

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 14-
 :
 v. : 18 U.S.C. § 1343 and § 2
 :
 DAVID MARSHALL : INFORMATION

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

1. At all times relevant to this Information:

a. Defendant DAVID MARSHALL resided in Jackson, New Jersey.

b. Pop Warner Little Scholars, Inc. ("Pop Warner") was a non-profit organization based in Langhorne, Pennsylvania that provided youth football, cheer, and dance programs for participants in numerous areas of the United States and elsewhere. Pop Warner is divided into various regions within the United States. The Eastern Region Pop Warner (the "Eastern Region") included numerous Pop Warner football teams and other activities in New York, Pennsylvania, New Jersey, Delaware, and Washington, D.C.

c. From in or around 2005 through in or around 2011, defendant MARSHALL performed work for the Eastern Region on a voluntary basis and held various positions. From in or around

2006 through in or around 2011, defendant MARSHALL was the Regional Director of the Eastern Region. As the Regional Director, defendant MARSHALL was responsible for, among other things, handling the finances of the Eastern Region and had control over the Eastern Region's bank accounts and credit cards.

The Scheme to Defraud

2. From at least as early as 2005 through in or about December 2011, in Ocean County, in the District of New Jersey, and elsewhere, defendant

DAVID MARSHALL

did knowingly and intentionally devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, as set forth below.

Object of the Scheme

3. The object of the scheme was for defendant MARSHALL to misappropriate funds from the Eastern Region's bank accounts and use those funds for his personal benefit.

Manner and Means of the Scheme

4. As part of the scheme, defendant MARSHALL used his position as Director of the Eastern Region and his authority over the Eastern Region's financial accounts to steal hundreds of thousands of dollars from Pop Warner.

5. It was further part of the scheme that defendant MARSHALL transferred funds from a business checking account owned by the Eastern Region (the "Business Checking Account") to pay off defendant MARSHALL's personal credit card debts.

6. It was further part of the scheme that defendant MARSHALL improperly used a Pop Warner credit card account to make purchases for personal items and other things unrelated to Pop Warner.

7. It was further part of the scheme that defendant MARSHALL made numerous cash withdrawals from the Business Checking Account for his personal benefit.

8. It was further part of the scheme that defendant MARSHALL wrote checks from the Business Checking Account to pay various personal expenses, including college tuition, student loans, and payments to retail stores, among other things.

9. It was further part of the scheme that defendant MARSHALL attempted to conceal his fraudulent activities by submitting false accounting spreadsheets and financial reports

to Pop Warner's national headquarters.

In violation of Title 18, United States Code, Section
1343 and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant that, upon conviction of the wire fraud offense in violation of 18 U.S.C. § 1343 charged in this Information, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense, including but not limited to the following:

a) A money judgment representing the amount of proceeds traceable to the commission of the offense; and

b) All right, title, and interest of the defendant in any specific property constituting or derived from proceeds traceable to the commission of the offense, and all property traceable to such property, the proceeds from the sale of which

shall be applied to the money judgment, in partial satisfaction thereof.

Substitute Assets Provision

3. If by any act or omission of the defendant, any of the property subject to forfeiture described above:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- 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;

It is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

DAVID MARSHALL

INFORMATION FOR

18 U.S.C. §§ 1343 & 2

PAUL J. FISHMAN
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

NICHOLAS P. GRIPPO
ASSISTANT U.S. ATTORNEY
(973) 645-2915
