

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Crim. No. 11-
VICTOR MANUEL RIVERA, JR. : 18 U.S.C. §§ 1343 and 2

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 AND OTHER PARTIES

1. At all times relevant to this Information:

a. Morgan Stanley Smith Barney ("MSSB") was a global wealth management firm, which provided access to a wide range of products and services to individuals, businesses and institutions, including brokerage and investment advisory services, financial and wealth planning, credit and lending, cash management, annuities and insurance, retirement and trust services. MSSB had offices internationally, and throughout the United States, including an office in Paramus, New Jersey.

b. Victims "W.F." and "G.H." were MSSB private wealth management clients, whose accounts were serviced by financial advisors at the Paramus, New Jersey office of MSSB.

c. Defendant VICTOR MANUEL RIVERA, JR. was employed as a financial advisor at the Paramus, New Jersey office of MSSB. Among other things, defendant RIVERA was responsible

for advising MSSB clients, including Victims W.F. and G.H., and managing their MSSB investment accounts.

THE SCHEME TO DEFRAUD

2. From at least as early as October 2008 through in or about October 2010, in Bergen County, in the District of New Jersey, and elsewhere, defendant

VICTOR MANUEL RIVERA, JR.

did knowingly and intentionally devise a scheme and artifice to defraud and to obtain money and property from Victims W.F. and G.H., by means of materially false and fraudulent pretenses, representations and promises, as set forth below.

3. It was part of the scheme and artifice to defraud that defendant VICTOR MANUEL RIVERA, JR. accessed MSSB accounts held by Victims W.F. and G.H.

4. It was further part of the scheme and artifice to defraud that defendant VICTOR MANUEL RIVERA, JR. wire transferred funds from Victims W.F. and G.H.'s MSSB accounts without their knowledge or authorization to an account held at Wachovia Bank, N.A. in the name of "R.R." controlled by defendant RIVERA.

4. It was further part of the scheme and artifice to defraud that defendant VICTOR MANUEL RIVERA, JR. forged the signatures of Victims W.F. and G.H. on MSSB wire transfer request forms, falsely indicating that they wished to transfer funds to the Wachovia account that he controlled.

5. It was further part of the scheme and artifice to defraud that the defendant VICTOR MANUEL RIVERA, JR. submitted

the forged MSSB wire transfer request forms to his supervisors at MSSB for their approval.

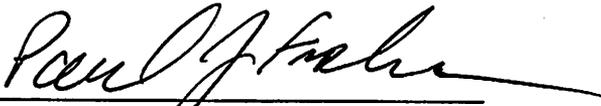
6. In all, defendant VICTOR MANUEL RIVERA, JR. obtained approximately \$94,000 as a result of this scheme and artifice to defraud. Defendant RIVERA spent the majority of this money on personal expenditures, including mortgage payments for his personal residence in Clifton, New Jersey.

7. On or about October 29, 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

VICTOR MANUEL RIVERA, JR.

did knowingly and intentionally 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 \$4,000 from Victim G.H.'s MSSB account located in Paramus, New Jersey to a Wachovia Bank, N.A. account located in Winston-Salem, North Carolina.

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


PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

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UNITED STATES OF AMERICA

v.

VICTOR MANUEL RIVERA, JR.

INFORMATION FOR

18 U.S.C. §§ 1343 and 2

PAUL J. FISHMAN

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