

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

CR 14

FILED BLF  
OCT 15 2015  
PSG

UNITED STATES OF AMERICA,

v.

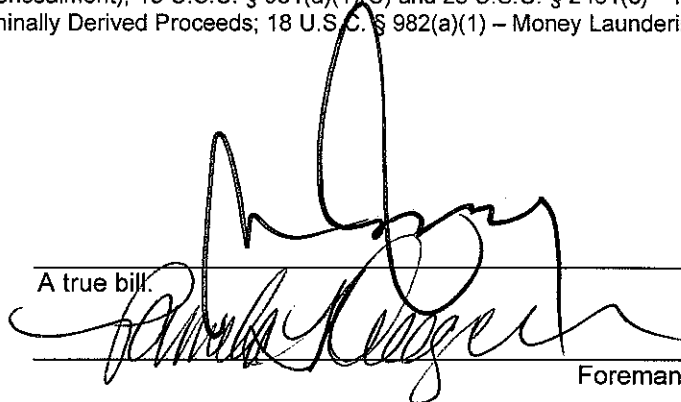
BERNARD OGIE ORETEKOR,  
a/k/a Emmanuel Libs, and  
CHANTALE PETIT-FRERE,

DEFENDANT(S).

INDICTMENT

VIOLATIONS: 18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud; 18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. § 1956(a)(1)(B)(i) – Money Laundering (Concealment); 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Criminally Derived Proceeds; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

A true bill.



Foreman

Filed in open court this 15th day of

October, 2015.

Clerk

No Process

Bail, \$ \_\_\_\_\_

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United States Attorney

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**FILED**  
OCT 15 2014  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

**BLF**  
**PSG**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 BERNARD OGIE ORETEKOR,  
17 a/k/a Emmanuel Libs, and  
18 CHANTALE PETIT-FRERE,

19 Defendants.

CASE NO. **CR 14 00523**

**VIOLATIONS:** 18 U.S.C. § 1349 – Conspiracy to  
Commit Wire Fraud; 18 U.S.C. § 1343 – Wire Fraud;  
18 U.S.C. § 1956(a)(1)(B)(i) – Money Laundering  
(Concealment); 18 U.S.C. § 981(a)(1)(C) and 28  
U.S.C. § 2461(c) – Forfeiture of Criminally Derived  
Proceeds; 18 U.S.C. § 982(a)(1) – Money Laundering  
Forfeiture

SAN JOSE VENUE

20  
21 INDICTMENT

22 The Grand Jury charges:

23 At all times relevant to this Indictment, with all dates mentioned being approximate and all date  
24 ranges inclusive:

25 Email Takeover Scams Based on “Phishing”

26 1. An “email takeover scam” refers to a scheme in which a victim is sent a so-called  
27 “phishing” email designed to capture his or her username and account password. A phishing email is  
28 designed to appear legitimate, but in reality is a fraudulent attempt to acquire someone’s personal

1 information – such as the user’s name, date of birth, account information or passwords – by false  
2 pretenses. A phishing email is designed to trick the unsuspecting victim into clicking on a link that  
3 delivers him to a fraudulent website designed to look like its legitimate counterpart. When the victim  
4 logs into the fraudulent website, his username and password are captured; this allows the perpetrator to  
5 access the victim’s account, review its contents, and send or receive emails posing as the victim.

6 2. Perpetrators of email takeover scams often set up filters within a victim’s account that  
7 redirect certain incoming emails – for example, emails from the victim’s bank or financial advisor sent  
8 to verify a transaction – to prevent the victim from discovering the fraud. By using a filter to redirect  
9 those emails to the victim’s trash folder, the imposter greatly reduces the likelihood that the victim will  
10 see the confirming email. This allows the imposter to communicate with the victim’s bank or financial  
11 advisor as if he (the imposter) were the victim, without the victim’s knowledge or permission.

#### 12 Use of “Money Mules” to Launder Fraudulently Obtained Proceeds

13 3. Persons involved in money laundering of financial transactions involving the proceeds of  
14 fraud often use nominees and multiple bank accounts to transfer and withdraw funds to evade detection  
15 by law enforcement. The purpose of using nominees, also known as “money mules,” is to conceal the  
16 nature, source, and location of the proceeds earned from the fraud. At the perpetrator’s direction, the  
17 money mule will open one or more bank accounts in his or her own name, or in the name of a fictitious  
18 business, to make the illicit funds flowing through the bank account appear to be legitimate. The  
19 nominee accounts are opened for the sole purpose of receiving fraudulent funds and transferring those  
20 funds to the perpetrator, sometimes using other intermediary accounts in a process known as “layering.”

