

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. _____
 :
 v. : 18 U.S.C. § 1349
 :
 ALFREDO RODRIGUEZ :

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:

Relevant Parties and Entities

1. At all times relevant to this Information:

a. T-Mobile USA, Inc. ("T-Mobile") was a national retailer and provider of wireless voice, messaging, and data services, as well as cellular telephones, whose United States headquarters was located in Bellevue, Washington.

b. Wal-Mart Stores, Inc. ("Wal-Mart") was headquartered in Bentonville, Arkansas, and was the world's largest retailer. Wal-Mart operated more than 4,300 facilities including Walmart Supercenters, Discount Stores, Neighborhood Markets and Sam's Club warehouses in the United States. Among other wireless products, Wal-Mart sold T-Mobile wireless voice, messaging, and data services, as well as cellular telephones, at many of its United States stores, including stores located within the District of New Jersey. Each Wal-Mart store that sold

T-Mobile products was connected through an Internet-based interface to T-Mobile's credit acquisition and activation system - the T-Mobile Retail Service Platform - located in Bothell, Washington (the "RSP Interface"), and used this system to relay information from its stores to T-Mobile to facilitate all new customer activations.

c. Defendant ALFREDO RODRIGUEZ, co-conspirator "E.R.", co-conspirator "R.O", co-conspirator "J.C.", and co-conspirator "A.L." resided in Brooklyn, New York, and referred to themselves as the "Interstate Boys".

The Conspiracy

2. From at least as early as in or about May 2010 through in or about July 2011, in the District of New Jersey and elsewhere, defendant

ALFREDO RODRIGUEZ

did knowingly and intentionally conspire and agree with co-conspirator E.R., co-conspirator R.O., co-conspirator J.C., co-conspirator A.L., and others, to execute a scheme and artifice to defraud T-Mobile, Wal-Mart, and others, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing this scheme and artifice, to transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain signs, signals, and sounds, contrary to Title 18, United States Code, Section 1343.

Object of the Conspiracy

3. The object of the conspiracy was for defendant ALFREDO RODRIGUEZ and his co-conspirators to profit by (a) unlawfully obtaining personal identification information belonging to identity theft victims; (b) creating and causing to be created counterfeit driver's licenses in the names of those identity theft victims; (c) using the unlawfully obtained personal identification information and/or driver's licenses to open T-Mobile cellular accounts in the names of identity theft victims and purchase discounted cellular telephones from Wal-Mart only available to new T-Mobile customers; and (d) selling the fraudulently obtained discounted cellular telephones at a profit.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant ALFREDO RODRIGUEZ, co-conspirator E.R., co-conspirator R.O., co-conspirator J.C., co-conspirator A.L., and others, obtained the personal identification information, including the names and Social Security numbers, of over 200 identity theft victims from co-conspirators who worked at medical offices in New York, New York and Brooklyn, New York. In some instances, defendant RODRIGUEZ and his co-conspirators also obtained fraudulent driver's licenses in the names of the identity theft victims.

5. It was further part of the conspiracy that defendant ALFREDO RODRIGUEZ, co-conspirator E.R., co-conspirator R.O., co-conspirator J.C. and co-conspirator A.L. traveled to over 350

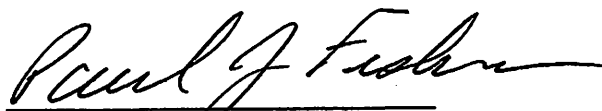
different Wal-Mart stores located from Maine to Florida on approximately 600 occasions from in or about May 2010 through in or about July 2011. Once at these Wal-Mart stores, defendant RODRIGUEZ and his co-conspirators fraudulently opened T-Mobile cellular telephone accounts (hereinafter the "Fraudulent T-Mobile Accounts"), by completing credit applications and entering into new two-year service agreements in the names of the identity theft victims. Both the fraudulently completed credit applications and service agreements were communicated from the Wal-Mart stores visited by defendant RODRIGUEZ and his co-conspirators, which included stores within the District of New Jersey, to T-Mobile in Washington state using the internet-based RSP Interface.

6. It was further part of the conspiracy that after opening the Fraudulent T-Mobile Accounts, defendant ALFREDO RODRIGUEZ, co-conspirator E.R., co-conspirator R.O., co-conspirator J.C. and co-conspirator A.L. purchased discounted cellular telephones from Wal-Mart stores that were only available to new T-Mobile customers. These discounts ranged from 50% to 100% off of the retail price of the cellular telephones, depending on the model. Wal-Mart offered such discounts to new T-Mobile customers because it earned incentives for new activations from T-Mobile, which it used to offset the discounted prices. But if a T-Mobile account activated at Wal-Mart was

later disconnected by T-Mobile for fraud, including identity theft, Wal-Mart was not paid any incentives, and was not reimbursed by T-Mobile for any discounts.

7. It was further part of the conspiracy that defendant ALFREDO RODRIGUEZ, co-conspirator E.R., co-conspirator R.O., co-conspirator J.C. and co-conspirator A.L. opened in excess of 400 Fraudulent T-Mobile Accounts and obtained approximately 2,000 discounted cellular telephones. In most instances, defendant RODRIGUEZ and his conspirators sold the discounted cellular telephones to others at a substantial profit. Upon detection, however, T-Mobile terminated the Fraudulent T-Mobile Accounts and notified the identity theft victims. As a result, Wal-Mart suffered significant losses because it was unable to recoup the incentives it expected when it sold the cellular telephones at a discount. In some instances, defendant RODRIGUEZ and his co-conspirators also used the Fraudulent T-Mobile Accounts before they were terminated and incurred charges they never paid, resulting in losses to T-Mobile.

All in violation of Title 18, United States Code,
Section 1349.


PAUL J. FISHMAN
United States Attorney

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INFORMATION FOR

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