

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 11-_____**
v. : **DATE FILED: _____**
KIMBERLY LAWSON : **VIOLATIONS:**
STEPHEN J. KANE : **18 U.S.C. § 1343 (wire fraud - 10 counts)**
: **Notice of Forfeiture**

INDICTMENT

COUNTS ONE THROUGH TEN

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Mayfield Site Contractors, Inc. (“Mayfield”) was a landscaping business with an office located at 5696 Swedeland Road, King of Prussia, Pennsylvania.
2. “D.H.” was the Vice President and co-owner of Mayfield.
3. Mayfield maintained a small business banking account at Bryn Mawr Trust, account 221632 (“the Bryn Mawr account”).
4. Defendant KIMBERLY LAWSON was employed as a bookkeeper at Mayfield and was responsible for generating checks from the Bryn Mawr account payable to individuals and businesses doing business with Mayfield (“the Bryn Mawr checks”).
5. Defendant KIMBERLY LAWSON was commissioned as a Notary Public.
6. Defendant KIMBERLY LAWSON was responsible for presenting the Bryn Mawr checks to “D.H.” for his signature, and then for sending them to the payees.

7. Defendant KIMBERLY LAWSON had no authority to sign the Bryn Mawr checks in “D.H.”’s name.

8. Richmond Financial Inc. (“Richmond”) was a check cashing business, with a place of business located at 2990 Richmond Street, Philadelphia, Pennsylvania (“the Richmond office”).

9. Richmond maintained an account with Nova Bank, 1235 West Lakes Drive, Berwyn, Pennsylvania.

10. iStream Financial Services (iStream) was a third-party check processor located at 13555 Bishops Court Suite in Brookfield, Wisconsin.

11. After the Richmond office accepted checks from a customer, its clerk would scan the check and then transmit an electronic copy of the check to iStream in Wisconsin, Richmond’s third-party check processor.

12. Cottman Check Cashing (“Cottman”) was a check cashing business with a place of business located at 5000 Cottman Avenue, Philadelphia, Pennsylvania.

13. Cottman maintained an account with Vist Bank, which had a branch office located 8000 Verree Road, Philadelphia, Pennsylvania (“the Vist branch”).

14. After the Cottman Office accepted a check from a customer, its clerk retained the check and delivered and caused it to be delivered to the Vist branch.

15. The Vist branch then prepared a tally sheet, known as a “cash letter,” consisting of the details of the transaction, and electronically transmitted the cash letter, along with an electronic image of the check, to the Federal Reserve Bank in Cleveland, Ohio.

16. Defendant STEPHEN J. KANE was the live-in boyfriend of defendant KIMBERLY LAWSON.

17. Defendant STEPHEN J. KANE had no business relationship with Mayfield, either individually or through a business.

THE SCHEME

18. From on or about August 29, 2010 to on or about March 24, 2011, defendants

KIMBERLY LAWSON and STEPHEN J. KANE

devised and intended to devise a scheme to defraud Mayfield and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

1. Defendants KIMBERLY LAWSON and STEPHEN J. KANE stole approximately \$251,590.93 from Mayfield.
2. KIMBERLY LAWSON forged "D.H."’s signature on checks written against the Bryn Mawr account which she made payable to "Stephen J. Kane," "Stephen Kane," "S.J. Kane," "Kane Trucking Company," and "Kane Trucking, Inc." ("the forged Kane checks").
3. Defendant KIMBERLY LAWSON forged "D.H."’s signature on checks written against the Bryn Mawr account which she made payable to "Kimberly Lawson" ("the forged Lawson checks").
4. Defendant KIMBERLY LAWSON provided forged Bryn Mawr checks to defendant STEPHEN J. KANE.

5. Defendant KIMBERLY LAWSON notarized an Application for Registration of Incorporated Association Name listing defendant STEPHEN J. KANE as the sole proprietor of S.J. Trucking, located at 4232 Passmore Street, Philadelphia, Pennsylvania (“the Application for Registration”).

6. Defendant STEPHEN J. KANE presented a copy of the Application for Registration to the Richmond Office.

7. Defendant STEPHEN J. KANE cashed forged Kane checks at the Richmond Office.

8. Defendant KIMBERLY LAWSON cashed the forged Lawson checks at Cottman.

9. Defendant KIMBERLY LAWSON created electronic facsimiles of the forged Bryn Mawr checks corresponding to the check numbers of the forged Kane checks to falsely indicate on the September 2010 Bryn Mawr account statement that those checks were payable to legitimate payees.

10. Defendant KIMBERLY LAWSON instructed Bryn Mawr Trust to stop sending account statements in hard copy to Mayfield as of October 2010.

11. On or about each of the dates set forth below, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**KIMBERLY LAWSON and
STEPHEN J. KANE**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted by means of wire communication in

interstate commerce the signals and sounds, consisting of images of checks and details of the transactions described below for each count, each transmission constituting a separate count:

<u>COUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1	8/28/10	Bryn Mawr check number 2793 dated 8/20/10 in the amount of \$726.83, made payable to "S.J. Kane" and cashed at Richmond
2	9/2/10	Bryn Mawr check number 2805 dated 8/27/10 in the amount of \$1896.42, made payable to "S.J. Kane" and cashed at Richmond.
3	9/7/10	Bryn Mawr check number 2812 dated 9/3/10 in the amount of \$1,531.99, made payable to "S.J. Kane" and cashed at Richmond.
4	9/27/10	Bryn Mawr check number 3187 dated 9/27/10 in the amount of \$1856.00, made payable to "S.J. Kane" and cashed at Richmond.
5	12/04/10	Bryn Mawr check number 3278 dated 11/30/10 in the amount of \$3,787.50, payable to "S.J. Kane" and cashed at Richmond.
6	12/10/10	Bryn Mawr check number 3297 dated 12/6/10 in the amount of \$5,068.29, payable to "S.J. Kane" and cashed at Richmond.
7	12/22/10	Bryn Mawr check number 3343 dated 12/20/10 in the amount of \$5,255.48, payable to "S.J.Kane" and cashed at Richmond.
8	03/24/11	Bryn Mawr check number 3576 dated 3/24/11 in the amount \$895.98, payable to "Stephen Kane" and cashed at Cottman.
9	03/25/11	Bryn Mawr check number 3199 dated 3/17/11 in the amount of \$879.42, payable to "Kimberly Lawson" and cashed at Cottman.
10	03/25/11	Bryn Mawr check number 3578 dated 3/24/11 in the amount of \$856.92 payable to "Kimberly Lawson" and cashed at Cottman.

All in violation of Title 18, United States Code, Sections 1341, 1349, and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 1343, set forth in this indictment, defendants

**KIMBERLY LAWSON and
STEPHEN J. KANE**

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, (a) \$11,000 in currency seized from an envelope located in the car operated by Stephen J. Kane at the time of his arrest on or about March 23, 2011; and (b) the sum of \$240,590.93.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Sections 981(a)(1)(C).

A TRUE BILL:

FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**