#### 21 The Defendants

22 4. Bernard ORETEKOR lived in Ellenwood, Georgia, and used at least the following two  
23 email accounts, [amanuri@yahoo.com](mailto:amanuri@yahoo.com) and [Emmanuellibs@yahoo.com](mailto:Emmanuellibs@yahoo.com), both of which were hosted by  
24 Yahoo!, Inc., which is headquartered and has servers in the Northern District of California. ORETEKOR  
25 also used or communicated with the email account [slimpozo@yahoo.com](mailto:slimpozo@yahoo.com).

26 5. Chantale PETIT-FRERE lived in Brooklyn, New York, and used the email account  
27 [chanpfrere35@gmail.com](mailto:chanpfrere35@gmail.com), hosted by Google, Inc., which is headquartered and has servers in the  
28 Northern District of California.

1                   J.M. and C.M. Victimized by Email Takeover Scam, Lose \$312,000

2           6.       On December 11, 2012, J.M. and C.M., a married couple who lived in Redwood City,  
3 California, were victims of an email takeover scam. On that date, an unknown person, posing as J.M.  
4 and C.M., began communicating with C.R., a financial advisor in Chapel Hill, North Carolina, directing  
5 C.R. to transfer \$312,115.90 from their Charles Schwab account to a Wells Fargo account held in the  
6 name of "WM Pure Products, Inc." The emails between J.M. /C.M. and C.R. were sent to and from the  
7 victims' respective Yahoo email accounts; however, the person who sent and received those emails on  
8 behalf of J.M. and C.M. was not either of the victims, but rather an imposter who had gained control of  
9 their accounts through a phishing email and was posing as them without their knowledge or authority.  
10 As a result of the scheme, on December 12, 2012, \$312,115.90 was wired from the victims' Charles  
11 Schwab account in San Francisco, California, to a Wells Fargo account ending in x9821, held in the  
12 name of "WM Pure Products" in Miami, Florida.

13                   G.D. Narrowly Avoids \$89,000 Fraud Loss

14           7.       On January 24, 2013, G.D.'s Yahoo email account received an email from  
15 ProductsPurchase@rocketmail.com containing instructions to wire \$89,234 to a Bank of America  
16 account ending in x1306, held in the name of "T&L Rentals" in Hobbs, New Mexico. The victim, G.D.,  
17 who lived in Hillsborough, California, and owned a business headquartered in the Philippines, did not  
18 see this email; it was intercepted by an imposter who had seized control of G.D.'s email account by  
19 means of a phishing email. The transfer did not go through because G.D.'s bank, Bank of Hawaii, called  
20 him directly to confirm the transaction, and learned that it was fraudulent.

21                   Victim E.S. Loses \$98,000 to Email Takeover Scam

22           8.       On January 24, 2013, an email from ProductsPurchase@rocketmail.com was sent to a  
23 Yahoo account belonging to R.M., who owned a company identified in this indictment as "E. Sales,"  
24 based in Lexington, Kentucky. The email contained instructions to wire \$98,231 to Bank of America  
25 account x1306, held in the name of T&L Rentals in Hobbs, New Mexico. An imposter who had taken  
26 control of R.M.'s email account forwarded the "Products Purchase" email – which R.M. had not seen –  
27 to a bookkeeper at E. Sales. As a result of the fraudulent scheme, the funds were transferred to T&L  
28 Rentals the same day. A second fraudulent attempt, to wire another \$67,900 from the E.S. account to a

1 bank account purportedly owned by "MD Construction" in Ainsworth, Nebraska, was identified in time  
2 to stop the funds from being transferred.

