

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.: 1:18-cv-22016

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JOHN DOE 1
a/k/a “Jeff Adams,”**

**JOHN DOE 2
a/k/a “James Jackson,” and**

**JOHN DOE 3
a/k/a “Asima Ham,” a/k/a “Asim Aham,”
a/k/a “Asima Asima,”**

**all of whom are doing business as
“www.fortune500sweepstakes.com”
and “www.fraudprotectionagency.com”,**

Defendants.

**UNITED STATES OF AMERICA’S COMPLAINT FOR
TEMPORARY RESTRAINING ORDER AND
PRELIMINARY AND PERMANENT INJUNCTIONS**

Plaintiff, the United States of America (“United States”), through its undersigned counsel, hereby sues Defendants JOHN DOE 1 a/k/a “Jeff Adams,” JOHN DOE 2 a/k/a “James Jackson,” and JOHN DOE 3 a/k/a “Asima Ham,” a/k/a “Asim Aham,” a/k/a “Asima Asima,” all of whom are doing business as Defendants “www.fortune500sweepstakes.com” and “www.fraudprotectionagency.com” (“Defendants”) and alleges as follows:

INTRODUCTION

1. Starting as early as 2011 and continuing to present, Defendants have used the electronic wires and the U.S. Mail to engage in a predatory mail and wire fraud scheme impacting primarily senior citizens of the United States.

2. To initiate this scheme, Defendants contact consumers by telephone and falsely represent that these consumers have won a large cash sweepstakes prize.

3. The perpetrators sometimes claim to be representatives of a sweepstakes company. Other times, to reassure intended victims and convey an impression of legitimacy, they claim to be a government official who purportedly works at the “Fraud Protection Agency.” Defendants falsely describe the Fraud Protection Agency (“FPA”), which is fictitious, as a component of the U.S. Federal Trade Commission. Defendants also direct consumers to “www.fraudprotectionagency.com” and “www.fortune500sweepstakes.com”—websites that were created for the purpose of facilitating the fraud.

4. The FPA website describes the fictitious “agency” as a component of the Federal Trade Commission and includes numerous false statements designed to establish the legitimacy of the consumer’s sweepstakes “win.” Similarly, the Fortune 500 Sweepstakes website falsely represents that it is part of the “Fortune 500 Sweepstakes Network LLC” and instructs visitors to contact James Jackson (John Doe 2) at the Fraud Protection Agency to report any concerns about suspicious sweepstakes.

5. When consumers speak with a FPA “representative,” they are provided confirmation that they are eligible to receive a substantial prize and are told that they must pay a bond, taxes, or another fee totaling from hundreds to thousands of dollars in order to receive the claimed winnings. Consumers that pay this “fee” receive no prize or cash award.

6. The United States of America (“the United States”) seeks to prevent continuing and substantial injury to the victims of this fraudulent scheme by bringing this action for a temporary restraining order, preliminary and permanent injunctions, and other equitable relief pursuant to 18 U.S.C. § 1345 in order to enjoin the ongoing commission of mail and wire fraud in violation of 18 U.S.C. §§ 1341 and 1343 and conspiracy to commit mail and wire fraud under 18 U.S.C. §§ 1349.

JURISDICTION AND VENUE

7. The Court has subject matter jurisdiction over this action pursuant to 18 U.S.C. § 1345 and 28 U.S.C. §§ 1331 and 1345.

8. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(3).

PARTIES

9. Plaintiff is the United States of America.

10. Defendants reside outside of the United States. Defendants have taken steps to conceal their identities and physical addresses.

11. In furtherance of their fraudulent scheme, Defendants have had extensive contacts with the United States. Defendants have made telephone contact with intended victims in numerous states, including Florida, California, Illinois, Louisiana, Michigan, Mississippi, Nebraska, New York, Pennsylvania, South Carolina, Texas, and Washington. Defendants have created and maintained websites containing numerous false and misleading statements directed at potential victims throughout the United States. Through these websites, the wires, and the U.S. Mail, Defendants have misrepresented themselves as being employees and representatives of the United States government. Further, Defendants have falsely represented that they are employees of the Fortune 500 Sweepstakes Network LLC. Defendants claim to have offices in New York and other locations in the United States. Defendants have used a Florida address

within the Southern District of Florida to receive payment from at least one victim of their scheme.

