

AO 257 (Rev. 6/78)

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

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1349 - Conspiracy to Commit Wire Fraud; 18 U.S.C. § 1343 - Wire Fraud; 18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) - Criminal Forfeiture

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See attached

Name of District Court and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JAVIER CARLOS RIOS

DISTRICT COURT NUMBER

CR16 0219

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 } Federal State
6) Awaiting trial on other charges
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

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

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 re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN STRETCH

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Adam A. Reeves

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: no bail

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 v. Jaswant Singh Gill and Javier Carlos Rios

Penalty Sheet

The maximum penalties for a conviction for both conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, and wire fraud, in violation of 18 U.S.C. § 1343, are:

- a twenty (20) year term of imprisonment (18 U.S.C. § 1343);
- a \$250,000 fine (or twice the gross gain/loss, whichever is greater) (18 U.S.C. § 3571(b)(3) and (d));
- a three (3) year term of supervised release (18 U.S.C. § 3583(b)(2));
- a \$100 special assessment (18 U.S.C. § 3013(a)(2)(A)); and
- restitution and asset forfeiture in amounts to be determined by the Court.

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BY: COMPLAINT INFORMATION INDICTMENT

SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1349 - Conspiracy to Commit Wire Fraud;
18 U.S.C. § 1343 - Wire Fraud; 18 U.S.C. § 981(a)(1)(C) &
28 U.S.C. § 2461(c) - Criminal Forfeiture

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See attached

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S. DISTRICT COURT

JASWANT SINGH GILL a.k.a JASON GILL

DISTRICT COURT NUMBER

CR16 0219

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- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
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IS IN CUSTODY

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 - 5) On another conviction } Federal State
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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

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U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Adam A. Reeves

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- a \$100 special assessment (18 U.S.C. § 3013(a)(2)(A)); and
- restitution and asset forfeiture in amounts to be determined by the Court.

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED
2016 MAY 24 P 3:40
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

UNITED STATES OF AMERICA,

V.

WHO

SINGH



CR16

0219

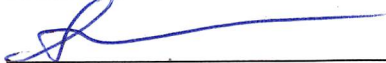
JASWANT SING GILL a/k/a JASON GILL, and
JAVIER CARLOS RIOS,

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud; 18 U.S.C. § 1343 – Wire
Fraud; 18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) – Criminal Forfeiture

A true bill.



Foreman

Filed in open court this 24th day of

May, 2016

Stephen Ybarra

Clerk

Bail, \$

no bail

*arrest warrants for
firm dependents*

1 BRIAN J. STRETCH (CABN 163973)
United States Attorney

FILED
2016 MAY 24 P 3:41
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

WHO

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

CR16 0219

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JASWANT SINGH GILL
a/k/a JASON GILL, and
15 JAVIER CARLOS RIOS,

16 Defendants.

) CASE NO. 16-0219

) **VIOLATIONS:** 18 U.S.C. § 1349 – Conspiracy to
) Commit Wire Fraud; 18 U.S.C. § 1343 – Wire Fraud;
) 18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) –
) Criminal Forfeiture

) SAN FRANCISCO VENUE

17
18 INDICTMENT

19 The Grand Jury charges:

20 INTRODUCTORY ALLEGATIONS

21 At all times relevant to this Indictment:

- 22 1. The defendant, JASWANT SINGH GILL, who was also known as JASON GILL, was an
- 23 individual who resided in San Diego, California, and Atlanta, Georgia.
- 24 2. The defendant, JAVIER CARLOS RIOS, was an individual who resided in National
- 25 City, California, in the San Diego metropolitan area.
- 26 3. JSG Capital Investments LLC (“JSG Capital”) was a purported investment company
- 27 located in San Diego, California. GILL was allegedly JSG Capital’s founder, Chief Executive Officer
- 28 and President. RIOS was allegedly the owner and Strategic Relationship Manager at JSG Capital.

MANNER AND MEANS OF THE SCHEME TO DEFRAUD

1
2 4. Beginning no later than in or about September 2014, and continuing to in or about May
3 2016, the defendants,

4 JASWANT SINGH GILL and
5 JAVIER CARLOS RIOS,

6 knowingly and with the intent to defraud participated in, devised, and executed a scheme and artifice to
7 defraud investors in JSG Capital as to a material matter and to obtain money and property from those
8 investors by means of materially false and fraudulent pretenses, representations, and promises, and by
9 means of concealment of material facts.

10 5. As part of the manner and means of the scheme to defraud, GILL, RIOS, and others at
11 JSG Capital made false and misleading representations and promises to investors in JSG Capital,
12 including, but not limited to, promises to purchase so-called pre-IPO shares of private companies like
13 Uber Technologies and Airbnb using investor funds.