3 9. ORETEKOR directed the disposition of the \$98,231 that was stolen from E. Sales: on  
4 January 25, 2013, \$88,231 was transferred from a Bank of America account in the name of "T & L  
5 Rentals," to an account at DBS Bank, Ltd., held in the name of "Yasa Global PTE Ltd.," in Singapore.  
6 On the same day, cash withdrawals of \$6,000 and \$3,800 were made from the same Bank of America  
7 account. Those funds, totaling \$9,800, went to ORETEKOR in the form of MoneyPak cards, which were  
8 in turn used to add value to prepaid credit cards issued by American Express and AccountNow.  
9 ORETEKOR withdrew most of those funds in cash but used some of the money in the prepaid credit  
10 cards to purchase services, some of which were personal and others of which, such as conducting online  
11 research on potential victims, furthered the fraud scheme.

12 Imposter Fraudulently Causes Two Transfers Totaling \$230,000 from L. Investments

13 10. On July 11, 2013, an unknown person caused an email to be sent from the Gmail account  
14 of J.H., an operations manager for a subsidiary of L. Investments, to E.E., an account manager for L.  
15 Investments based in Walnut Creek, California, requesting a wire transfer of \$100,000 to a SunTrust  
16 bank account in Arlington, Virginia. The wire transfer was executed by Chase Bank, in Houston, Texas,  
17 the same day.

18 11. On August 5, 2013, an imposter sent another email to E.E., again posing as J.H., this time  
19 asking E.E. to pay an attached invoice for \$130,562 from "T&L Rentals" in Hobbs, New Mexico. This  
20 second wire transfer was identified in time to be reversed.

21 "Nigerian Fraud" Victim Later Becomes an Unwitting Money Mule for ORETEKOR

22 12. Beginning in 2008, a person who called himself "Emmanuel LIBS," but was in fact  
23 ORETEKOR, defrauded T. L., from Hobbs, New Mexico, along with T.L.'s father, into sending him  
24 over \$200,000. ORETEKOR used the so-called "Nigerian scam" to defraud these victims. The Nigerian  
25 Scam is a form of "advance-fee" scheme in which the perpetrator convinces his victim to part with  
26 money based on promises of a future payout. ORETEKOR told T.L. that he was a South African  
27 diplomat and that the money T.L. "invested" would be used to pay taxes and other assorted expenses for  
28 a "consignment box" containing \$19M in cash that was tied up in Customs, but would be released if the

1 taxes and fees were paid. ORETEKOR promised T.L. eighty percent of the consignment proceeds if he  
2 fronted the taxes and fees.

3 13. When T.L. and his father eventually ran out of money, ORETEKOR told them that he  
4 would obtain "loans" to continue to pay the fees for the consignment box but, since "Customs" expected  
5 the payments to come from them, ORETEKOR would have the "loan proceeds" sent to T.L.'s bank  
6 account and direct him where to send the money from there. T.L. opened Bank of America account  
7 x1306 in the name of T&L Rentals in Hobbs, New Mexico, to receive and forward the "loan proceeds"  
8 as directed by ORETEKOR.

9 Attempted \$45,000 Wire Transfer to Undercover Officer

10 14. On March 13, 2013, T.L. informed ORETEKOR that Bank of America had closed his  
11 account due to fraud and that, for future transactions, ORETEKOR should deal instead with T.L.'s  
12 "cousin," an undercover law enforcement agent in San Jose, California, who went by the fictional name  
13 of "Keith Lowe." Later that day, "Keith Lowe" received a call from ORETEKOR, though he identified  
14 himself as "Emmanuel Libs." ORETEKOR offered to pay "Keith Lowe" one-third of the proceeds of the  
15 "consignment box" if he would help pay the "taxes" and "fees" needed to release the box from Customs.  
16 On April 1, 2013, at ORETEKOR's direction, "Keith Lowe" wired \$1,007.00 in undercover funds from  
17 an undercover account at Wells Fargo Bank in San Jose, California, to an overseas account.

18 15. On April 18, 2013, ORETEKOR asked "Keith Lowe" for his bank account information  
19 so he could arrange for "loan proceeds" to be wired to "Keith Lowe's" account. He also asked "Keith  
20 Lowe" to send an additional \$30,000 for "taxes" and "fees." On April 20, 2013, "Keith Lowe" learned  
21 that Wells Fargo Bank had frozen his undercover bank account after a customer complained that he had  
22 been the victim of an email takeover fraud in which someone tried to steal \$45,000 from the victim's  
23 brokerage account.

