar was a stock trader at Sentry Global Securities Limited.

18. Eric Ariav Weinbaum ("Weinbaum") was a dual citizen of the United States and Israel who resided in Boca Raton, Florida, in the Southern District of Florida. Weinbaum was an attorney who acted as a stock promoter and stock trader.

19. Izhack Zigdon, a/k/a Ytzchak Zigdon ("Zigdon"), was a citizen of Israel who resided in Israel and acted as a stock promoter.

20. Robert Lloyd Weidenbaum ("Weidenbaum") was a citizen of the United States and stock promoter who resided in Key Biscayne and Miami, Florida, in the Southern District of Florida, and was the principal of CLX and Associates, Inc., in Miami, Florida.

21. Michael Simon Krome ("Krome") was a citizen of the United States who resided in New York, and was licensed as an attorney in New York. Krome represented CO2 Tech Ltd., and worked with Weinbaum, Zigdon, and others on the creation of CO2 Tech Ltd. and the issuance of its free trading shares.

22. Timothy Brown Barham, Jr., ("Barham") was a citizen of the United States and stock promoter who resided in Tennessee.

23. Nathan Bradley Montgomery ("Montgomery") was a citizen of the United States and stock promoter who resided in Nevada.

24. Ryan Mark Reynolds ("Reynolds") was a citizen of the United States and stock promoter who resided in Texas.

25. Joseph Marshall Francis, Jr. ("Francis") was a citizen of the United States who resided in Tennessee and Costa Rica. Francis was a nominee on bank and brokerage accounts established by Red Sea Management Ltd. and Sentry Global Securities Limited. Francis also was a stock trader for Sentry Global Securities Limited.

26. Coconspirator 1 was a citizen of Israel who resided in Israel and New York, and was a stock trader for Weinbaum.

27. Coconspirator 2 was a citizen of Costa Rica who resided in Costa Rica, and was the office manger of Red Sea Management Ltd.

28. Coconspirator 3 was a citizen of the United Kingdom who was a nominee owner on behalf of Red Sea Management Ltd. and Sentry Global Securities Limited.

#### **Relevant Entities**

29. Red Sea Management Ltd. ("Red Sea") was an entity located in San Jose, Costa Rica, that specialized in offshore company incorporation, offshore asset protection, and offshore investments.

30. Sentry Global Securities Limited ("Sentry Global") was an entity that was co-located with Red Sea in San Jose, Costa Rica, that specialized in trading micro-cap securities.

31. CO2 Tech Ltd. ("CO2 Tech") was created through a reverse merger with a Nevada shell company. CO2 Tech was publicly traded on the Pink Sheets under the ticker symbol "CTTD." CO2 Tech was purportedly located in London, United Kingdom, and provided solutions to mitigate global warming by reducing emissions of carbon dioxide and other pollutants.

32. Kinross Investments LLC ("Kinross") was a Delaware shell corporation used by Red Sea and Sentry Global to establish brokerage accounts. The nominee who purportedly controlled

the company was actually a computer specialist at Red Sea and Sentry Global. Kinross listed, as its business address, an address for a mail forwarding service located in the Southern District of Florida.

33. Market Maven Management LLC (“Market Maven-DE”) was a Delaware corporation used by Red Sea and Sentry Global to establish bank and brokerage accounts. Francis was the original nominee who purportedly controlled the company. Francis was replaced as the nominee director by Coconspirator 3. Market Maven-DE listed, as its business address, an address for a mail forwarding service located in the Southern District of Florida.

34. Market Maven Management LLC (“Market Maven-Nevis”) was an island of Nevis corporation used by Red Sea and Sentry Global to establish an account at American International Depository and Trust. Coconspirator 3 was the original nominee who purportedly controlled the company. Market Maven-Nevis listed, as its business address, an address for a mail forwarding service located in the Southern District of Florida.

