

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

Cts 1-5, 18 U.S.C. § 1343, Wire Fraud;
Forfeiture

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

20 years imprisonment, \$250,000 fine (or twice the gross gain/loss, whichever is greater), 3 years supervised release, restitution, \$100 special assessment

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)
Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding

this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

Melinda Haag

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

Denise Marie Barton

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEFENDANT - U.S.

JAN 06 2015

CATHERINE O'SHEA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

CR 15 008EMC

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CATHERINE O'SHEA,

EMC

CR 15 008

DEFENDANT(S).

INDICTMENT

FILED

JAN 06 2015

Title 18, United States Code, Section 1343 – Wire Fraud;
Title 18, United States Code, Section 981(a)(1)(C) and
Title 28, United States Code, Section 2461(c) – Forfeiture Allegation

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

A true bill.



Foreman

Filed in open court this 6th day of

January 2015

Clerk

Ada Means

Jacqueline Scott Corley
Bail, \$ NO BAIL WARRANT

Jacqueline Scott Corley
United States Magistrate Judge

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED

JAN 06 2015

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMC

BY SEALED
BY COURT ORDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,

) CR. 15 003
12 Plaintiff,) CASE NO.

13 v.

) VIOLATIONS: Title 18, United States Code, Section
14 CATHERINE O'SHEA,) 1343 – Wire Fraud; Title 18, United States Code,
15 Defendant.) Section 981(a)(1)(C) and Title 28, United States
16) Code, Section 2461(c) – Forfeiture Allegation

) SAN FRANCISCO VENUE

18 INDICTMENT

19 The Grand Jury charges:

20 Introductory Allegations

21 At all times relevant to this Indictment:

22 1. The defendant, Catherine O'SHEA, resided in Daly City, California.

23 2. From approximately 2004 through approximately December 2012, O'SHEA was

24 employed by C.J., a physician, to work as a bookkeeper and office manager at C.J.'s medical practice in
25 San Francisco, California.

26 3. C.J. had a Wells Fargo business checking account and a business line of credit

27 (collectively referred to as the "Wells Fargo accounts") for deposits and expenses associated with his
28 medical practice.

INDICTMENT

The Scheme to Defraud

4. From approximately June 2008 through approximately November 2012, O'SHEA knowingly devised and intended to devise a material scheme and artifice to defraud C.J., and to obtain money and property of C.J., by using funds in C.J.'s Wells Fargo accounts to pay O'SHEA's personal expenses, without C.J.'s knowledge or authorization, and thereafter fraudulently representing that the funds had been spent for expenses associated with C.J.'s business.

Manner and Means of the Scheme to Defraud

8 5. In approximately 2008, C.J. gave O'SHEA the login identification and password for the
9 Wells Fargo accounts to manage C.J.'s business deposits and expenses. C.J. did not authorize O'SHEA
10 to use the Wells Fargo accounts for O'SHEA's personal expenses.

11 6. From approximately June 2008 through November 2012, without C.J.'s knowledge or
12 authorization, O'SHEA used funds from C.J.'s Wells Fargo accounts to pay her personal Merrick Bank
13 credit card bills. On occasion, O'SHEA used the business line of credit to transfer funds to the business
14 checking account to ensure that there would be enough funds to cover a payment to her personal credit
15 card. In total, O'SHEA used approximately \$243,000 of C.J.'s funds to pay O'SHEA's personal
16 expenses.

17 7. To conceal her scheme to defraud, O'SHEA made false entries in C.J.'s accounting
18 systems, including falsely listing the amounts transferred to pay her personal expenses as "office
19 supplies" or "rent."