24 PETIT-FRERE Arrives in San Jose as ORETEKOR's Agent

25 16. "Keith Lowe" informed ORETEKOR that his account had been frozen and proposed that  
26 he give the additional \$30,000 to ORETEKOR in person. ORETEKOR said that he would send an  
27 associate who worked with him in the embassy to receive the cash. On April 22, 2013, "Keith Lowe"  
28 received a call from Chantale PETIT-FRERE, who falsely affirmed that she worked with ORETEKOR

1 at the South African embassy and told “Keith Lowe” she would be flying from New York to meet him.  
2 On April 25, 2013, PETIT-FRERE arrived as scheduled to collect the money in San Jose, but “Keith  
3 Lowe” did not meet her or give her any money.

4 Defendants and “Keith Lowe” Renew Contact

5 17. On August 5, 2014, ORETEKOR called T.L. and told him he needed a final payment of  
6 \$1,500 to get the consignment box out of custody. T.L. responded that he would speak to his “cousin”  
7 (“Keith Lowe”) about getting the money. On August 19, 2014, ORETEKOR, T.L., and “Keith Lowe”  
8 spoke on a three-way call. ORETEKOR stated that he was in the process of obtaining another “loan” to  
9 pay the fees on the consignment box and that he would have those funds sent to “Keith Lowe’s” bank  
10 account. On October 3, 2014, ORETEKOR caused \$9,000 to be wired to “Keith Lowe’s” undercover  
11 Wells Fargo Bank account in San Jose.

12 The Scheme and Artifice to Defraud

13 18. Beginning in approximately 2008, and continuing through at least August 19, 2014,  
14 ORETEKOR received funds that had been fraudulently obtained from multiple victims through an email  
15 takeover scam. In addition, aided and abetted by PETIT-FRERE, ORETEKOR perpetrated the Nigerian  
16 Scam against T.L. and his father, and attempted to do so against an undercover law enforcement agent,  
17 “Keith Lowe.”

18 Interstate Nexus for Money Laundering Counts

19 19. Bank of America, Sun Trust Bank, American Express, and AccountNow are financial  
20 institutions engaged in, and the activities of which affect, interstate and foreign commerce in some way  
21 and degree, within the meaning of 18 U.S.C. § 1956(c)(4)(B).

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

23 20. Paragraphs 1 through 19, and the transactions alleged in Counts Two through Seven are  
24 alleged and incorporated as if fully set forth here.

25 21. Beginning at a time unknown to the Grand Jury, but no later than 2008, and continuing  
26 through at least October 6, 2014, in the Northern District of California and elsewhere, the defendants,

27 BERNARD OGIE ORETEKOR,  
28 a/k/a Emmanuel Libs, and  
CHANTALE PETIT-FRERE,

1 and others both known and unknown to the Grand Jury, attempted and conspired to devise and did  
 2 devise a material scheme and artifice to defraud, and to obtain money and property by means of false  
 3 and fraudulent pretenses, representations, and promises, and by material omissions, and for the purpose  
 4 of executing such scheme and artifice did transmit and cause to be transmitted by means of wire  
 5 communication in interstate commerce certain writings, signs, signals, pictures, and sounds, including,  
 6 but not limited to, the wire communications alleged in Counts Two through Seven.

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

8 COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud)

9 22. Paragraphs 1 through 19 are alleged and incorporated as if fully set forth here.

10 23. On or about the dates set forth below, in the Northern District of California, and  
 11 elsewhere, for the purpose of executing a material scheme to defraud, and to obtain money and property  
 12 by means of false and fraudulent pretenses, representations, and promises, and by material omissions,  
 13 the defendants,

14 BERNARD OGIE ORETEKOR,  
 15 a/k/a Emmanuel Libs, and  
 16 CHANTALE PETIT-FRERE,

17 and others both known and unknown to the Grand Jury, did transmit, attempt to transmit, and cause  
 18 to be transmitted by means of wire communication in interstate commerce certain writings, signs,  
 19 signals, pictures, and sounds, including, but not limited to, the wire communications alleged in  
 20 Counts Two through Seven below:

