

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|--------------------------|---|--------------------------|
| - - - - - | X | |
| | : | |
| UNITED STATES OF AMERICA | : | <u>SEALED INDICTMENT</u> |
| | : | |
| - v. - | : | 22 Cr. \8 |
| | : | |
| JOSEPH MAHARAJ and | : | |
| SHAWN RAINS, | : | |
| | : | |
| Defendants. | : | |
| | : | |
| - - - - - | X | |

COUNT ONE

(Conspiracy to Commit Mail Fraud)

The Grand Jury charges:

Overview of the Fraudulent Scheme

1. From at least in or about 2009 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and unknown, participated in a scheme to defraud a company in White Plains, New York ("Company-1") of money by false and fraudulent pretenses.

2. In particular, JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and unknown, devised a scheme whereby companies owned or controlled by co-conspirators of MAHARAJ and RAINS submitted to Company-1 invoices for services that were not performed or were performed by employees of Company-1.

3. JOSEPH MAHARAJ and SHAWN RAINS, the defendants, in their

capacities as employees of Company-1, approved these fraudulent invoices for payment or caused these fraudulent invoices to be approved for payment, and then induced Company-1 to pay the fraudulent invoices, which Company-1 did, including by sending checks to co-conspirators of MAHARAJ and RAINS through the mail. As a result of the fraudulent invoicing scheme, MAHARAJ and RAINS and their co-conspirators falsely billed and fraudulent received from Company-1 millions of dollars.

Statutory Allegations

4. From at least in or about 2009 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit mail fraud, in violation of Title 18, United States Code, Section 1341.

5. It was a part and object of the conspiracy that JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and unknown, 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 did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and would and did take and receive there from, such matters and things, and would and did cause to be delivered by mail and such carriers according to the directions thereon, and at the places at which they were directed to be delivered by the person to whom they were addressed, such matters and things, in violation of Title 18, United States Code, Section 1341.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Mail Fraud)

The Grand Jury further charges:

6. The allegations contained in Paragraphs 1 through 3 are repeated and realleged as if fully set forth herein.

7. From at least in or about 2009 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, JOSEPH MAHARAJ and SHAWN RAINS, 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, 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 did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and receive there from, such matters and things, and did cause to be delivered by mail and such carriers according to the directions thereon, and at the places at which they were directed to be delivered by the person to whom they were addressed, such matters and things, to wit, MAHARAJ and RAINS caused fraudulent invoices to be submitted to Company-1 and caused Company-1 to send checks by mail as payment for those fraudulent invoices.

(Title 18, United States Code, Sections 1341 and 2.).

COUNT THREE

(Conspiracy to Commit Money Laundering)

The Grand Jury further charges:

8. The allegations contained in Paragraphs 1 through 3 are repeated and realleged as if fully set forth herein.

9. From at least in or about 2009 up to and including at least in or about 2017, in the Southern District of New York and elsewhere, JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1956(a)(1)(B)(i).

10. It was a part and an object of the conspiracy that JOSEPH MAHARAJ and SHAWN RAINS, the defendants, and others known and

unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions, to wit, deliveries of cash and blank checks, cash withdrawals and deposits, check transactions, and wire transfers made to or from bank accounts controlled by MAHARAJ, RAINS, or one of their co-conspirators, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the offenses charged in Counts One and Two of this Indictment, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATIONS

11. As a result of committing the offenses alleged in Counts One and Two of this Indictment, JOSEPH MAHARAJ and SHAWN RAINS, 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(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing

the amount of proceeds traceable to the commission of said offenses.

12. As a result of committing the offense alleged in Count Three of this Indictment, JOSEPH MAHARAJ and SHAWN RAINS, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

Substitute Asset Provision

13. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

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;

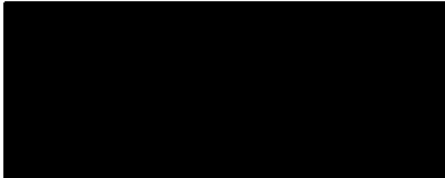
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code,

Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



Damian Williams
DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOSEPH MAHARAJ and
SHAWN RAINS,

Defendants.

INDICTMENT

22 Cr.

(18 U.S.C. §§ 1341, 1349, 1956(h), and
2.)

DAMIAN WILLIAMS
United States Attorney

A TRUE BILL
