

1 NICOLA T. HANNA  
United States Attorney  
2 DAVID M. HARRIS, AUSA  
Chief, Civil Division  
3 DAVID K. BARRETT, AUSA  
Chief, Civil Fraud Section  
4 LISA A. PALOMBO, AUSA (SBN 169119)  
Room 7516, Federal Building  
5 300 North Los Angeles Street  
Los Angeles, California 90012  
6 Telephone: (213) 894-4042  
Facsimile: (213) 894-7189  
7 E-mail: Lisa.Palombo@usdoj.gov

8 GUSTAV W. EYLER  
Acting Director Consumer Protection Branch  
RICHARD GOLDBERG  
9 Senior Counsel for Complex Litigation  
U.S. Department of Justice  
10 Consumer Protection Branch  
450 Fifth Street, NW, Suite 6002S  
11 Washington, D.C., 20001  
Telephone: (202) 307-2532  
12 Facsimile: (202) 514-8742  
Email: Richard.Goldberg@usdoj.gov

13 Attorneys for Plaintiff United States of America  
14

15 UNITED STATES DISTRICT COURT  
16 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
17 WESTERN DIVISION

18 UNITED STATES OF AMERICA,

19 Plaintiff,

20 v.

21 DEEPAK GUPTA, individually,

22 Defendant.

No.

COMPLAINT FOR PERMANENT  
INJUNCTION

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1 Plaintiff, the United States of America (“United States”), through its undersigned  
2 counsel, hereby sues Defendant Deepak Gupta (“Defendant”) and alleges as follows:

3 **I. INTRODUCTION**

4 1. Starting as early as December 2016 and continuing to the present, Defendant has  
5 assisted and facilitated a predatory wire fraud scheme that primarily victimizes senior  
6 citizens of the United States. Defendant operates a phony or otherwise misrepresented  
7 technical-support business that fraudulently induces U.S. consumers to pay for false or  
8 unnecessary technical-support services related to computers and computer equipment.

9 2. The United States seeks to prevent continuing and substantial injury to consumers  
10 victimized by this fraudulent scheme by bringing this action for a permanent injunction  
11 and other equitable relief under 18 U.S.C. § 1345 to enjoin the ongoing commission of  
12 wire fraud in violation of 18 U.S.C. § 1343.

13 **II. JURISDICTION AND VENUE**

14 3. The Court has subject matter jurisdiction over this action under 18 U.S.C. § 1345  
15 and 28 U.S.C. §§ 1331 and 1345.

16 4. Venue is proper in this district under 28 U.S.C. § 1391(b)(3).

17 **III. PARTIES**

18 5. Plaintiff is the United States.

19 6. Defendant is a resident of Phoenix, Arizona. Defendant transacts or has transacted  
20 business with consumers in the Central District of California. On information and belief,  
21 Defendant knowingly has used a bank account to facilitate a fraudulent technical-support  
22 scheme.

23 **IV. DEFENDANT’S ONGOING FRAUDULENT SCHEME**

24 7. Since at least as early as December 2016, Defendant has assisted and facilitated a  
25 large-scale technical-support scheme by accepting consumer payments and forwarding  
26 proceeds to perpetrators of the scheme. The scheme operates under the name GNI LLC  
27 (GNI), and sometimes does business as “IT Care Guys.”  
28

1 8. Telemarketers in India working for the scheme contact consumers by using pop-  
2 up computer advertisements disguised as security alerts to direct the consumers to  
3 immediately call a telephone number, which the telemarketers answer. Other times,  
4 consumers contact the telemarketers after performing an internet search for a computer  
5 repair business.

6 9. Regardless of the initial method of contacting a consumer, the schemes proceed  
7 similarly once a telemarketer working for the scheme has the consumer on the phone.  
8 Emphasizing the need for immediate action and often claiming to work for or be  
9 affiliated with well-known technology companies, the telemarketer falsely claims that  
10 the consumer's computer is at risk and that the telemarketer can assist the consumer but  
11 first needs remote access to the consumer's computer. Once remotely connected, the  
12 telemarketer purports to confirm the existence of a serious computer virus or other threat  
13 to the consumer's computer, sometimes claiming that a hacker will soon be able to  
14 access the consumer's personal information, including financial account numbers, social  
15 security numbers, and passwords. Imparting a sense of urgency, the telemarketer then  
16 claims that he will install expensive and high-quality network security software to  
17 resolve the threat in exchange for a substantial sum of money.

18 10. Since at least December 2016, numerous consumers have been victimized by the  
19 fraudulent technical-support scheme facilitated by Defendant. Defendant plays a critical  
20 role in accepting fraudulently-induced payments initiated by the telemarketers.  
21 Defendant deposits the payments and then forwards the funds from consumers to the  
22 scheme perpetrators.

23 **V. DEFENDANT'S KNOWLEDGE OF FRAUD**

24 11. Upon information and belief, the United States alleges that Defendant has  
25 knowledge that his conduct facilitates the fraudulent scheme involving the purported  
26 offer of technical-support services in exchange for consumer payments.

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1 **VI. HARM TO CONSUMERS**

2 12. Consumers suffer financial losses from the wire fraud scheme facilitated by  
3 Defendant. Consumers victimized by the scheme reside throughout the United States,  
4 including in the Central District of California.

5 13. The scheme disproportionately affects elderly consumers.

6 14. Absent injunctive relief by this Court, Defendant's conduct will continue to  
7 cause injury to consumers.

8 **VII. THE COURT'S POWER TO GRANT RELIEF**

9 **(18 U.S.C. § 1345 – Injunctive Relief)**

10 15. The United States re-alleges and incorporates by reference Paragraphs 1 through  
11 14 of this Complaint as though fully set forth herein.

12 16. By reason of the conduct described herein, Defendant violated, is violating, and  
13 is about to violate 18 U.S.C. § 1343 by executing a scheme and artifice to defraud for  
14 obtaining money or property by means of false or fraudulent representations with the  
15 intent to defraud, and, in so doing, using interstate or foreign wire communications.

16 17. Upon a showing that Defendant is committing or about to commit wire fraud, the  
17 United States is entitled, under 18 U.S.C. § 1345, to seek a permanent injunction  
18 restraining all future fraudulent conduct and any other action that this Court deems just  
19 to prevent a continuing and substantial injury to consumers.

20 18. As a result of the foregoing, the Court should enjoin Defendant's conduct under  
21 18 U.S.C. § 1345.

22 **VIII. PRAYER FOR RELIEF**

23 WHEREFORE, the United States requests judgment against Defendant, as  
24 follows:

- 25 a. A permanent injunction, pursuant to 18 U.S.C. § 1345, ordering that  
26 Defendant is restrained from engaging, participating, or assisting in any  
27 technical-support business or money transmitting business, and  
28

1           b. Such further relief, including but not limited to equitable relief under the  
2           Court's inherent powers, as the Court deems just.

3  
4 DATED: March 4, 2019

Respectfully submitted,

5 FOR THE UNITED STATES OF AMERICA:

6 NICOLA T. HANNA  
7 United States Attorney  
8 DAVID M. HARRIS, AUSA  
9 Chief, Civil Division  
10 DAVID K. BARRETT, AUSA  
11 Chief, Civil Fraud Section  
12 LISA A. PALOMBO, AUSA

13 GUSTAV W. EYLER  
14 Acting Director  
15 Consumer Protection Branch  
16 U.S. Department of Justice, Civil Division

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RICHARD GOLDBERG  
Senior Counsel for Complex Litigation  
United States Department of Justice

Attorneys for Plaintiff United States of America