AMO2012R00780

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 12-303
	:	
v.	:	18 U.S.C. § 1349
	:	
STEVEN COX,	:	
a/k/a "Steve Coluzzi"	:	SUPERSEDING INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

The Defendant and Co-conspirators

1. At all times relevant to this Superseding Information:

a. Adam Lacerda, a/k/a "Robert Klein," who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and was the co-owner of The Vacation Ownership Group, a/k/a "VO Group LLC" (the "VO Group").

b. Ashley R. Lacerda, who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and was the co-owner of the VO Group.

c. Defendant STEVEN COX, a/k/a "Steve Coluzzi," resided in New Jersey and worked at the VO Group.

d. Ian Resnick, who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

e. R.B., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

f. Alfred Giordano, a/k/a "Alex Jordan," who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

g. Francis Santore, a/k/a "Frank Martin," who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

h. Brian Corley, a/k/a "John Corley," who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

i. V.G., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

j. Joseph Saxon, who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

k. A.A., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

l. Genevieve Manzoni, who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

m. E.R., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

n. C.B., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

o. E.K.R., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

p. Joseph Diventi, who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

q. N.M., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

r. J.S., who is named as a co-conspirator but not as a defendant herein, resided in New Jersey and worked at the VO Group.

The VO Group

2. At all times relevant to this Superseding Information:

a. The VO Group purportedly was a timeshare consulting firm which offered, among other things, timeshare cancellation services and timeshare and vacation ownership purchases and upgrades.

b. The VO Group maintained a Post Office Box in Pleasantville, New Jersey.

c. TD Bank, N.A. ("TD Bank") issued a bank account in the name of the VO Group on or about March 27, 2009 (the "VO Group TD Bank Account").

d. The Bank issued a bank account in the name of the VO Group on or about November 9, 2010 (the "VO Group The Bank Account").

e. The Cape Bank issued a bank account in the name of the VO Group on or about December 9, 2011 (the "VO Group Cape Bank Account").

f. Co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Ashley Lacerda had signature authority on the VO Group bank accounts.

Other Entities

3. At all times relevant to this Superseding Information:

a. Wyndham Vacation Resorts Inc. ("Wyndham") was a developer of timeshare resorts.

b. Flagship Resort Development Corporation ("Flagship") was a developer of timeshare resorts.

c. Bluegreen Corporation ("Bluegreen") was a developer of timeshare resorts.

Timeshares Generally

4. A timeshare was a form of ownership or right to the use of a vacation or resort property. These properties were typically resort condominium units, in which multiple parties held rights to use the property, and each timeshare owner was allotted a period of time in which the timeshare owner could use the property.

5. When an individual purchased a timeshare, the individual often paid by making a down payment on the timeshare and then financed the balance of the purchase price by obtaining a loan. These loans were deemed "mortgages" in the timeshare industry.

The Conspiracy

6. From in or about March 2009 through on or about September 1, 2011 at Pleasantville, in Atlantic County, in the District of New Jersey, and elsewhere, defendant

STEVEN COX,
a/k/a "Steve Coluzzi,"

did knowingly and intentionally conspire and agree with Adam Lacerda, a/k/a "Robert Klein," Ashley R. Lacerda, Ian Resnick, Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A.,

E.R., C.B., E.K.R., N.M., J.S., and with others to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice is set forth below in substance and in part, and for the purpose of executing such scheme and artifice, (i) did cause to be placed in a post office and authorized depository for mail, and cause to be delivered in accordance with directions thereon, certain mail matter, to be sent and delivered by the United States Postal Service, contrary to Title 18, United States Code, Section 1341, and (ii) did transmit and cause to be transmitted by means of wire communications in interstate commerce, writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

Object Of The Conspiracy

7. It was the object of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ashley R. Lacerda, Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S., acting for their own financial gain, falsely represented that the VO Group could pay

off timeshare owners' "mortgages" on their timeshares, have timeshares cancelled, or have the owners' timeshares sold.

