

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL NO: 13-014**
v. * **SECTION: “N”**
THEODORE PLATANITIS *
* * *

FACTUAL BASIS

The defendant, **THEODORE PLATANITIS**, (hereinafter, “defendant” or “**PLATANITIS**”), has agreed to plead guilty as charged to the Superseding Bill of Information now pending against him, charging him with violating Title 18, United States Code, Section 371, by conspiring to violate Title 18, United States Code, Sections 1344 and 1347. Both the Government and the defendant, **THEODORE PLATANITIS**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment now pending against the defendant:

Background

Agents with the Federal Bureau of Investigation (FBI) would testify, and records from the California Secretary of State would be admitted, that **PLATANITIS** was a resident of Rancho Cordova, California. **PLATANITIS** resided at 10974 Hirschfield Way, Rancho Cordova, California.

Documents in the custody of both Doctor A and the State of Louisiana would be admitted

to establish that Doctor A was a physician who operated a medical practice, as a limited liability company, in New Orleans, Louisiana, within the Eastern District of Louisiana. The documents would further establish that patients of Doctor A's medical practice were beneficiaries of various health care benefit programs, as that term is defined in Title 18, United States Code, Section 24, including Medicare and private insurers.

Records from Iberia Bank would be introduced to show that Doctor A maintained a bank account for his business, with account number XXXX8697, in the name of Doctor A's LLC, at Iberia Bank.

Representatives of Iberia Bank would establish that Iberia Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation.

Representatives of Bank of America, N.A. ("Bank of America") would establish that Bank of America was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation.

Records from Bank of America would be introduced to establish that **PLATANITIS** controlled a business checking account at Bank of America bearing account number XXXXX-74139. **PLATANITIS'S** account was listed in the name of "THEODORE A. PLATANITIS, SOLE PROPRIETOR, D/B/A THEODORE A. PLATANITIS."

Business records maintained by America Online would be introduced to establish that Doctor A maintained an e-mail account with America Online.

Becoming a Money Mule

Special Agents with the FBI would testify as to the role money mules play in a scheme to defraud unsuspecting individuals via the Internet. Specifically, when unknown individuals obtain access without authorization to the e-mail accounts of individuals located in the United States

(“victims”), often through a malicious computer program designed to steal computer access data, such as user names and passwords, for, among other things, bank accounts, e-mail accounts, and social networking websites. After the individuals gain access to the account information, they caused money to be transferred out of the victims’ bank accounts via fraudulent wire transfers to the bank accounts of “money mules” or “mules” within the United States.

Once the wire transfers were received into a mule’s bank account(s), the mule was directed to withdraw the fraudulently-acquired funds quickly, before the fraud could be detected by the victims or the banks. The mule kept a portion of the fraudulent proceeds and distributed the remaining funds to other members of the conspiracy.

Special Agents with the FBI would testify, and statements made by **PLATANITIS** would be introduced, to establish that **PLATANITIS**, in the role of a money mule, was recruited by unknown individuals to open bank account(s) in the United States to receive fraudulent wire transfers from the bank accounts of victims in about 2005. Specifically, **PLATANITIS** was recruited by an individual who identified herself as “Lillian Rollin” via the Internet. “Rollin” instructed **PLATANITIS** to open a bank account, into which money would be deposited. Upon “Rollin’s” direction, **PLATANITIS** was to withdraw money from the account, keep a small portion for himself, and wire the remainder via Western Union to individuals and locations, usually outside of the United States, “Rollin” identified.

Defrauding Doctor A and Iberia Bank

Documentary evidence, as well as the testimony of Special Agents of the FBI and Doctor A would be introduced to show that unknown Individuals obtained, without authorization, access into Doctor A’s e-mail account operated by America Online in about early August 2011.

