



Department of Justice

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Northern District of Georgia

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DISBARRED ATTORNEY SENTENCED TO FEDERAL PRISON FOR DEFRAUDING ELDERLY CLIENTS

Defendant Diverted Over \$4.3 Million of Clients' Trust Money For His Own Use

ATLANTA, GA - M. DEWEY BAIN, 59, of Sugar Hill, Georgia, was sentenced today by United States District Judge Thomas W. Thrash, Jr. to serve over 5 years in federal prison for defrauding his clients of over \$4.3 million in trust funds that he had misrepresented were in safe investments earning good returns but which in fact he had stolen.

United States Attorney Sally Quillian Yates said of the case, "This defendant, an attorney formerly licensed in Georgia and Texas, entered into trust agreements with elderly victims, told them that he was placing their money in safe investments, and then lost it all – over \$4.3 million in retirement savings and inheritance money – after diverting it to his own personal and business use. His shameful abuse of trust has now landed him in federal prison."

Reginald G. Moore, United States Secret Service Special Agent in Charge, said, "The Secret Service takes an aggressive approach to the prevention and investigation of con artists who prey upon innocent victims by promising future large financial gain for a small initial investment. This case demonstrates the wide-reaching effects of bogus financial and real estate schemes, the impact on innocent victims, and the importance of cooperation among our law enforcement partners."

BAIN was sentenced to 5 years, 3 months in prison to be followed by 3 years of supervised release, and ordered to pay \$4,354,000 in restitution to his victims. BAIN pleaded guilty to the charge of wire fraud on April 6, 2010. BAIN was disbarred in Georgia in October 2009.

According to United States Attorney Yates, the charges and other information presented in court: Between May 2006 and March 2009, BAIN, an attorney formerly licensed in Georgia and Texas, stole over \$4.3 million of his clients' money based on a fraudulent trust scheme. He entered into trust agreements with the defrauded clients,

many of whom were elderly, and agreed to act as their financial advisor and invest their retirement savings and inheritances in safe accounts, such as certificates of deposit and loans to third parties that were allegedly secured by real estate and other valuable property. During the scheme, however, BAIN diverted their money to pay for his own personal expenses and, without their permission, used it to support his business interests. His business, "DnC Multimedia Corp.," formerly known as "PlanetLink Communications, Inc.," later filed for bankruptcy. Through early 2009, BAIN falsely assured his victims that their trust accounts were earning good interest based on the investments, when in fact the accounts had no value by at least February 2009.

As an example, under one of the trust agreements, BAIN originally invested the money of an elderly victim in certificates of deposit and paid her personal expenses out of the trust. He later liquidated the certificates based on false pretenses and moved the money to a bank account in his name. He then used the money in his business, even though she had specifically refused to permit such an investment because it was too risky. He also wrote checks off of her credit card account without her authorization. As the result of BAIN's fraud, this victim lost nearly \$1 million and was no longer able to pay for her assisted living residence. She traveled from another state with family and addressed the Court at today's sentencing.

This case was investigated by Special Agents of the Federal Bureau of Investigation and the United States Secret Service and by Detectives with the Topeka, Kansas, Police Department, with the assistance of the Attorney General's Office for the State of Kansas. The case was referred for criminal prosecution by the Office of the U.S. Trustee in Atlanta, Georgia, as well as by the Atlanta Division Office of the Securities and Exchange Commission.

Assistant United States Attorney Stephen H. McClain prosecuted the case.

For further information please contact Sally Q. Yates, United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.justice.gov/usao/gan.