Manner And Means Of The Conspiracy

8. It was part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ashley R. Lacerda, Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S. falsely represented to owners of timeshare vacation properties purchased from Bluegreen, Flagship, and Wyndham that the VO Group:

(a) could pay off the owners' timeshare mortgages;

(b) could have the owners' timeshares cancelled or sold;

(c) received a complaint previously filed by the owner that was forwarded to the VO Group for investigation;

(d) worked with banks and lending institutions;

(e) had the ability to "settle" or pay off a timeshare owner's mortgage for a fraction of the owner's current mortgage balance; and

(f) would negotiate with, and send letters and other cancellation documentation to, the timeshare developer, loan holder, or other merchant on the owner's behalf.

9. It was further part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S. falsely represented to the timeshare owners that their credit would not be damaged by cancelling their timeshare mortgages.

10. It was further part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S. failed to tell timeshare owners that only the timeshare developer had the ability to cancel a timeshare mortgage.

11. It was further part of the conspiracy that co-conspirator Ashley R. Lacerda sent contracts to the timeshare

owners which purportedly described the "services" the VO Group was providing.

12. It was further part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ashley R. Lacerda, Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S. caused timeshare owners to send the VO Group money purportedly to pay off the owners' timeshare mortgages, or have the owners' timeshares cancelled or sold.

13. It was further part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Ashley R. Lacerda deposited funds received from the timeshare owners into the VO Group bank accounts.

14. It was further part of the conspiracy that co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Ashley R. Lacerda diverted the money received from the timeshare owners to their personal use. Co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Ashley R. Lacerda also paid a portion of the funds received from the timeshare owners to co-conspirators Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank

Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S.

15. It was further part of the conspiracy that, as a result of the above acts, co-conspirators Adam Lacerda, a/k/a "Robert Klein," Ashley R. Lacerda, Ian Resnick, defendant STEVEN COX, a/k/a "Steve Coluzzi," Alfred Giordano, a/k/a "Alex Jordan," Francis Santore, a/k/a "Frank Martin," Brian Corley, a/k/a "John Corley," Joseph Diventi, Joseph Saxon, Genevieve Manzoni, R.B., V.G., A.A., E.R., C.B., E.K.R., N.M., and J.S. defrauded victims of more than three million dollars.

Furthering The Conspiracy

16. In furtherance of the conspiracy and to effect its objects, its members committed and caused to be committed the following acts:

a. On or about March 10, 2010, co-conspirator Adam Lacerda, a/k/a "Robert Klein," caused AF to mail a $34,663 check to the VO Group.

b. On or about April 17, 2010, co-conspirator Ashley R. Lacerda caused TC to email a signed VO Group Purchase Agreement to the VO Group.

c. On or about April 25, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and R.B. caused the VO Group to

process $23,339.96 in credit card transactions from EC to the VO Group.

d. On or about May 17, 2010, co-conspirator Adam Lacerda, a/k/a "Robert Klein," and Brian Corley, a/k/a "John Corley," caused CS-2 to mail a $25,000 check to the VO Group.

e. On or about May 27, 2010, co-conspirator Adam Lacerda, a/k/a "Robert Klein," and co-conspirator Joseph Saxon caused GN to mail a $5,954 check to the VO Group.

f. On or about May 28, 2010, co-conspirator Joseph Saxon caused CH to mail a $5,925 check to the VO Group.

g. On or about June 4, 2010, co-conspirators Alfred Giordano, a/k/a "Alex Jordan," and Joseph Saxon caused RM to mail a $6,545 check to the VO Group.

h. On or about July 15, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and R.B. caused CS-1 to mail an $18,000 check to the VO Group.

i. On or about July 16, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Alfred Giordano, a/k/a "Alex Jordan," caused ES to mail a $41,777 check to the VO Group.

j. On or about July 21, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," V.G., and A.A. caused DGy to mail a $9,177 check to the VO Group.

k. On or about July 29, 2010, co-conspirators Ashley R. Lacerda and V.G. caused PL to mail an $11,177 check to the VO Group.

l. On or about August 9, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and Alfred Giordano, a/k/a "Alex Jordan," caused RS to mail a $19,777 check to the VO Group.

m. On or about August 15, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and V.G. called DJ and claimed that the VO Group could negotiate a lower payoff price on DJ's timeshare.

