

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William J. Martini
 :
 v. : Crim. No. 14-
 :
 FLORIN APETREI : 18 U.S.C. § 1349

I N F O R M A T I O N

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 FLORIN APETREI ("APETREI") was a citizen of Romania and resided in Queens, New York.

b. TD Bank, Wells Fargo, and Citibank were federally insured financial institutions as that term is defined by Title 18, United States Code, Section 20.

THE CONSPIRACY

2. From in or about June 2012 through on or about July 12, 2013 in Union County, in the District of New Jersey, and elsewhere, defendant

FLORIN APETREI

did knowingly and intentionally conspire and agree with others, to devise a scheme and artifice to defraud financial institutions, namely TD Bank, Wells Fargo, and Citibank, and to obtain money and property owned by, and under the custody and control of, TD Bank, Wells Fargo,

and Citibank, by means of materially false and fraudulent pretenses, representations and promises, contrary to Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for APETREI and others to enrich themselves by installing devices on automated teller machines ("ATMs") that acquired users' account information, and, thereafter, by using this account information to create new ATM cards to withdraw funds from the compromised accounts.

MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that the co-conspirators installed "skimming" devices onto the card reader interfaces of bank ATMs and bank ATM vestibule doors. These "skimming" devices captured and recorded information contained in the magnetic strip of customers' ATM cards.

5. It was further part of the conspiracy that the co-conspirators installed pinhole cameras, concealed within overlay plates designed to blend in with the banks' existing ATM components, onto bank ATMs. These pinhole cameras were capable of recording the keystrokes of bank customers as they entered their Personal Identification Numbers ("PINs") during ATM transactions.

6. It was further part of the conspiracy that the co-conspirators then transferred the stolen customer account data and

customer PIN numbers onto blank ATM cards, thereby creating counterfeit ATM cards ("Counterfeit ATM Cards").

7. It was further part of the conspiracy that the co-conspirators used the Counterfeit ATM Cards to make unauthorized ATM withdrawals from customer bank accounts.

SPECIFIC TRANSACTIONS

8. On or about July 21, 2012, APETREI and others used counterfeit ATM Cards to withdraw thousands of dollars from Wells Fargo ATMs in Elizabeth, New Jersey.

9. On or about July 9, 2013, at the direction of a co-conspirator, APETREI retrieved a package from a shipping facility that contained components used to make pinhole cameras.

10. On or about July 12, 2013, APETREI attempted to destroy bank debit cards depicting the name and picture of a co-conspirator.

11. From in or about June 2012 through in or about July 2013, the co-conspirators used Counterfeit ATM Cards to fraudulently obtain approximately \$5,000,000 from Wells Fargo, Citibank, and TD Bank customers throughout New Jersey, New York, and Connecticut.

12. Wells Fargo, Citibank, and TD Bank ultimately reversed the unauthorized withdrawals from its customers' accounts, thereby suffering total losses of approximately \$5,000,000.

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

FORFEITURE ALLEGATION

1. The allegations contained in this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant, that upon his conviction of the offense charged in this Information, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c), which requires any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

3. If any of the above-described forfeitable 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 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 divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853 (p), as incorporated by Title 18, United States Code, Section 982(b) (1) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in paragraph 2.

A handwritten signature in blue ink, appearing to read "Paul J. Fishman", written over a horizontal line.

PAUL J. FISHMAN
United States Attorney

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UNITED STATES OF AMERICA

v.

FLORIN APETREI

INFORMATION FOR

18 U.S.C. § 1349

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