Special Agents with the FBI would testify that, on in late August 2011, **PLATANITIS** was

contacted by “Rollin” via e-mail. “Rollin” requested permission to wire money into **PLATANITIS’S** Bank of America bank account number XXXXX-74139. Statements of the defendant would be introduced to establish that **PLATANITIS** gave “Rollin” permission, even though he suspected that the funds were related to a fraudulent scam. “Rollin” then instructed **PLATANITIS** that he needed to withdraw approximately half of the funds that would be deposited into his bank account in cash immediately after the money was deposited and wire it to an individual named “Larry Joby” in Malaysia. “Rollin” further instructed **PLATANITIS** that he should withdraw the rest of the money shortly thereafter, keep approximately \$600 for himself, and wire the remainder of the money to “Larry Joby.”

Employees of Doctor A would testify that on or about August 24, 2011, Doctor A’s office manager received an e-mail from Doctor A’s America Online e-mail account requesting that the office manager wire \$32,300 from Doctor A’s Iberia Bank account bearing account number XXXX8697 to **PLATANITIS’S** Bank of America bank account bearing account number XXXXX-74139.

Doctor A and Special Agents with the FBI would testify that, in fact, it was not Doctor A who sent the email, but rather another, unknown individual who had taken control of Doctor A’s e-mail account. The unknown individual had, without Doctor A’s authorization, drafted and sent the e-mail to Doctor A’s office manager purporting to be Doctor A. Doctor A’s office manager complied with the e-mail, and the money was wired to **PLATANITIS’S** account.

Documentary evidence, including bank records and photographs of **PLATANITIS** would be admitted to show that on about August 24, 2011, **PLATANITIS** learned that approximately \$32,300 had been deposited into his Bank of America business checking account from the business account of Doctor A. Once the money was deposited into **PLATANITIS’S** Bank of America

account from Doctor A's Iberia bank account, **PLATANITIS** withdrew approximately \$16,150 in cash from his Bank of America account.

Documentary evidence, as well as the testimony of Special Agents with the FBI, would be admitted to establish that on about August 24, 2011, acting upon instructions given to him by "Rollin," **PLATANITIS** took the approximately \$16,150.00 in cash to stores with the capability of wiring money via Western Union located in Rancho Cordova, California, and wired approximately \$15,500.00 to "Larry Joby" in Malaysia in a series of four (4) transactions.

Doctor A would testify that he learned of the \$32,300 from his/her bank account on the evening of August 24, 2011. Doctor A's office manager would testify he/she learned that the \$32,300 transfer had not been authorized by Doctor A on the evening of August 24, 2011, as well. As a result, Doctor A and his office manager notified Iberia Bank immediately, and Iberia Bank attempted to recover the funds that had been transferred out of Doctor A's account.

Documentary evidence and the testimony of representatives of Bank of America would be admitted to show that shortly after wiring the money to "Larry Joby," **PLATANITIS** returned to a Bank of America branch and attempted unsuccessfully to withdraw the remainder of the funds received from Doctor A's bank account from his Bank of America business account.

An FBI special agent and Dr. A would present facts to establish that **PLATANITIS**, as a result of the aforementioned scheme that included his actions as detailed above, the money stolen from Dr. A's bank account was connected with the delivery and payment of health care benefits and services.

Representatives of Iberia Bank would testify that, as a result of **PLATANITIS'S** actions, Iberia Bank incurred a risk of financial loss.

The above facts come from an investigation conducted by, and would be proven at trial by

credible testimony from, Special Agents from the Federal Bureau of Investigation, as well as employees of Iberia Bank and Bank of America, Doctor A and his employees, business records from Iberia Bank, Bank of America, America Online, and Doctor A., documents and tangible exhibits in the custody of the Federal Bureau of Investigation, and statements of the defendant, **THEODORE PLATANITIS.**

THEODORE PLATANITIS
Defendant

DATE

GARY SCHWABE, ESQ.
Counsel for Defendant

DATE

JORDAN GINSBERG
Assistant United States Attorney

DATE