Count	Date	Description of Wire Communication	Sent From/To
2	12/11/2012 at 5:54 a.m. PST	<i>pld</i> Email <del>from</del> requesting wire transfer of \$312,115.90 from J.M.'s Charles Schwab account to "WM Pure Products" bank account in Miami, FL	Sunnyvale to Los Angeles, CA, by way of Chapel Hill, NC
3	1/24/2013 at 7:30 a.m. EST	Email requesting wire transfer of \$98,231 to "T & L Rentals" in Hobbs, NM, from E. Sales business account at JP Morgan Chase	Server located in Los Angeles, CA, to Lexington, KY, by way of Sunnyvale, CA
4	4/1/2013	Wire transfer of \$1,007 from Wells Fargo account in the name of "Keith Lowe" to Standard Charter Bank account in the name of "Global Surplus PTE"	Santa Clara, CA, to Singapore



5	4/8/13 at 1:42 p.m. PST	Email from "Emmanuel Libs" to "Keith Lowe" requesting bank account information	T-Mobile account in Georgia to Santa Clara, CA
6	7/11/2013	Wire transfer of \$100,000 from Chase Bank account held in the name of L. Investments, to SunTrust Bank account held in the name of "Care of David"	Walnut Creek, CA, to Arlington, VA
7	8/5/2013	Wire transfer of \$130,562 from Chase Bank account held in the name of L. Investments to Bank of America account in the name of "T & L Rentals"	Walnut Creek, CA, to Hobbs, NM

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

COUNTS EIGHT THROUGH FOURTEEN: (18 U.S.C. § 1956(a)(1)(B)(i) – Money Laundering)

24. Paragraphs 1 through 19, and the transactions alleged in Counts Two through Seven, are alleged and incorporated as if fully set forth here.

25. On the dates listed below, in the Northern District of California and elsewhere, the defendant,

BERNARD OGIE ORETEKOR,  
a/k/a Emmanuel Libs,

aided and abetted by others both known and unknown to the Grand Jury, knowing that property involved in a financial transaction represented the proceeds of some form of unlawful activity, and which property was in fact the proceeds of specified unlawful activity, namely wire fraud, conducted the following financial transactions, knowing that those transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of that specified unlawful activity:

	Date	Description of Transaction	Amount
8	7/16/2013	Transfer from SunTrust account x5904 to SunTrust account x2316, representing partial transfer of proceeds of \$100,000 fraud committed against L. Investments on 7/11/2013	\$45,000

9	7/16/2013	International wire transfer using FedWire from SunTrust account x5904 to an overseas location, representing partial transfer of proceeds of \$100,000 fraud committed against L. Investments on 7/11/2013	\$50,000
10	1/25/2013	Transfer from Bank of America account ending x1306 to DBS Bank, Ltd., in Singapore, representing partial transfer of proceeds of \$98,331 fraud committed against E. Sales in Lexington, KY	\$88,231
11	1/25/2013	Cash withdrawal from Bank of America account ending in x1306, representing partial transfer of proceeds of \$98,331 fraud committed against E. Sales.	\$6,000
12	1/25/2013	Cash withdrawal from Bank of America account ending in x1306, representing partial transfer of proceeds of \$98,331 fraud committed against E. Sales.	\$3,800
13	2/23/2013	Funds added from MoneyPak card to American Express prepaid credit card, account number ending in x6435.	\$1,000
14	2/26/2013	Funds added from MoneyPak card to AccountNow prepaid credit card, account number ending in x3135.	\$500

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i), and 2.

**FORFEITURE ALLEGATION:** (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Proceeds of Specified Unlawful Activity)

26. Paragraphs 1 through 19 as well as the factual allegations contained in Counts One through Seven are alleged and by this reference fully incorporated here for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

INDICTMENT

1 27. Upon a conviction of any of the offenses alleged in Counts One through Seven, the  
2 defendants,

3 BERNARD OGIE ORETEKOR,  
4 a/k/a Emmanuel Libs, and  
5 CHANTALE PETIT-FRERE,

6 shall forfeit to the United States all property, constituting and derived from proceeds traceable to said  
7 offenses.

8 28. If any of said property, as a result of any act or omission of the defendants –

- 9 (a) cannot be located upon the exercise of due diligence;
- 10 (b) has been transferred or sold to or deposited with, a third person;
- 11 (c) has been placed beyond the jurisdiction of the Court;
- 12 (d) has been substantially diminished in value; or
- 13 (e) has been commingled with other property which cannot be subdivided without  
14 difficulty;

15 any and all interest defendants have in other property shall be vested in the United States and forfeited to  
16 the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28,  
17 United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

18 SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture)

19 29. Paragraphs 1 through 19 as well as the factual allegations contained in Counts Eight  
20 through Fourteen are alleged and by this reference fully incorporated here for the purpose of alleging  
21 forfeiture pursuant to the provisions of 18 U.S.C. § 982(a)(1).