35. American International Depository and Trust changed its name to American Intercapital Depository and Trust (“AIDT”). AIDT was a Colorado institution in which individuals, who were not citizens of the United States, and their business entities could deposit assets. AIDT purported to offer financial anonymity by using minimal identifiers for transactions and by keeping account holder information confidential.

36. CLX & Associates, Inc. (“CLX”) was a stock promotion company controlled by Weidenbaum. CLX was incorporated in Florida and maintained its place of business in the Southern District of Florida.

37. JB Investment Enterprises Ltd. (“JB Investments”) was a Delaware shell company



incorporated by Krome. JB Investments was purportedly controlled by a nominee owner, was used to obtain free trading shares of CO2 Tech, and was used to open nominee bank and brokerage accounts.

38. "VG" was a brokerage firm, headquartered in New York, through which shares of CO2 Tech were traded.

39. "SS" Corporation was a brokerage firm, headquartered in New Jersey, through which shares of CO2 Tech were traded.

40. "BW" was a stock promotion company doing business in Florida and Texas.

41. "T & C" was a stock promotion company located in California.

42. "SMA" was a stock promotion company located in Miami, in the Southern District of Florida.

43. "WSCF" was a stock promotion company located in Miami, in the Southern District of Florida.

44. Bank-1 was a bank with numerous locations, including a branch located in Vancouver, British Columbia, Canada.

**CONSPIRACY TO COMMIT SECURITIES FRAUD,**  
**WIRE FRAUD AND MAIL FRAUD**  
**(18 U.S.C. § 371)**

From in or around 2003 through in or around 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**DAVID CHRISTOPHER RICCI,**

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly, combine, conspire, confederate and agree with others known and unknown to the United States



Attorney to commit certain offenses against the United States, namely:

a. securities fraud, that is, to willfully and knowingly, by the use of means and instrumentalities of interstate commerce, the mails, and the facilities of national securities exchanges, directly and indirectly, use and employ manipulative and deceptive devices and contrivances in connection with the purchase and sale of securities, and did (a) employ a device, scheme and artifice to defraud; (b) make untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engage in acts, practices, and courses of business which would and did operate as a fraud and deceit upon others, in connection with the purchase and sale of said securities, in violation of Title 15, United States Code, Sections 78j(b) and 78ff(a), and Title 17, Code of Federal Regulations, Section 240.10b-5;

b. wire fraud, that is, to knowingly and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and transmitting and causing to be transmitted certain wire communications in interstate and foreign commerce, for the purpose of executing the scheme, in violation of Title 18, United States Code, Section 1343;

c. mail fraud, that is, to knowingly and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and for the purpose of executing such scheme and artifice, to knowingly

cause to be delivered certain mail matter by the United States Postal Service and by private and commercial interstate carrier, according to the directions thereon, in violation of Title 18, United States Code, Section 1341.

**Purpose of the Conspiracy**

45. It was a purpose of the conspiracy that **DAVID CHRISTOPHER RICCI**, Weinbaum, Zigdon, Krome, Curshen, Salazar, Weidenbaum, Reynolds, Montgomery, Barham, and their coconspirators would: (a) have free trading shares of CO2 Tech stock issued; (b) engage in the fraudulent manipulation of the stock of CO2 Tech by artificially inflating the market price and demand for CO2 Tech stock; (c) divert the proceeds of the fraud for the personal use and benefit of the defendant and others; and (d) conceal the defendant and his coconspirators' involvement in the fraudulent manipulation of the stock of CO2 Tech.

**Manner and Means of the Conspiracy**

The manner and means by which the defendant and his coconspirators would and did seek to accomplish the objects and purpose of the conspiracy included, among others, the following:

46. Curshen would and did take ownership and control of Red Sea and Sentry Global in Costa Rica.

47. Curshen would and did recruit **DAVID CHRISTOPHER RICCI**, Salazar, and Francis to act as stock traders at Sentry Global.