12. Defendant John Doe 1, a/k/a “Jeff Adams,” calls intended victims in the United States. John Doe 1 resides outside of the United States. Acting alone or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint doing business as “www.fortune500sweepstakes.com” and “www.fraudprotectionagency.com.” John Doe 1 is subject to personal jurisdiction in this Court pursuant to Fed. R. Civ. P. Rule 4(k)(2) based on his aggregate contacts with the United States.

13. Defendant John Doe 2, a/k/a “James Jackson,” calls intended victims in the United States. John Doe 2 resides outside of the United States. Acting alone or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint doing business as “www.fortune500sweepstakes.com” and “www.fraudprotectionagency.com.” John Doe 2 is subject to personal jurisdiction in this Court pursuant to Fed. R. Civ. P. Rule 4(k)(2) based on his aggregate contacts with the United States.

14. Defendant John Doe 3, a/k/a “Asima Ham” a/k/a “Asim Aham,” a/k/a “Asima Asima,” is the registrant of the domain names used in furtherance of the fraud scheme. John Doe 3 resides outside of the United States. Acting alone or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint doing business as “www.fortune500sweepstakes.com” and “www.fraudprotectionagency.com.” John Doe 3 is subject to personal jurisdiction in this Court pursuant to Fed. R. Civ. P. Rule 4(k)(2) due to his aggregate contacts with the United States.

DEFENDANTS' ONGOING FRAUDULENT SCHEME

15. Defendants are engaged in a mail and wire fraud scheme targeting potential victims throughout the United States.

16. Intended victims typically receive an initial phone call from a person who informs them that they have won a large cash sweepstakes prize.

17. Sometimes the person on the phone claims to be a CEO or CFO or other representative of a sweepstakes company, Fortune 500 Sweepstakes Network LLC.

18. Other times, the person on the phone claims to be a government official purportedly employed by the FPA. The caller falsely claims that the FPA is a consumer advocacy agency that is a component of the Federal Trade Commission. John Doe 2 calls himself "James Jackson" of the FPA. John Doe 1 goes by the name "Jeff Adams" and claims also to be an agent of the FPA.

19. Does 1 and 2 assure consumers that the claimed prize is real and explain that, in order to receive the prize, the consumer must pay a processing fee of several thousand dollars. They falsely claim the fee is required by U.S. law. Does 1 and 2 further inform the consumer that the prize will be forfeited if not claimed by a deadline given to the consumer.

DEFENDANTS REFER CONSUMERS TO FRAUDULENT WEBSITES

20. To further reassure skeptical consumers, the perpetrators tell them to look up the sweepstakes company and the FPA on websites created for the purpose of facilitating the fraud: "www.fortune500sweepstakes.com" and "www.fraudprotectionagency.com." John Doe 3, a/k/a "Asima Ham," a/k/a "Asim Aham," a/k/a "Asima Asima," is the registrant of the domain names used in furtherance of the fraudulent scheme. Verisign, Inc. is the registry and GoDaddy Inc. is the registrar for both domain names.

21. The FPA website, established by Doe 3, represents that the FPA is part of the Federal Trade Commission. It falsely claims that “[t]he Fraud Protection Agency stops unfair, deceptive and fraudulent business practices by: collecting complaints and conducting investigations suing companies and people that break the law developing rules to maintain a fair marketplace educating consumers and businesses about their rights and responsibilities.”

22. The FPA website falsely claims that “[b]y law, the Attorney General’s Fraud Protection Agency is authorized to” perform a long list of duties, including: “Investigate fraud and deception in the sale, servicing and furnishing of goods and products, and strive to eliminate such illegal actions” and “[p]romote consumer education and publicize matters relating to consumer fraud, deception and misrepresentation.”

23. The FPA website provides photos and descriptions of FPA “Agents” that supposedly “collect complaints about hundreds of issues from data security and false advertising to identity theft and Do Not Call violations.” According to the FPA’s website, James Jackson (Doe 2) heads FPA’s “team” of Agents. Jackson is characterized as an attorney “who’s [sic] leadership has lead [sic] to hundreds of arrested [sic] and prevented many gangs and con men from stealing from American citizens.” The FPA’s website also includes photos of other FPA “Agents,” including “Jeff Adams” (Doe 1) who is characterized as a “Consumer Inspector Officer.”

