

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>SUPERSEDING</u>
	:	<u>INFORMATION</u>
-v.-	:	S1 10 Cr. 977 (JFK)
	:	
HEIDI WALKER,	:	
a/k/a "Heidi Walker Pfabe,"	:	
a/k/a "Heidi Ofgant-Walker,"	:	
a/k/a "Heidi Elder Walker," and	:	
PETER PFABE,	:	
	:	
Defendants.	:	
	:	
- - - - -	:	x

COUNT ONE

The United States Attorney charges:

Relevant Persons and Entities

1. From in or about May 2002 through in or about November 2003, and then from in or about January 2004 through in or about January 2006, HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, was employed as Managing Director in charge of Client Service at Deutsche Asset Management, the asset management arm of Deutsche Bank AG ("Deutsche"), in New York, New York.

2. From in or about February 2006 through in or about June 2008, HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, was employed as a Managing Director and the Head of Global Client

Service at AIG Global Investment Group ("AIG Global Investment"), a division of American International Group, Inc. ("AIG"), in New York, New York.

3. PETER PFABE, the defendant, was at all relevant times married to HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant. From in or about April 1999 through in or about April 2003, PFABE was employed as Director of Global Institutional Marketing for an asset management division of a large bank.

4. At all times relevant to this Indictment, Saint Andrews Marketing, Inc. ("Saint Andrews") was a Pennsylvania corporation whose president and sole shareholder was PETER PFABE, the defendant.

5. At all times relevant to this Indictment, Greenwich Marketing Associates ("GMA") was a Connecticut corporation whose sole shareholder, sole director, and registered agent was PETER PFABE, the defendant.

The Scheme to Defraud

6. From in or about November 2002 through in or about March 2008, Deutsche made numerous payments to Saint Andrews for services alleged to have been furnished by Saint Andrews to Deutsche Asset Management. In or about December 2005 and in or about January 2006, Deutsche also made payments to GMA for services alleged to have been furnished by GMA to Deutsche Asset

Management. Deutsche Asset Management received "invoices" from Saint Andrews and GMA seeking payment for services purportedly rendered -- including "Marketing and Review Services," "company review and alert updates," "monthly commentary report," "Winter Conference Sponsorship," and "Speaker Sponsorship." Although many of these invoices were addressed to employees of Deutsche Asset Management (or, in some cases, former employees) other than HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, payment of the amounts demanded in the invoices was authorized by, and caused to be made by, WALKER. In total, WALKER caused Deutsche to pay Saint Andrews approximately \$220,000 and GMA approximately \$125,000.

7. From in or about August 2006 through in or about March 2008, AIG made numerous payments to GMA for services purportedly provided by GMA to AIG Global Investment. AIG Global Investment, like Deutsche Asset Management, received "invoices" from GMA seeking payment for certain services. These consisted principally of "editing services for investment commentary," but also included purported services related to a "Client Investment Management Survey 2008." HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, approved payment of all GMA invoices submitted to AIG Global Investment, and thus caused payments to be made by AIG

to GMA. In total, WALKER caused AIG to pay GMA approximately \$125,000.

8. At no time during the period relevant to this Indictment did HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, or PETER PFABE, the defendant, disclose, as was required by Deutsche's policies, that the invoices from Saint Andrews and GMA were being submitted by companies owned by WALKER's husband, PFABE.

9. At no time during the period relevant to this Indictment did HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, or PETER PFABE, the defendant, disclose, as was required by AIG's policies, that the invoices from GMA were being submitted by a company owned by WALKER's husband, PFABE.

10. The Saint Andrews and GMA invoices submitted to Deutsche Asset Management and AIG Global Investment were fraudulent; the services specified in the invoices were never performed or were materially misrepresented. HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," the defendant, took steps to ensure that the invoices' fraudulent nature and her connections to Saint Andrews and GMA would not be detected.

11. Payments made to Saint Andrews and to GMA by Deutsche and AIG were deposited into accounts set up in the companies' names and used by HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants. Withdrawals from Saint Andrews' and GMA's accounts were made principally to pay for the defendants' personal expenses and for expenses associated with a horse farm, Field Pointe Farm, that was owned and run by the defendants.

Statutory Allegations

12. From in or about 2002 through in or about 2008, in the Southern District of New York and elsewhere, HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to commit mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343.

13. It was a part and object of the conspiracy that HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining

money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters, and things to be sent and delivered by the Postal Service, and deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carrier, and take and receive therefrom such matters and things, and cause to be delivered by mail and such carrier, according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things.

14. It was a further part and object of the conspiracy that HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice.

Overt Acts

15. In furtherance of the conspiracy and to effect its illegal objects, HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. On or about December 7, 2005, WALKER sent an email message to a Deutsche employee providing a contact telephone number for GMA.

b. On or about December 29, 2005, WALKER wrote and PFABE signed a \$74,500 check, drawn on GMA's bank account, to Field Pointe Farm.

c. On or about September 6, 2007, WALKER sent an email message to her assistant at AIG Global Investment attaching two GMA invoices and stating that the invoices needed to be paid.

d. On or about March 12, 2008, WALKER sent an email message to an AIG employee supplying directions for mailing an AIG check to GMA.

e. On or about March 28, 2008, WALKER sent an email to an AIG employee, copied to PFABE and attaching PFABE's resume, which failed to disclose PFABE's connection to GMA.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATIONS

16. As a result of committing the offense charged in Count One of this Information, HEIDI WALKER, a/k/a "Heidi Walker Pfabe," a/k/a "Heidi Ofgant-Walker," a/k/a "Heidi Elder Walker," and PETER PFABE, the defendants, 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, all property, real or personal, constituting or derived from proceeds traceable to the conspiracy offense charged in Count One.

Substitute Asset Provision

17. If any of the forfeitable property described in the foregoing paragraph, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.
§ 853(p), to seek forfeiture of any other property of said
defendant(s) up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1),
Title 21, United States Code, Section 853(p);
Title 28, United States Code, Section 2461.)

PREET BHARARA
United States Attorney

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(18 U.S.C. § 371.)

PREET BHARARA
United States Attorney.