48. Curshen would and did hire a mail service where letters and packages could be sent to a Miami street address, located in the Southern District of Florida, and then forwarded to Red Sea and Sentry Global in Costa Rica.

49. Curshen would and did recruit Weinbaum to execute the market manipulation of CO2 Tech stock through Red Sea and Sentry Global.

50. **DAVID CHRISTOPHER RICCI**, Curshen, Salazar, Francis and their coconspirators would and did establish accounts at brokerage firms in New York and New Jersey using the mail service in Miami as the mailing address for the accounts, and would later use the accounts to facilitate the trading of CO2 Tech stock.

51. Curshen, Salazar, Francis, **DAVID CHRISTOPHER RICCI** and their coconspirators at Red Sea and Sentry Global would and did cause the creation of a nominee brokerage account for Weinbaum and Zigdon to conceal the identities of the true beneficial owners of the account.

52. Weinbaum, Zigdon, Krome and their coconspirators would and did use a nominee company and accounts in the name of JB Investments for the purpose of facilitating the issuance of free trading shares of CO2 Tech stock, and to conceal the true owners of JB Investments and the shares of CO2 Tech stock.

53. Krome would and did create materially false and misleading documents, including an opinion letter, in order to facilitate the issuance of, and remove trading restrictions on, shares of CO2 Tech stock.

54. Weinbaum, Zigdon, Weidenbaum, and their coconspirators would and did cause the issuance and public dissemination of press releases, emails, and facsimiles through the means of interstate commerce and otherwise that contained materially false and misleading information and failed to disclose material information relating to CO2 Tech.

55. **DAVID CHRISTOPHER RICCI**, Weinbaum, Weidenbaum, Curshen, Salazar, Reynolds, Montgomery, Barham, Coconspirator 1, and their coconspirators would and did manipulate the trading volume and share price of CO2 Tech stock by secretly coordinating their trading in the shares of CO2 Tech.

56. Weinbaum directed the trading of CO2 Tech shares from his home in Boca Raton, in the Southern District of Florida.

57. Curshen, Weinbaum, Salazar, **DAVID CHRISTOPHER RICCI** and Coconspirator 1 would and did place sell orders for hundreds of thousands of shares of CO2 Tech stock, which Weidenbaum, Reynolds, Montgomery, Barham and their coconspirators would and did arrange to be matched with buy orders placed by Weidenbaum, Reynolds, Montgomery, Barham and their coconspirators.

58. Weinbaum, Curshen, Salazar, **DAVID CHRISTOPHER RICCI**, Coconspirator 1, and their coconspirators would and did conceal their coordinated trading activities through the use of nominee brokerage accounts established and controlled by Curshen, Salazar, Francis, **DAVID CHRISTOPHER RICCI** and their coconspirators.

59. Weidenbaum, Reynolds, Montgomery, Barham and other coconspirators would and did engage in coordinated trades by purchasing shares of CO2 Tech on the open market from Weinbaum, Salazar, Curshen, **DAVID CHRISTOPHER RICCI**, Coconspirator 1 and their coconspirators at artificially inflated prices in order to create the appearance of legitimate buying interest by legitimate investors, when in fact these coordinated buys were being concealed from the investing public.

60. Weinbaum, Curshen, Salazar, Reynolds, Montgomery, Barham, **DAVID**

**CHRISTOPHER RICCI** and Coconspirator 1 would and did sell shares of CO2 Tech to unsuspecting victim investors at the artificially inflated prices they had created.

61. Curshen, Weinbaum, Zigdon, **DAVID CHRISTOPHER RICCI**, Salazar, Francis and their co-conspirators would cause and did cause the movement of the funds generated through the CO2 Tech scheme through domestic and overseas nominee accounts in order to conceal the origin, destination and ownership of the ill-gotten funds.

62. Weinbaum and Zigdon would and did cause the payment of cash to Weidenbaum, Reynolds, Montgomery, Barham and their coconspirators for their participation in the CO2 Tech scheme.

