

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Crim. No. 11-
JENIFER DEVINE : 18 U.S.C. §§ 1343 and 2

INFORMATION

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

THE DEFENDANT AND OTHER PARTIES

1. At all times relevant to this Information:
 - a. Defendant JENIFER DEVINE resided in Fair Lawn, New Jersey and was the owner and operator of Devine Wholesale.
 - b. Devine Wholesale was a New Jersey limited liability corporation with an office in Carlstadt, New Jersey. Defendant JENIFER DEVINE held Devine Wholesale out to be a wholesale business that bought and sold clothing and electronics for profit.

THE SCHEME TO DEFRAUD

2. From in or about December 2008 through in or about September 2010, in Bergen County, in the District of New Jersey, and elsewhere, defendant

JENIFER DEVINE

did knowingly and intentionally devise a scheme and artifice to defraud and to obtain money and property from various investors

by means of materially false and fraudulent pretenses, representations and promises, as set forth below.

3. Starting in or about December 2008, defendant JENIFER DEVINE solicited investments from a number of individuals purportedly to finance the operations of Devine Wholesale. In both oral representations and written materials, defendant JENIFER DEVINE told potential investors that their money would be used by Devine Wholesale to purchase large amounts of wholesale clothing and electronics which Devine Wholesale would then resell for a profit.

4. In order to give potential investors the impression that Devine Wholesale was a legitimate business, defendant JENIFER DEVINE showed certain investors false and fraudulent inventory lists and orally described the profitability of her business.

5. In most instances, defendant JENIFER DEVINE provided investors who agreed to invest in Devine Wholesale with promissory notes reflecting the amount of their investment and a payment schedule, which typically provided for full payment of interest and the return of principal within 30 to 60 days. The interest defendant JENIFER DEVINE and Devine Wholesale promised investors was typically 25 percent per investment.

6. Between in or about December 2008 and in or about September 2010, defendant JENIFER DEVINE raised more than \$8 million from investors in New Jersey and throughout the United

States based, in part, on her representations regarding the use of the funds and the promised rate of return.

7. Contrary to defendant JENIFER DEVINE's written and verbal representations, between in or about December 2008 and in or about September 2010, Devine Wholesale had virtually no income generating operations at all. Instead of using the investors' money to fund a legitimate business, defendant JENIFER DEVINE used the vast majority of the money that came into Devine Wholesale to repay other investors in Ponzi scheme fashion.

8. In addition to using the investors' money to repay prior investors, defendant JENIFER DEVINE also spent tens of thousands of dollars on various personal expenses, such as a Royal Caribbean cruise and purchases at luxury retailers such as Burberry, Gucci and Coach.

9. As a result of defendant JENIFER DEVINE's scheme and artifice to defraud, investors were defrauded out of approximately \$2,003,500.

7. On or about August 13, 2010, in Bergen County, in the District of New Jersey, and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, defendant

JENIFER DEVINE

did knowingly transmit and cause to be transmitted, by means of wire communications in interstate commerce, writings, signs, signals, pictures and sounds, namely a wire transfer of approximately \$10,000 from a bank in New Jersey to a bank in New

York purportedly to pay an investor a return on his investment.
In fact, the payment was made with funds provided by a different
investor.

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


PAUL J. FISHMAN
United States Attorney

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INFORMATION FOR

18 U.S.C. §§ 1343 & 2

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