

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	No. <u>09 CR 548</u>
v.)	
)	Violations: Title 18, United States
WAYNE C. SCOTT)	Code, Section 1341

COUNT ONE

The SPECIAL FEBRUARY 2008-2 GRAND JURY charges:

1. At times material to this indictment:

a. Defendant WAYNE C. SCOTT represented himself as “Chris Harper,” the advertising manager of Media Concepts. Media Concepts was an Illinois corporation with a mailing address in South Holland, Illinois, which purported to offer investment services.

b. Defendant WAYNE C. SCOTT through Media Concepts offered and sold investment interests to the public in Media Concept’s purported monthly advertising campaigns (“Media Concepts’s investment program”).

2. Beginning no later than in or about June 2007 and continuing until at least on or about October 31, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,
defendant herein, devised and participated in a scheme to defraud investors and prospective investors, and to obtain money by means of materially false and fraudulent pretenses,

representations, and promises, and by material omissions, which scheme is further described below.

3. It was part of the scheme that defendant WAYNE C. SCOTT fraudulently induced more than 200 individuals to invest more than \$800,000 in Media Concepts's investment program by making materially false and fraudulent representations and promises concerning: (i) the manner in which the investors' funds would be used; (ii) the risks of investing; and (iii) the returns that would be generated for the investors. Defendant SCOTT misappropriated at least some of these fraudulently obtained investors' funds for his own benefit.

4. It was further part of the scheme that defendant WAYNE C. SCOTT falsely and fraudulently represented to investors and prospective investors that Media Concepts had "tested and proven" monthly advertising campaigns" through which Media Concepts's investment program generated returns for investors. In truth, as defendant SCOTT well knew, Media Concepts did not engage in any advertising campaigns on behalf of investors and defendant SCOTT intended to and did misappropriate at least some of the investors' funds for his own benefit.

5. It was further part of the scheme that defendant WAYNE C. SCOTT falsely and fraudulently represented to investors and prospective investors in Media Concepts investment program that their investments were "absolutely safe." In truth, as defendant SCOTT well knew, the funds obtained from Media Concepts's investors were not "absolutely safe" in that defendant SCOTT misappropriated at least some of them for his own benefit.

6. It was further part of the scheme that defendant WAYNE C. SCOTT falsely and fraudulently represented to investors and prospective investors in Media Concepts investment program that their investments were “absolutely guaranteed” to “‘at the very minimum’ double” within 60 days of investment. In truth, as defendant SCOTT well knew, the funds obtained from Media Concepts’s investors were not invested in advertising campaigns, were not earning any return for investors and were misappropriated at least in part by defendant SCOTT.

7. It was further part of the scheme that defendant WAYNE C. SCOTT made the materially false and fraudulent representations described above, and caused them to be made, through various means, including through the delivery of promotional materials delivered by the U.S. mail and through email and through telephone communications.

8. It was further part of the scheme that defendant SCOTT would and did conceal, misrepresent, and hide and caused to be concealed, misrepresented, and hidden, the existence and purpose of the scheme and the acts done in furtherance of the scheme.

9. As a result of the scheme, defendant WAYNE C. SCOTT fraudulently caused investors to invest in Media Concepts’s investment program an aggregate of more than approximately \$800,000, at least a portion of which he misappropriated.

10. On or about August 31, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered from Elizabeth, New Jersey, by the United States Postal Service, an envelope from Investor A addressed to Media Concepts at 430 E. 162nd Street, # 191, South Holland, Illinois, which envelope contained a money order made payable to Media Concepts in the amount of \$1,000;

In violation of Title 18, United States Code, Section 1341.

COUNT TWO

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 9 of Count One of this indictment are realleged and incorporated as though fully set forth here.
2. On or about September 1, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered from Oakland, California, by the United States Postal Service, an envelope from Investor B addressed to Media Concepts at 430 E. 162nd Street, # 191, South Holland, Illinois, which envelope contained a personal check made payable to Media Concepts in the amount of \$2,500;

In violation of Title 18, United States Code, Section 1341.

COUNT THREE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 9 of Count One of this indictment are realleged and incorporated as though fully set forth here.

2. On or about August 2, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered from Wildwood, Missouri, by the United States Postal Service, an envelope from Investor C addressed to Media Concepts at 430 E. 162nd Street, # 191, South Holland, Illinois, which envelope contained a money order made payable to Media Concepts in the amount of \$3,500;

In violation of Title 18, United States Code, Section 1341.

COUNT FOUR

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 9 of Count One of this indictment are realleged and incorporated as though fully set forth here.