24. The Fortune 500 Sweepstakes website represents that it is part of the “Fortune 500 Sweepstakes Network LLC” and falsely states that it is “Licensed and Bonded in the State of Nevada.” The website includes a “fraud prevention” warning and instructs visitors to contact James Jackson at the Fraud Protection Agency with concerns about suspicious sweepstakes.

**DEFENDANTS SEND LETTERS THAT FALSELY USE THE
FEDERAL TRADE COMMISSION NAME AND LOGO
TO CONFIRM THAT CONSUMERS HAVE WON A CASH PRIZE**

25. The perpetrators follow up by transmitting official-seeming solicitation letters through the U.S. Mail, by email, and by fax. A recent solicitation packet includes two letters from a company representing itself as Fortune 500 Sweepstakes.

26. The letters, characterized as an “OFFICIAL NOTIFICATION” or “FINAL NOTICE,” inform the consumer that he or she has been selected as a second-place prize winner to receive a cash prize of \$650,000 in a semi-annual drawing and state that the consumer has a period of ninety days to collect the award.

27. The fraudulent solicitation also includes a letter claiming to be from the FPA. The letter bears the actual logo of the Federal Trade Commission and falsely indicates that it was signed by “Edith Ramirez, Federal Trade Commission Chairwoman.”

28. The letter falsely states that the Fraud Protection Agency was established “to prevent business practices that are anticompetitive or deceptive or unfair to consumers; to enhance informed consumer choices and public understanding of the competitive process.” The letter purports to confirm what consumers have been told over the phone, that they are a prize winner entitled to receive a large cash award “[a]ccording to the Federal Trade Commission internal system.”

29. The letter also falsely states that, “[a]ccording to the U.S. laws, . . . any financial transactions over \$250,000.00 being transferred beyond State borders[] require a Federal Registration Bond . . . [of] a standard 1%[,] which is \$6,500” (the “processing fee”). It falsely indicates that, once the processing fee is “processed and credited,” the consumer’s award will be delivered in approximately 2 to 3 business days.

30. These letters are not issued by the Federal Trade Commission and are not signed by Edith Ramirez, who is a prior Chairwoman of the Federal Trade Commission. The Federal Trade Commission does not maintain an “internal system” to track sweepstakes prizes.

VICTIM PAYMENTS

31. Consumers are instructed to send the processing fee by money order to a specified address in order to collect their prize. At least one victim mailed a fraudulently induced payment to an address in the Southern District of Florida.

32. If consumers say that they cannot afford the full fee amount, the callers say that they will give a discount or say the consumer can collect their prize if the consumer pays part of the fee.

DEFENDANTS’ KNOWLEDGE OF FRAUD

33. Does 1 and 2 know that the statements they make to consumers are false. Does 1 and 2 are aware that they do not work for a consumer protection organization called the FPA or for the Fortune 500 Sweepstakes Network LLC. Does 1 and 2 falsely pose as Federal Trade Commission officials for the purpose of inducing victims to send them money.

34. Does 1, 2, and 3 know that the websites through which they conduct their scheme contain false statements and misrepresentations. Does 1, 2, and 3 established these websites for the purpose of fraudulently obtaining funds from victims in the United States.

35. Defendants know that they do not provide victims who send payments in response to their solicitations the promised prize package.

HARM TO VICTIMS

36. Victims suffer financial losses from the mail and wire fraud scheme that Defendants perpetrate. Consumers solicited by the false scheme reside in Florida, California,

Illinois, Louisiana, Michigan, Mississippi, Nebraska, New York, Pennsylvania, South Carolina, Texas, and Washington.

37. The scheme appears to target elderly victims, as most of the complaints received by the Federal Trade Commission were filed by victims over the age of 65.

38. Defendants' fraudulent scheme is ongoing. Absent injunctive relief by this Court, Defendants will continue to cause injury to recipients of these solicitations.

COUNT I
(U.S.C. § 1345 – Injunctive Relief)

39. The United States re-alleges and incorporates by reference Paragraphs 1 through 38 this Complaint as though fully set forth herein.

40. By reason of the conduct described herein, Defendants violated, are violating, and are about to violate 18 U.S.C. §§ 1341, 1343, and 1349 by executing schemes and artifices to defraud for obtaining money or property by means of false or fraudulent representations with the intent to defraud, and, in so doing, use wire communications and the United States Mail.