63. When the NASD requested documents relating to CO2 Tech, Krome would and did provide false and misleading materials in an attempt to cover-up the stock manipulation scheme.

64. When testifying before the SEC, Krome would and did provide false testimony in an attempt to conceal the identities of his coconspirators, including Weinbaum and Zigdon.

#### **Overt Acts**

In furtherance of the conspiracy and to accomplish its objects and purpose, at least one of the coconspirators committed and caused to be committed, in the Southern District of Florida and elsewhere, at least one of the following overt acts, among others:

1. In or around 2003, Curshen caused the rental of a mailbox in Miami, in the Southern District of Florida, to serve as a mailing address for numerous shell companies, including Market Maven-DE, Market Maven-Nevis, and Kinross.

2. In or around May 2006, Curshen, Salazar, **DAVID CHRISTOPHER RICCI**, Francis and their coconspirators caused the opening of an account at AIDT in the name of Market

Maven-Nevis (account number xxxxxx1169), falsely identifying the owner of the account as Coconspirator 3.

3. In or about August 2006, Curshen would cause Francis to establish a bank account in the name of Sentry Global at Bank-1 in Vancouver, British Columbia, Canada (account number xxxxx3070) under the false pretenses that the account was for the use of Francis, that it would be used by Francis for the deposit of personal trading proceeds, and affirming that the bank account would not be used on behalf of any third party.

4. On or about September 25, 2006, Salazar sent an email to an employee at AIDT confirming that Market Maven-Nevis was 100% owned and controlled by Coconspirator 3, a citizen of the UK, knowing that the account was in fact owned, controlled, funded and used exclusively by Curshen, Salazar, **DAVID CHRISTOPHER RICCI**, Francis and their coconspirators.

5. In or around October 2006, Weinbaum traveled to Costa Rica to meet with Curshen, Salazar, **DAVID CHRISTOPHER RICCI** and their coconspirators, and to examine the operations of Red Sea and Sentry Global.

6. On or about November 7, 2006, Curshen sent an email to Coconspirator 2 indicating that Weinbaum and Zigdon had begun the process of bringing business to Red Sea and Sentry Global, and indicating that Zigdon would be providing the documentation necessary to open accounts for Weinbaum and Zigdon.

7. On or about December 18, 2006, Krome sought the assistance of others in locating a shell company that could be purchased with funds provided by Weinbaum and Zigdon.

8. On or about December 20, 2006, Curshen caused Salazar, **DAVID CHRISTOPHER**

**RICCI**, and Francis to establish a brokerage account at the VG, in the name of Market Maven-DE, using a mail forwarding service in Miami, in the Southern District of Florida, as the mailing address on the account.

9. On or about December 20, 2006, Curshen caused Salazar, **DAVID CHRISTOPHER RICCI**, Francis, and their coconspirators to establish a brokerage account at SS Corporation in the name of Kinross, using a mail forwarding service in Miami, in the Southern District of Florida, as the mailing address on the account.

10. On or about December 21, 2006, Krome caused a wire transfer from his Bank of America account (account number xxxxxxxx5719) of approximately \$175,000 for the purpose of purchasing a Nevada shell company that would eventually be renamed CO2 Tech.

11. On or about December 26, 2006, Krome furnished information to Standard & Poor's CUSIP Service Bureau requesting a new CUSIP number for the shell company that was later renamed CO2 Tech, and identified himself as the company's counsel.

12. On or about January 2, 2007, Krome filed information with the Secretary of State for Nevada, changing the name of the shell company to CO2 Tech.

13. On or about January 3, 2007, Krome caused the creation of JB Investments in Delaware.

14. In or around early January 2007, Montgomery and his co-conspirator traveled to Costa Rica to meet with Curshen, **DAVID CHRISTOPHER RICCI**, and their co-conspirators, and to examine the operations of Red Sea and Sentry Global.