n. On or about September 3, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," and V.G. caused DJ to mail a $31,829 check to the VO Group.

o. On or about September 3, 2010, co-conspirator V.G. emailed WM and proposed to pay off WM's timeshare mortgage for $11,232.

p. On or about September 8, 2010, co-conspirator Ian Resnick emailed RB and claimed Ian Resnick had spoken with the bank holding RB's timeshare and secured a price of $11,500 to settle RB's timeshare mortgage.

q. On or about September 9, 2010, co-conspirators Ashley R. Lacerda and C.B. caused PW to email a signed VO Group Purchase Agreement to the VO Group.

r. On or about September 17, 2010, defendant STEVEN COX, a/k/a "Steve Coluzzi," caused CS to mail a $9,180 check to the VO Group.

s. On or about September 27, 2010, co-conspirator V.G. caused WM to mail an $11,232 check to the VO Group.

t. On or about September 29, 2010, defendant STEVEN COX, a/k/a "Steve Coluzzi," emailed NP and provided the VO Group's mailing address so that NP could send $26,585 to the VO Group.

u. On or about September 29, 2010, co-conspirators Adam Lacerda, a/k/a "Robert Klein," E.K.R., and R.B. caused SK to mail a $21,328.38 check to the VO Group.

v. On or about September 30, 2010, co-conspirators Joseph Diventi and R.B. caused CL to mail a $1,040 check to the VO Group.

w. On or about October 4, 2010, co-conspirator Ian Resnick caused RB to mail a $3,000 check to the VO Group.

x. On or about October 6, 2010, co-conspirators Ashley R. Lacerda and Brian Corley, a/k/a "John Corley," caused SF to email a signed VO Group Purchase Agreement to the VO Group.

y. On or about October 7, 2010, co-conspirator Genevieve Manzoni called JW and said that the VO Group could buy

JW out of JW's existing timeshare and transfer JW's ownership to a different timeshare.

z. On or about October 10, 2010, co-conspirator Ashley R. Lacerda caused JP to email a signed VO Group Purchase Agreement to the VO Group.

aa. On or about October 13, 2010, co-conspirator Adam Lacerda, a/k/a "Robert Klein," called JW to convince JW to send $11,236 to the VO Group.

bb. On or about October 14, 2010, defendant STEVEN COX, a/k/a "Steve Coluzzi," emailed CS-1 and claimed that the VO Group would have CS-1's timeshare cancelled and have Wyndham refund CS-1 money.

cc. On or about October 14, 2010, co-conspirator E.R. emailed DA and provided "references" DA could call to verify the VO Group's credibility.

dd. On or about October 22, 2010, co-conspirator E.R. and co-conspirator A.A. caused DA to mail a $31,385 check to the VO Group.

ee. On or about October 24, 2010, co-conspirator Ashley R. Lacerda caused RT to email a signed VO Group Purchase Agreement to the VO Group.

ff. On or about October 27, 2010, co-conspirator Ian Resnick emailed DGe and directed DGe where to send DGe's $14,500 check to the VO Group.

gg. On or about November 2, 2010, co-conspirators Ashley R. Lacerda and C.B. caused ES to email a signed VO Group Purchase Agreement to the VO Group.

hh. On or about January 22, 2011, co-conspirator C.B. emailed JL and said that the VO Group's committee was meeting Wednesday at 3 and CB scheduled JL's case to be heard.

ii. On or about March 14, 2011, co-conspirators C.B. and Ian Resnick caused JL to mail a check to the VO Group for $1,250.

jj. On or about January 23, 2011, co-conspirator E.K.R. called KB on the telephone and said that the VO Group could get her out of her Wyndham timeshare and get her money refunded by Wyndham.

kk. Co-conspirator E.K.R. caused KB to send a $5,000.00 check to the VO Group, which was deposited into the VO Group bank account on or about February 28, 2011.

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

Paul J. Fishman

PAUL J. FISHMAN
United States Attorney

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UNITED STATES OF AMERICA

v.

STEVEN COX,
a/k/a "Steve Coluzzi"

SUPERSEDING INFORMATION

18 U.S.C. § 1349

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