22 30. Upon a conviction of any of the offenses alleged in Counts Eight through Fourteen, the  
23 defendant,

24 BERNARD OGIE ORETEKOR,  
25 a/k/a Emmanuel Libs,

26 shall forfeit to the United States all property, constituting and derived from proceeds traceable to said  
27 offenses.

28 31. If any of said property, as a result of any act or omission of the defendant –

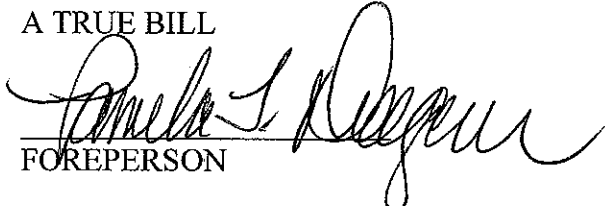
- (a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

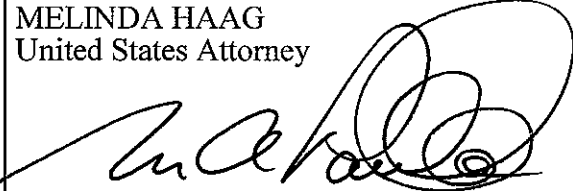
any and all interest defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

DATED:

A TRUE BILL

  
FOREPERSON

MELINDA HAAG  
United States Attorney

  
MATTHEW A. PARRELLA  
Chief, Computer Hacking/Intellectual Property

(Approved as to form:   
AUSA David R. Callaway

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

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: SEE ATTACHMENT

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

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

▶ Bernard Ogie ORETEKOR, aka Emmanuel Libs

**BLF**

DISTRICT COURT NUMBER

**CR 14 0052BSG**

**DEFENDANT**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome of 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)

**FILED**  
OCT 15 2014  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

**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  
October 7, 2014

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)

S/A Kyle Bashor IRS-CI

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

} 54-71245-MAG  
14-MJ-925-RGV

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

**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: **Δ1**

Comments: Def. arrested 10/7/2014 (NDGA) on no-bail arrest warrant from this District. Rule 5 proceedings are pending the

**PENALTY SHEET ATTACHMENT  
BERNARD OGIE ORETEKOR,  
a/k/a Emmanuel Libs**

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

Penalties: Up to twenty years imprisonment;  
\$250,000 fine (or twice the gain/loss);  
Three years supervised release;  
\$100 special assessment.

COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud)

Penalties: 20 years imprisonment;  
\$500,000 fine (or twice the gross gain or gross loss);  
Three years supervised release;  
\$100 special assessment.

COUNTS EIGHT THROUGH FOURTEEN: (18 U.S.C. § 1956(a)(1)(B)(i) – Money Laundering)

Penalties: 20 years imprisonment;  
\$500,000 fine (or twice the gross gain or gross loss);  
Three years supervised release;  
\$100 special assessment.

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Proceeds of Specified Unlawful Activity) (Wire Fraud Forfeiture)

SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture) (Money Laundering Forfeiture)

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

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: SEE ATTACHMENT

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

NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DEFENDANT - U.S.

Chantale PETIT-FRERE

DISTRICT COURT NUMBER

**CR 14 0052 BLF**  
DEFENDANT **PSG**

**FILED**  
OCT 15 2014  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Kyle Bashor IRS-CI

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

5-14-71245-MAG  
14-MJ-856-SMG

**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  
10/07/2014

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) DAVID R. CALLAWAY

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: SD

Comments: Def. arrested 10/7/2014 (EDNY) on no-bail arrest warrant from this District. Rule 5 proceedings are pending there.

**PENALTY SHEET ATTACHMENT  
CHANTALE PETIT-FRERE**

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

Penalties: Up to twenty years imprisonment;  
\$250,000 fine (or twice the gain/loss);  
Three years supervised release;  
\$100 special assessment.

COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud)

Penalties: 20 years imprisonment;  
\$500,000 fine (or twice the gross gain or gross loss);  
Three years supervised release;  
\$100 special assessment.

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Proceeds of Specified Unlawful Activity) (Wire Fraud Forfeiture)