41. Upon a showing that Defendants are committing or about to commit mail and wire fraud, the United States is entitled, under 18 U.S.C. § 1345, to a temporary restraining order, a preliminary injunction, and a permanent injunction restraining all future fraudulent conduct and any other action that this Court deems just in order to prevent a continuing and substantial injury to the victims of fraud.

42. As a result of the foregoing, Defendants' conduct should be enjoined pursuant to 18 U.S.C. § 1345.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, United States of America, requests of the Court the following relief:

A. That the Court issue an order, pursuant to 18 U.S.C. § 1345, pending a hearing and determination of the United States' application for a preliminary injunction, that Defendants, their agents, officers, and employees, and all other persons or entities in active concert or participation with them, are temporarily restrained from:

- (1) committing mail or wire fraud,
- (2) maintaining and doing business through the use of the domain "fortune500sweepstakes.com" and the domain "fraudprotectionagency.com,"
- (3) using the domain "fortune500sweepstakes.com" and the domain "fraudprotectionagency.com" for any purpose,
- (4) engaging in mass mailing or telemarketing activity that represents that the recipient has won or will win or receive cash or prizes,
- (5) advertising lottery or sweepstakes competitions over the internet,
- (6) using wire communications or U.S. Mail to make any oral representations or to transmit any materials related to lotteries or sweepstakes competitions or any materials that contain false or misleading statements,
- (7) accepting any consumer payments related to lotteries or sweepstakes competitions,
- (8) destroying business records related to Defendants' business, financial, or accounting operations, and
- (9) taking actions designed to interfere with any additional Court orders regarding these domains.

B. That the Court issue an order requiring the registry, Verisign, Inc., and the registrar, GoDaddy Inc., for "www.fraudprotectionagency.com" and

“www.fortune500sweepstakes.com” to take the necessary steps to prevent further use of the websites in Defendants’ fraudulent scheme.

C. That the Court issue a preliminary injunction on the same basis and to the same effect.

D. That the Court issue a permanent injunction on the same basis and to the same effect.

E. That the Court order such other and further relief as the Court shall deem just and proper.

DATED: May 21, 2018

Respectfully Submitted,

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JS 44 (Rev. 06/17) FLSD Revised 06/01/2017

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

I. (a) PLAINTIFFS United States of America

DEFENDANTS John Doe 1 a/k/a "Jeff Adams; John Doe 2 a/k/a/ "James Jackson"; and John Doe 3 a/k/a "Asima +

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address, and Telephone Number)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)

Kathryn A. Schmidt, Consumer Protection Branch, U.S. Department of Justice, P.O. Box 386, Washington DC 20044

(d) Check County Where Action Arose: [X] MIAMI-DADE [] MONROE [] BROWARD [] PALM BEACH [] MARTIN [] ST. LUCIE [] INDIAN RIVER [] OKEECHOBEE [] HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- [X] 1 U.S. Government Plaintiff
[] 2 U.S. Government Defendant
[] 3 Federal Question (U.S. Government Not a Party)
[] 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State [] PTF [] DEF
Citizen of Another State [] PTF [] DEF
Citizen or Subject of a Foreign Country [] PTF [] DEF
Incorporated or Principal Place of Business In This State [] PTF [] DEF
Incorporated and Principal Place of Business In Another State [] PTF [] DEF
Foreign Nation [] PTF [] DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Grid of categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes checkboxes for various legal claims like 110 Insurance, 210 Land Condemnation, 310 Airplane, etc.

V. ORIGIN

- [X] 1 Original Proceeding [] 2 Removed from State Court [] 3 Re-filed (See VI below) [] 4 Reinstated or Reopened [] 5 Transferred from another district (specify) [] 6 Multidistrict Litigation Transfer [] 7 Appeal to District Judge from Magistrate Judgment [] 8 Multidistrict Litigation - Direct File [] 9 Remanded from Appellate Court

VI. RELATED/ RE-FILED CASE(S)

(See instructions): a) Re-filed Case [] YES [X] NO b) Related Cases [] YES [X] NO JUDGE: DOCKET NUMBER:

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity): 18 U.S.C. § 1345, Anti-Fraud Injunction Statute LENGTH OF TRIAL via 4 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

[] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [] Yes [X] No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

DATE May 21, 2018

SIGNATURE OF ATTORNEY OF RECORD

Kathryn A. Schmidt

FOR OFFICE USE ONLY RECEIPT #

AMOUNT IFP JUDGE MAG JUDGE