14 6. In fact, GILL, RIOS, and others at JSG Capital fraudulently diverted and stole investor
15 funds for their own personal use and benefit by, among other things, converting investor funds into cash,
16 transferring investor funds to their own personal bank accounts, and using investor funds for personal
17 expenses like rent, restaurants, nightclubs, hotels, and retail shopping.

18 7. GILL, RIOS, and others at JSG Capital concealed their fraud by paying earlier investors
19 alleged “interest” payments and so-called lulling payments using more recent investor funds in a manner
20 that was consistent with a classic Ponzi scheme.

21 8. In this manner, GILL, RIOS and others at JSG Capital raised in excess of \$9.3 million in
22 investor funds and fraudulently diverted and stole in excess of \$5.5 million.

23 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

24 9. The allegations in Paragraphs 1 through 8 are realleged and incorporated as if fully set
25 forth here.

26 10. Beginning no later than in or about September 2014, and continuing to in or about May

27 ///

28 ///

1 2016, both dates being approximate and inclusive, in the Northern District of California and elsewhere,
2 the defendants,

3 JASWANT SINGH GILL and
4 JAVIER CARLOS RIOS,

5 and others, did knowingly and intentionally attempt and conspire to participate in, devise, and execute a
6 scheme and artifice to defraud investors in JSG Capital as to a material matter and to obtain money and
7 property from those investors by means of materially false and fraudulent pretenses, representations, and
8 promises, and by means of concealment of material facts, and, for the purpose of executing such scheme
9 and artifice, did knowingly and intentionally cause to be transmitted, in interstate commerce, by means
10 of a wire communication, certain writings, signs, and signals, in violation of Title 18, United States
11 Code, Section 1343.

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

13 COUNT TWO: (18 U.S.C. § 1343 – Wire Fraud)

14 11. The factual allegations in paragraphs 1 through 10 are re-alleged and incorporated as if
15 fully set forth here.

16 THE USE OF THE WIRES

17 12. On or about August 13, 2015, in the Northern District of California and elsewhere, for the
18 purpose of executing the aforementioned scheme and artifice to defraud and attempting to do so, the
19 defendants,

20 JASWANT SINGH GILL and
21 JAVIER CARLOS RIOS,

22 did knowingly cause to be transmitted in interstate commerce, by means of a wire communication,
23 certain writings, signs, and signals, specifically, an electronic payment in the amount of approximately
24 \$250,000 from an account at First Republic Bank, in the name of A.B., an accountholder known to the
25 Grand Jury, in San Francisco, California, to JSG Capital's bank account at BBVA Compass Bank in San
26 Diego, California, which transaction was processed by computer servers outside of the state of
27 California by the Fedwire system operated by the United States Federal Reserve Banks.

28 All in violation of Title 18, United States Code, Section 1343.

1 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) – Criminal
2 Forfeiture)

3 13. All of the allegations contained in this Indictment are re-alleged and by this reference
4 fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18,
5 United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

6 14. Upon a conviction for the offenses alleged in Counts One and Two of this Indictment, the
7 defendants,

8 JASWANT SINGH GILL and
9 JAVIER CARLOS RIOS,

10 shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) all
11 property constituting, and derived from, proceeds the defendant obtained directly and indirectly, as the
12 result of those violations, including, but not limited to, all real property or personal property, and
13 including, but not limited to, a sum of not less than \$9,300,000, representing the amount of proceeds
14 obtained as a result of the offenses and scheme to defraud alleged in Counts One and Two.

15 15. If any of the aforementioned property, as a result of any act or omission of the
16 defendants,

- 17 a. cannot be located upon the exercise of due diligence;
- 18 b. has been transferred or sold to, or deposited with, a third person;
- 19 c. has been placed beyond the jurisdiction of the Court;
- 20 d. has been substantially diminished in value; or
- 21 e. has been commingled with other property that cannot be divided without difficulty;

22 any and all interest the defendants have in other property shall be vested in the United States and
23 forfeited to the United States pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1).

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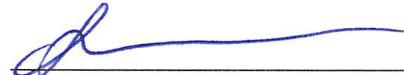
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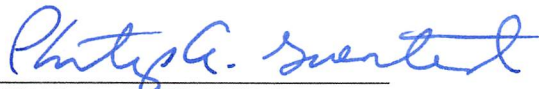
1 All in violation of Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States
2 Code, Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

3
4 DATED: May 24, 2016

A TRUE BILL.

5
6 
7 _____
FOREPERSON

8
9 BRIAN J. STRETCH
10 United States Attorney

11 
12 _____
13 PHILIP A. GUENTERT
14 Deputy Chief, Criminal Division

15 Approved as to form:

16 
17 _____
18 ADAM A. REEVES
19 Assistant United States Attorney
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