

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
SUSAN FONTE	*	VIOLATION:

* * *

FACTUAL BASIS

The government and the defendant, **SUSAN FONTE** (“**FONTE**”), do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and if this case had gone to trial, the government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following facts:

From on or about January 19, 2005, to June 17, 2010, **FONTE** worked as a bookkeeper for Thomas Bradshaw & Associates, (hereinafter “**Company**”), a real estate development firm in the Eastern District of Louisiana. Witnesses would testify that part of **FONTE’S** duties encompassed maintaining the **Company’s** books and financial records, preparing financial reports, and paying the **Company’s** operating expenses. The owner of the **Company**, Thomas Bradshaw, would testify that **FONTE** was not authorized in any capacity to use the **Company’s** funds or funds from his personal

checking account for her use and benefit.

At some point during the last year of her employment with the **Company**, Bradshaw discovered that **FONTE** was embezzling money from a personal checking account that he jointly owned with his mother and maintained with Regions Banks. Accordingly, Bradshaw hired a forensic accountant to review his accounts. The analysis of the accounts by the forensic accountant revealed that **FONTE** had systematically embezzled money from Bradshaw's business and personal accounts over a two-year period. As such, Bradshaw terminated **FONTE'S** employment with the **Company**. In an effort to rectify the matter, **FONTE** tried to pay back some of the funds that she stole from Bradshaw by giving him a total of \$17,416.44 in checks and money orders.

After terminating her employment with the **Company**, Bradshaw reported **FONTE'S** embezzlement scheme to the U.S. Secret Service. Sometime thereafter, a special agent and an analyst with the Secret Service obtained account statements and cancelled checks for the **Company's** operating accounts and Bradshaw's personal checking account. Their analysis of those documents confirmed that **FONTE** had, in fact, embezzled money from both accounts. The analysis also revealed that **FONTE** had stolen funds from the **Company's** operating account by forging Bradshaw's signature on **Company** checks that she issued to herself and deposited into her personal account. Through this scheme, **FONTE** embezzled \$192,538.18 from the **Company's** operating account from November 13, 2008 to June 14, 2010.

The analysis of the accounts also revealed that **FONTE** had illegally obtained a debit card from Regions Bank that was linked to Bradshaw's personal account. During the April 15, 2009 to June 14, 2010 time period, **FONTE** made numerous and unauthorized cash withdrawals totaling \$95,117.86 from the account by using the aforementioned debit card at various ATM machines

located in the metro area.

A representative from Regions Bank would testify that on June 1, 2010, **FONTE** withdrew \$602.50 from an ATM machine located in the lobby of the Galleria. The Galleria is an office tower that is located in Metairie, Louisiana, which is within the Eastern District of Louisiana. By making the cash withdrawal from the ATM machine, **FONTE** knowingly caused to be transmitted in interstate commerce an electronic signal by means of wire from the said ATM in Metairie, Louisiana, to the Regions Bank transaction authorization server in Birmingham, Alabama. Once the transaction was authorized, a signal was sent from the server in Birmingham back to the ATM machine in Metairie instructing it to dispense \$602.50 in U.S. currency to **FONTE**.

Shortly after the embezzlement scheme was reported to the Secret Service, a Secret Service special agent contacted **FONTE** to determine if she was willing to participate in an interview. **FONTE** agreed and met with the agent for an interview on September 14, 2010. After executing a waiver of her rights per Miranda, **FONTE** prepared a written statement in which she admitted stealing money from Bradshaw's business and personal checking accounts. She also admitted that she carried out the embezzlement scheme to feed her gambling habit, and that she joined Gamblers anonymous after the fraud was discovered to help her with her gambling addiction.

In conclusion, **SUSAN FONTE** acknowledges that she knowingly and intentionally committed wire fraud in violation of 18 U.S.C. § 1343 when she stole money from Bradshaw's personal account by withdrawing \$602.50 in U.S. currency from an ATM machine on June 1, 2010, which caused electronic signals to be transmitted in interstate commerce from the ATM machine in

Metairie to the transaction authorization server housed in the Regions Bank facility located in Birmingham, Alabama, and back to the ATM machine in Metairie.

Defendant SUSAN FONTE

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