15. On or about January 14, 2007, Weinbaum, Curshen and Coconspirator 1 met in Vancouver, British Columbia, to discuss the selling of CO2 Tech stock through Red Sea and Sentry



Global.

16. On or about January 16, 2007, Krome wrote an opinion letter that caused the issuance of approximately 22.5 million shares of CO2 Tech stock, free of any restrictive legend.

17. On or about January 26, 2007, Weidenbaum caused an interstate wire transfer of approximately \$50,000 from CLX's bank account (account number xxxxxx2532) in Miami, located in the Southern District of Florida, to T & C's bank account (account number xxxxx9776) in California for the purpose of promoting CO2 Tech stock.

18. On or about January 29, 2007, Curshen, Weinbaum, Salazar, Coconspirator 1, and **DAVID CHRISTOPHER RICCI** sold 458,000 shares of CO2 Tech stock at a per share price of \$.937 resulting in proceeds in the amount of \$424,842.82.

19. On or about January 30, 2007, Zigdon, and his coconspirators caused the dissemination of a press release falsely stating that CO2 Tech "will join Boeing's global commitment to support anti-global warming activities and other environmental efforts," that "Boeing's interest has been captured by CO2 Tech's new solution to reduce polluting gases emitted from airplanes at high altitudes," and that "CO2 Tech will proceed in the development of its innovative solution . . . so that Boeing may be the first aircraft manufacturer to implement the new anti-global warming system and successfully reduce air pollution from high-altitude emissions," when, in fact, CO2 Tech never had any relationship with Boeing.

20. On or about January 30, 2007, Curshen, Weinbaum, Salazar, Coconspirator 1, and **DAVID CHRISTOPHER RICCI** sold 2,778,404 shares of CO2 Tech stock at a per share price of \$1.044616 resulting in proceeds in the amount of \$2,873,276.16.

21. On or about January 30, 2007, Reynolds caused the purchase of approximately

100,000 shares of CTTD through a trading account in the name of Bellatalia Enterprises at a cost of approximately \$0.94 per share.

22. On or about January 31, 2007, Zigdon and his coconspirators caused the dissemination of press releases stating that CO2 Tech was “very pleased with Boeing's encouragement of our work on this innovative product” when, in fact, CO2 Tech never had any relationship with Boeing.

23. On or about January 31, 2007, Curshen, Weinbaum, Salazar, Coconspirator 1, and **DAVID CHRISTOPHER RICCI** sold 45,000 shares of CO2 Tech stock at a per share price of \$1.68333 resulting in proceeds in the amount of \$74,990.52.

24. On or about January 31, 2007, Barham caused the purchase of approximately 100,000 shares of CTTD at a cost of approximately \$1.655 per share.

25. On or about January 31, 2007, Montgomery caused the purchase of approximately 100,000 shares of CTTD through a trading account in the name of Minnesota Venture Capital at a total cost of approximately \$1.763 per share.

26. On or about January 31, 2007, Weidenbaum caused the interstate wire transfer of approximately \$32,000 from CLX's bank account (account number xxxxxx2532) in Miami, located in the Southern District of Florida, to SMA's bank account (account number xxxxxxxx1683) in New York in order to promote CO2 Tech stock.

27. On or about January 31, 2007, Weidenbaum caused the interstate wire transfer of approximately \$40,000 from CLX's bank account (account number xxxxxx2532) in Miami, located in the Southern District of Florida, to WSCF's bank account (account number xxxxxxxx3543) in New York in order to promote CO2 Tech stock.

28. On or about February 4, 2007, Weinbaum, Zigdon, and Krome provided false and misleading information to an accounting firm for the purpose of having the accounting firm prepare CO2 Tech's financial statements, which were subsequently posted on the Pink Sheets website.

29. On or about February 5, 2007, Weinbaum, Zigdon, and Krome caused the transmission of a facsimile via interstate wire transmission from an accounting firm in Utah to Weinbaum's home in Boca Raton, located in the Southern District of Florida.

30. On or about February 5, 2007, Weinbaum, Weidenbaum and their coconspirators caused the dissemination of a facsimile stating that "TIME IS TICKING! Stand With Boeing," and "If Boeing likes CTTD, so will you," when, in fact, Boeing never had any relationship with CO2 Tech.

31. On or about February 6, 2007, Weinbaum, Zigdon, Curshen, Salazar, Francis, and their co-conspirators caused a foreign wire transfer of approximately \$1,999,992.81 from the Market Maven account at AIDT in Colorado (account xxxxxx1169) to the Vancouver, British Columbia, Canada, Bank-1 account (account number xxxxxx3070) in the name of Sentry Global.

32. On or about February 6, 2007, Francis provided false testimony about his knowledge of Red Sea and Sentry Global to the NASD.

33. On or about February 7, 2007, Weinbaum, Zigdon, Curshen, Salazar, Francis, and their co-conspirators caused a foreign wire transfer of approximately \$505,147.99, constituting proceeds of the market manipulation of CO2 Tech stock, from the Bank-1 account (account number xxxxxx3070) in Vancouver, British Columbia, Canada, to a corporate account in Switzerland.

34. On or about February 7, 2007, Weinbaum and Zigdon caused Coconspirator 1 to collect approximately \$1 million in United States currency from numerous persons in and around

New York City.

35. On or about February 8, 2007, Weinbaum caused Coconspirator 1 to travel on a private jet chartered by Weidenbaum from New Jersey to Opa Locka airport in the Southern District of Florida, to deliver approximately \$1 million in United States currency to Weidenbaum for Weidenbaum's and his coconspirators' roles in the scheme.

36. On or about February 8, 2007, Weidenbaum met with Reynolds, Montgomery, Barham and their coconspirators on Key Biscayne, located in the Southern District of Florida, for the purpose of paying Reynolds, Montgomery, Barham and their coconspirators US currency in return for their role in the CO2 Tech scheme.

37. On or about February 12, 2007, Weidenbaum caused the interstate transfer of approximately \$62,000 from CLX's bank account in Miami, in the Southern District of Florida, to BW's bank account (account number xxxxxxxx6192) in New York to promote CO2 Tech stock.

38. On or about February 13, 2007, Curshen, **DAVID CHRISTOPHER RICCI** and Salazar caused a brokerage statement for Market Maven Management LLC's brokerage account at VG to be mailed to Market Maven-DE in Miami, Florida.

39. On or about February 23, 2007, Weidenbaum and Weinbaum caused CLX and Associates to send by express mail a check in the amount of \$22,137.62 to an aviation company.

40. On or about February 26, 2007, Weidenbaum caused the interstate wire transfer of approximately \$250,000 from CLX's bank account (account number xxxxxx2532) in Miami, located in the Southern District of Florida, to Barham's bank account at Chester County Bank located in Henderson, Tennessee (account number xxx8473).

41. On or about March 16, 2007, Curshen and Salazar caused a brokerage statement for Market Maven Management LLC's brokerage account at VG to be mailed to Market Maven-DE in Miami, Florida.

42. On or about February 15, 2008, Krome provided false and misleading testimony to the SEC regarding the true ownership and control of CO2 Tech.

All in violation of Title 18, United States Code, Section 371.

**FORFEITURE**  
**(18 U.S.C. § 981)**

1. The allegations contained in this Information are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant has an interest.

2. Upon conviction of the offense charged in this Information, the defendant shall forfeit to the United States, any property, real or personal, which constitutes or is derived from proceeds traceable to any such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

3. The property subject to forfeiture includes but is not limited to the proceeds of the above-referenced fraud which as of the time of this Information is in the amount of \$7,000,000.00.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without


difficulty, the United States shall be entitled to forfeiture of substitute property pursuant to Title 21,

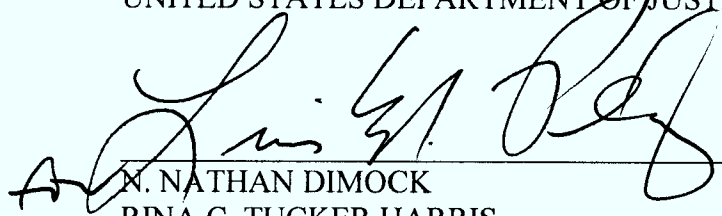
United States Code, Section 853(p).

5. If more than one defendant in the charged conspiracy is convicted of a violation, the defendants so convicted shall be jointly and severally liable for the total amount of proceeds traceable to that violation.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), as incorporated by Title 28, United States Code, Section 2461(c), and the procedures outlined at Title 21, United States Code, Section 853.

  
WIFREDO A. FERRER  
UNITED STATES ATTORNEY

  
For DENIS J. McINERNEY, CHIEF  
FRAUD SECTION, CRIMINAL DIVISION  
UNITED STATES DEPARTMENT OF JUSTICE

  
N. NATHAN DIMOCK  
RINA C. TUCKER HARRIS  
TRIAL ATTORNEYS  
FRAUD SECTION, CRIMINAL DIVISION  
UNITED STATES DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

vs.

**CERTIFICATE OF TRIAL ATTORNEY\***

DAVID CHRISTOPHER RICCI,

Defendant.

Superseding Case Information:

Court Division: (Select One)

New Defendant(s)

Yes \_\_\_\_\_ No \_\_\_\_\_

Number of New Defendants \_\_\_\_\_

Total number of counts \_\_\_\_\_

X Miami \_\_\_\_\_ Key West \_\_\_\_\_  
\_\_\_\_\_ FTL \_\_\_\_\_ WPB \_\_\_\_\_ FTP \_\_\_\_\_

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No  
List language and/or dialect \_\_\_\_\_

4. This case will take 0 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)

(Check only one)

I	0 to 5 days	<u>X</u>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<u>X</u>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:

Judge: \_\_\_\_\_

Case No. \_\_\_\_\_

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes:

Magistrate Case No. \_\_\_\_\_

Related Miscellaneous numbers: 11-20131-CR-Martinez(s)

Defendant(s) in federal custody as of \_\_\_\_\_

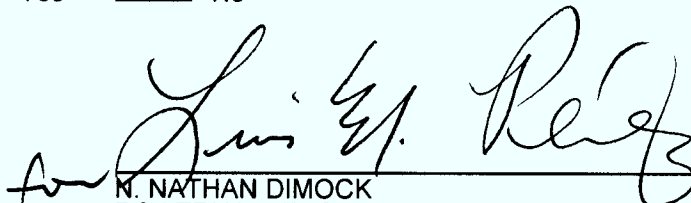
Defendant(s) in state custody as of \_\_\_\_\_

Rule 20 from the \_\_\_\_\_ District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? \_\_\_\_\_ Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? \_\_\_\_\_ Yes X No



N. NATHAN DIMOCK  
DOJ TRIAL ATTORNEY  
Court No. A5501195



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

**Defendant's Name:** David Christopher Ricci **Case No:** \_\_\_\_\_

Count #: 1

\_\_\_\_\_  
Conspiracy to Commit Securities Fraud, Wire Fraud and Mail Fraud

\_\_\_\_\_  
18 U.S.C. § 371

**\*Max Penalty:** 5 years' imprisonment

Count #:

\_\_\_\_\_

\_\_\_\_\_

**\*Max Penalty:** \_\_\_\_\_

Count #:

\_\_\_\_\_

\_\_\_\_\_

**\*Max Penalty:** \_\_\_\_\_

Count #:

\_\_\_\_\_

\_\_\_\_\_

**\*Max Penalty:** \_\_\_\_\_

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**