

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No.
 :
 v. : 18 U.S.C. §§ 1343 & 2
 :
 ADAM STEFANILE : I N F O R M A T I O N
 :

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

THE DEFENDANT & OTHERS

1. At all times relevant to this Information:
 - a. Defendant ADAM STEFANILE ("defendant STEFANILE") was a resident of Brooklyn, Kings County, New York.
 - b. S.M. was a resident of Staten Island, Richmond County, New York.
 - c. Bed, Bath & Beyond, Inc. ("BBB") operated a chain of household merchandise retail stores across the United States.
 - d. Pier 1 Imports, Inc. ("Pier 1") operated a chain of retail stores, specializing in home furnishings and decor, across the United States.
 - e. F.Y.E. operated a chain of retail music and video stores across the United States.
 - f. Michaels Stores, Inc. ("Michaels") operated a

chain of arts and crafts supplies stores across the United States.

THE SCHEME TO DEFRAUD

2. From at least as early as in or about July 2002 until on or about May 12, 2006, in Middlesex County, in the District of New Jersey, and elsewhere, defendant

ADAM STEFANILE

did knowingly and willfully 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, which scheme and artifice was in substance as set forth below.

Object & Means

3. The object of the scheme and artifice to defraud was for defendant STEFANILE to obtain money by returning stolen merchandise to BBB, Pier 1, F.Y.E., and Michaels store locations in New Jersey, New York, Pennsylvania, Connecticut, Maryland, and elsewhere (hereinafter collectively the "Stores") using counterfeit receipts.

4. To execute the scheme and artifice to defraud, defendant STEFANILE:

a. stole BBB merchandise from a loading dock of a BBB store located in Nassau County, New York;

- b. stole merchandise from unattended BBB, Pier 1, F.Y.E., and Michaels delivery trucks;
- c. stole receipt tape from various Stores;
- d. made legitimate purchases at various Stores of single items that matched the stolen merchandise;
- e. produced multiple counterfeit receipts with S.M. using the original receipts from the legitimate purchases, the stolen receipt tape, and a computer scanner;
- f. returned the stolen merchandise to numerous Stores in exchange for money; and
- g. advised S.M., and received advice from S.M., concerning which Stores were attractive targets of this scheme and artifice and which were not.

Examples of the Fraudulent Returns

5. It was further a part of the scheme and artifice to defraud that, on or about July 25, 2003, in or around North Brunswick, New Jersey, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of BBB and received approximately \$170 in cash in return.

6. It was further a part of the scheme and artifice to defraud that, on or about July 23, 2005, in or around Iselin, New Jersey, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of BBB and received approximately \$223 in cash in return.

7. It was further a part of the scheme and artifice to defraud that, on or about October 8, 2005, in or around Manhattan, New York, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of BBB and received approximately \$238 in cash in return.

8. It was further a part of the scheme and artifice to defraud that, on or about October 25, 2005, in or around Cherry Hill, New Jersey, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of BBB and received approximately \$165 in cash in return.

9. It was further a part of the scheme and artifice to defraud that, on or about December 17, 2005, in or around Columbia, Maryland, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of BBB and received approximately \$164 in cash in return.

10. It was further a part of the scheme and artifice to defraud that, on or about January 10, 2006, in Rockaway, New Jersey, defendant STEFANILE presented stolen merchandise and a counterfeit receipt to an employee of Pier 1 and received approximately \$95 in cash in return.

11. In executing the above scheme and artifice to defraud, defendant STEFANILE and others caused losses to the Stores of approximately \$200,000.

The Interstate Communication

12. On or about July 23, 2005, in Iselin, in Middlesex County, in the District of New Jersey, and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, defendant

ADAM STEFANILE

did knowingly and willfully transmit and cause to be transmitted by means of wire communication in interstate commerce writings, signs, signals, pictures, and sounds, that is, a wire transmission from the computer terminal that effected the fraudulent transaction described in paragraph 6, to BBB corporate headquarters in Union, New Jersey, and then to BBB's data storage facility in Farmingdale, Long Island, New York, in order to effect that fraudulent transaction.

In violation of Title 18, United States Code, Sections 1343 and 2.

CHRISTOPHER J. CHRISTIE
United States Attorney