2. On or about August 27, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered from Alexandria, Virginia, by the United States Postal Service, an envelope from Investor D addressed to Media Concepts at 430 E. 162nd Street, # 191, South Holland, Illinois, which envelope contained a personal check made payable to Media Concepts in the amount of \$5,000;

In violation of Title 18, United States Code, Section 1341.

COUNT FIVE

The SPECIAL FEBRUARY 2008-2 GRAND JURY charges:

1. At times material to this indictment:

a. Defendant WAYNE C. SCOTT represented himself as “Chris Jenkins,” the advertising manager for Moyer Direct Inc. (“Moyer Direct”). Moyer Direct was a Delaware corporation with a mailing address in Schererville, Indiana, which purported to offer investment services.

b. Defendant WAYNE C. SCOTT through Moyer Direct offered and sold investment interests to the public in purported monthly advertising campaigns (“Moyer Direct’s investment program”). This investment program was almost identical to the investment program defendant SCOTT had earlier offered and sold to the public through Media Concepts.

2. Beginning no later than in or about May 2009 and continuing until on or about at least June 17, 2009, in the Northern District of Illinois, Eastern Division and elsewhere,

WAYNE C. SCOTT,

defendant herein, devised and participated in a scheme to defraud investors and prospective investors, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, and by material omissions, which scheme is further described below.

3. It was part of the scheme that defendant WAYNE C. SCOTT fraudulently induced individuals to invest money in Moyer Direct’s investment program by making

materially false and fraudulent representations and promises concerning: (i) the manner in which the investors' funds would be used; (ii) the risks of investing; and (iii) the returns that would be generated for the investors. Defendant SCOTT misappropriated at least some of these fraudulently obtained investors' funds for his own benefit.

4. It was further part of the scheme that defendant WAYNE C. SCOTT used investment program materials, which were substantially similar to those he used in connection with Media Concepts, to solicit investors for Moyer Direct's investment program and to falsely and fraudulently represent to those investors and prospective investors that Moyer Direct had "'tested and proven' monthly advertising campaigns" through which Moyer Direct's investment program generated returns for investors. In truth, as defendant SCOTT well knew, Moyer Direct did not engage in any advertising campaigns on behalf of investors and defendant SCOTT did misappropriate at least some of investors' funds for his own benefit.

5. It was further part of the scheme that defendant WAYNE C. SCOTT falsely and fraudulently represented to investors and prospective investors in Moyer Direct's investment program that their investments were "absolutely safe." The funds obtained from Moyer Direct's investors were not "absolutely safe" in that defendant SCOTT intended to misappropriate at least some of the investors' funds, much the same as he did with investors' funds in connection with Media Concepts.

6. It was further part of the scheme that defendant WAYNE C. SCOTT falsely and fraudulently represented to investors and prospective investors in Moyer Direct's

investment program that their investments were “absolutely guaranteed” to “‘at the very least’ double” within 60 days of investment. In truth, as defendant SCOTT well knew, the funds obtained from Moyer Direct’s investors were not invested in any advertising campaigns, were not earning any returns for investors, and were misappropriated at least in part by the defendant.

7. It was further part of the scheme that defendant WAYNE C. SCOTT made the materially false and fraudulent representations described above, and caused them to be made, through various means, such as through the delivery of promotional materials delivered by the U.S. mail.

8. It was further part of the scheme that defendant SCOTT would and did conceal, misrepresent, and hide and caused to be concealed, misrepresented, and hidden, the existence and purpose of the scheme and the acts done in furtherance of the scheme.

9. On or about June 2, 2009, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered by the United States Postal Service a package containing Moyer Direct's investment program materials, which package was addressed to Investor E at a post office box in Steger, Illinois 60475;

In violation of Title 18, United States Code, Section 1341.

COUNT SIX

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 8 of Count Six of this indictment are realleged and incorporated as though fully set forth here.

2. On or about June 17, 2009, in the Northern District of Illinois, Eastern Division, and elsewhere,

WAYNE C. SCOTT,

defendant herein, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly caused to be delivered by the United States Postal Service a package containing Moyer Direct's investment program materials, including a special offer coupon, which package was addressed to Investor E at a post office box in Steger, Illinois 60475;

In violation of Title 18, United States Code, Section 1341.

FORFEITURE ALLEGATION

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations in Counts One through Seven of this indictment are hereby realleged and incorporated as though fully set forth herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. As a result of his violations of Title 18, United States Code, Section 1341 as alleged in the foregoing Indictment,

WAYNE C. SCOTT,

defendant herein shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all right, title, and interest in property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interests of defendant subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), include but are not limited to the following property:

- a. one 2007 Lexus GS 450H, VIN JTHBC96S375000521, and
- b. funds in the amount of approximately \$800,000.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission by 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 of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p) as incorporated by Title 28, United States Code, Section 2461(c);

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY