

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04 -CR- 60230 - Cohn/Snow

UNITED STATES OF AMERICA,

Plaintiff,

18 U.S.C. § 1343

v.

DANIEL MALDONADO,

Defendant.

Amended
INFORMATION

The United States Attorney charges:

At all times material to this information:

1. Defendant, **DANIEL MALDONADO**, was a resident of Broward County, Florida.

OBJECT OF THE SCHEME AND ARTIFICE TO DEFRAUD

2. It was the object of the scheme and artifice to defraud for defendant, **DANIEL MALDONADO**, to unlawfully enrich himself by approximately \$216,979, by advertising and selling, through false promises, and deceptive and false advertising, putative "informational" booklets for the purported purpose of soliciting postal employment.

MANNER AND MEANS OF THE SCHEME AND ARTIFICE TO DEFRAUD

The manner and means by which defendant, **DANIEL MALDONADO**, sought to accomplish the scheme and artifice to defraud, included, among other things, the following:

3. On or about December 18, 2000, defendant, **DANIEL MALDONADO**, incorporated Countrywide Data Inc. as a Florida corporation, with its registered office listed as 7511 NW 21st Street, Margate, Florida, and principal place of business of 5403 West Atlantic Boulevard, Margate, Florida. Defendant, **DANIEL MALDONADO**, was the sole listed officer and director of Countrywide Data.

4. Defendant, **DANIEL MALDONADO**, and others, would and did operate Countrywide Data as a telemarketing enterprise that sold putative "information" packages for postal jobs to customers located throughout the United States by making materially false and misleading representations and promises and omitting to state material facts. The fraudulent scheme involved the sale of these information packages for the ostensible purpose of assisting customers secure a job with the United States Postal Service ("Postal Service").

5. Defendant, **DANIEL MALDONADO**, and others, would and did, place classified advertisements in the employment sections of newspapers located throughout the United States. The advertisements announced the availability of postal jobs. The advertisements invited readers to dial a toll-free telephone number for application and exam information.

6. Defendant, **DANIEL MALDONADO**, and others, would and did, cause the advertisements to be placed without regard to whether the jobs advertised with the Postal Service actually were available in the geographic area of the newspaper's circulation .

7. Defendant, **DANIEL MALDONADO**, and others, would and did, enlist and cause salespersons to create the false impression to callers who were interested in positions with the Postal Service that positions with the Postal Service were available in the caller's geographic area. These telemarketers told consumers that they would send information on available jobs, application materials, and the dates and locations where examinations for those jobs would be offered. In most instances, the telemarketers were uninformed of the actual locations, if any, where jobs with the Postal Service were available or where the Postal Service was accepting applications for the postal entrance examination.

8. Defendant, **DANIEL MALDONADO**, and others, would and did, cause telemarketers to falsely guarantee that if the caller purchased a postal job information package, the caller would receive a refund if he or she did not obtain a position with the Postal Service so long as the caller "applied in good faith." Despite this representation, customers generally experienced great difficulty in obtaining refunds because the Defendant instituted policies that thwarted many customers' efforts to obtain a refund.

9. Defendant, **DANIEL MALDONADO**, and others, would and did, cause telemarketers to induce callers to purchase these postal job "information" packages,

allegedly containing useful practice exams, handbooks and pamphlets, in exchange for a "service fee" of \$79.90.

10. Defendant, **DANIEL MALDONADO**, and others, would and did, prepare, review, and revise false and misleading scripts which contained detailed "sales pitches" that telephone operators were instructed to use in talking to and responding to questions from potential customers who called the number in the advertisement.

11. Defendant, **DANIEL MALDONADO**, and others, in the course of executing the scheme and artifice to defraud and to obtain money and property from customers by means of materially false and fraudulent pretenses, representations, and promises, would and did conduct a plan, program, promotion and campaign to induce the purchase of postal job information packages by use of one or more interstate telephone calls initiated by prospective purchasers.

COUNT ONE
WIRE FRAUD
18 U.S.C. § 1343

12. The United States Attorney realleges all the allegations contained in Paragraphs 1 through 11 and incorporates them by reference as though set forth in full herein.

13. From on or about December 18, 2000, to in or about July 2001, at Broward County, in the Southern District of Florida, and elsewhere, the Defendant, **DANIEL MALDONADO**, and others, for the purpose of executing the scheme and artifice to defraud and to obtain money and property from customers by means of materially false and fraudulent pretenses, representations, and promises, knowingly

caused to be transmitted by wire communications in interstate commerce, certain signs, signals and sounds, that is, he caused the following telephone calls to be made by consumers from the below listed locations to the offices of Countrywide Data in Margate, Florida, each such telephone call constituting a separate overt act of this Information:

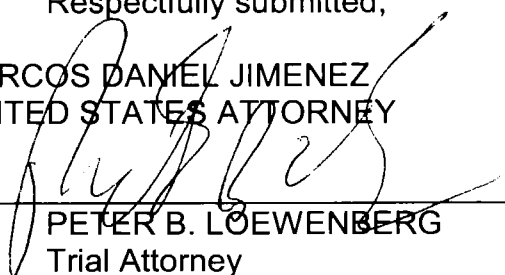
Overt Acts In Furtherance of the Scheme	Date	Wire Communication
One	in or around June 2001	Consumer E.B. called from Blasdel, New York to Countrywide Data 5403 West Atlantic Boulevard, Margate, Florida
Two	in or around June 2001	Consumer A.H. called from Vineland, New Jersey to Countrywide Data 5403 West Atlantic Boulevard, Margate, Florida

All in violation of Title 18, United States Code, Sections 1343 and 2.

Dated: Sept 24, 2004

Respectfully submitted,

MARCOS DANIEL JIMENEZ
UNITED STATES ATTORNEY

By: 

PETER B. LOEWENBERG
Trial Attorney
Criminal Division, Fraud Section

By: _____

GREGORY A. ASHE
Special Assistant United States Attorney