20 | COUNTS ONE THROUGH FIVE: (18 U.S.C. § 1343 – Wire Fraud)

8. Paragraphs 1 through 7 are realleged and incorporated as if fully set forth here.

22 9. On or about the dates set forth below, in the Northern District of California and
23 elsewhere, the defendant,

CATHERINE O'SHEA,

25 did knowingly devise and intend to devise a material scheme and artifice to defraud, and to obtain
26 money and property by means of materially false and fraudulent pretenses, representations, promises,
27 and omissions and concealment of material facts, and, for the purpose of executing the scheme and
28 artifice to defraud, did transmit and cause to be transmitted by means of wire communication in

INDICTMENT

1 interstate commerce, certain writings, signs, signals, pictures, and sounds, namely, wire communications
2 as described below:

3 Count	4 Approximate Date	5 Description of Wire Communication
6 1	7 February 17, 2010	8 Transfer of \$2,012.02 from Wells Fargo business checking 9 account ending # 2583 to Merrick Bank credit card 10 account ending # 0705
11 2	12 May 18, 2010	13 Transfer of \$2,241.70 from Wells Fargo business checking 14 account ending # 2583 to Merrick Bank credit card 15 account ending # 0705
16 3	17 January 19, 2011	18 Transfer of \$1,615.21 from Wells Fargo business checking 19 account ending # 2583 to Merrick Bank credit card 20 account ending # 0705
21 4	22 May 14, 2012	23 Transfer of \$2,796.35 from Wells Fargo business checking 24 account ending # 2583 to Merrick Bank credit card 25 account ending # 0705
26 5	27 October 9, 2012	28 Transfer of \$3,248.53 from Wells Fargo business checking 29 account ending # 2583 to Merrick Bank credit card 30 account ending # 0705

31 Each in violation of Title 18, United States Code, Section 1343.

32 FORFEITURE ALLEGATION: (18 U.S.C. §§ 981(a)(1)(C) and 28 U.S.C. § 2461)

33 10. Paragraphs 1 through 7 are realleged and incorporated as if fully set forth here for the
34 purpose of alleging forfeiture.

35 11. Upon a conviction of any offense alleged in Counts One through Five, the defendant,

36 CATHERINE O'SHEA,

37 shall, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
38 Section 2461(c), forfeit to the United States all property, real or personal, that constitutes or is derived,
39 directly or indirectly, from gross proceeds traceable to such offense, including but not limited to a sum
40 of money equal to the gross proceeds obtained as a result of the offense.

41 12. If any of said property, as a result of any act or omission of the defendant:

- 42 (a) cannot be located upon the exercise of due diligence;
- 43 (b) has been transferred or sold to or deposited with, a third person;
- 44 (c) has been placed beyond the jurisdiction of the Court;
- 45 (d) has been substantially diminished in value; or

1 (e) has been commingled with other property which cannot be subdivided without
2 difficulty; any and all interest the defendant has in other property shall be vested in the United States and
3 forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated in
4 Title 28, United States Code, Section 2461(c), Title 18, United States Code, Section 981(b) and Rule
5 32.2 of the Federal Rules of Criminal Procedure.

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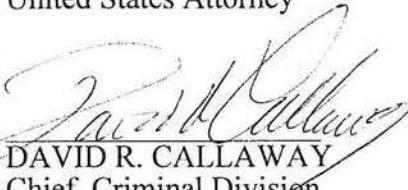
Dated:

1/6/15

A TRUE BILL.


FOREPERSON

11 MELINDA HAAG
United States Attorney

12 
13 DAVID R. CALLAWAY
14 Chief, Criminal Division

16 (Approved as to form: Denise M. Barton)
17 AUSA Denise Marie Barton

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INDICTMENT

United States District Court
Northern District of California

FILED

CRIMINAL COVER SHEET

JAN 06 2015

BY COURT ORDER
CRIMINAL COVER SHEET
Defendant Information Form

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted with the Defendant Information Form, for each new criminal case.

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EMC

Case Name:

USA v. CATHERINE O'SHEA

CR Case Number:

18 008

Total Number of Defendants:

1

2-7

8 or more

Yes

No

Is This Case Under Seal?

Yes

No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ EUR MON

Is any defendant charged with a death-penalty-eligible crime?

Yes

No

Assigned AUSA (Lead Attorney):

Denise Marie Barton

Is this a RICO Act gang case?

Yes

No

Date Submitted:

1/6/2015

Comments:

Save

Print

Clear Form