

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Criminal No.: 11-
MIN-SOO SON : Title 18, United States Code,
Section 1349

I N F O R M A T I O N

(Conspiracy to Commit Wire Fraud)

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

Introduction

1. At all times relevant to this Information:
 - a. A criminal enterprise operated in Bergen County, New Jersey and elsewhere that engaged in identity theft and financial fraud (hereinafter the "Criminal Enterprise").
 - b. Co-Conspirator S.H.P., an individual not named as a defendant herein, was the leader of the Criminal Enterprise.
 - c. Co-Conspirator H.J.Y., an individual not named as a defendant herein, was the second-in-command of the Criminal Enterprise.
 - d. Defendant MIN-SOO SON was a member of the Criminal Enterprise.
 - e. Co-Conspirator S.K.S., was the owner and operator of a business located in North Bergen, New Jersey.

f. Financial institutions and various companies and retail stores issued credit cards to customers (hereinafter collectively the "Corporate Victims").

Overview of the Criminal Enterprise

2. The Criminal Enterprise profited by providing a variety of illegal services to its customers (hereinafter "Customers"), including credit card "bust out" schemes. In furtherance of this fraud, Customers provided their lawfully issued credit cards to the Criminal Enterprise. The Criminal Enterprise then charged these credit cards through credit card terminals possessed by wholly fictitious shell companies or other merchants (hereinafter "Collusive Merchants"). These credit card transactions were sham transactions, as the Collusive Merchants provided no goods or services for these charges. The money from these charges was then wired into merchant bank accounts controlled by the Collusive Merchants.

3. The Criminal Enterprise also used the Customers' credit cards to purchase liquor, clothes, jewelry, and gift cards, among other things, at various retail stores, and these items were then sold or given to other co-conspirators.

4. To maximize their illegal profits from the credit cards, the Criminal Enterprise made payments toward the charges made on the Customers' credit cards by telephone, check, or over the Internet. These payments were drawn against fraudulent bank

accounts or accounts with insufficient funds. After the Corporate Victims received these bogus payments but before the payments were determined to be fraudulent, the Corporate Victims credited the Customers' accounts, thereby allowing the Criminal Enterprise to make additional charges on the Customers' credit cards, as described in Paragraphs 2 and 3 above of this Information. Ultimately, the credit card charges were not paid, resulting in significant losses to the Corporate Victims.

5. The proceeds from these credit card transactions, as described in Paragraph 2 and 3 above of this Information, were shared among the Criminal Enterprise, the Collusive Merchants, and the Customers.

The Conspiracy

6. From in or about early 2009 through on or about September 15, 2010, in Bergen County, in the District of New Jersey, and elsewhere, defendant

MIN-SOO SON

knowingly and intentionally conspired and agreed with Co-Conspirator S.H.P., Co-Conspirator H.J.Y., Co-Conspirator S.K.S., and others to devise a scheme and artifice to defraud the Corporate Victims, and to obtain money and property, by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice to defraud, to transmit and cause to be transmitted, by means of wire communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, affecting financial institutions, contrary to Title 18, United States Code, Section 1343.

Object of the Conspiracy

7. The object of the conspiracy was for defendant MIN-SOO SON, Co-Conspirator S.H.P., Co-Conspirator H.J.Y., Co-Conspirator S.K.S., and others to profit by "busting out" credit cards.

Manner and Means of the Conspiracy

8. It was part of the conspiracy that various Customers, including Co-Conspirator S.K.S., gave their corporate and personal credit cards to Co-Conspirator S.H.P. to commit fraud.

9. It was further part of the conspiracy that Co-Conspirator S.H.P., Co-Conspirator H.J.Y., and their Customers, including Co-Conspirator S.K.S., charged corporate and personal credit cards through Collusive Merchants and used the credit cards to purchase good at various retail stores.

10. It was further part of the conspiracy that defendant MIN-SOO SON, Co-Conspirator H.J.Y., and other members of the Criminal Enterprise made payments toward the Customers' credit cards with worthless checks to lull the Corporate Victims into permitting additional charges on the credit cards.

11. It was further part of the conspiracy that Co-Conspirator S.H.P. and Co-Conspirator H.J.Y. distributed portions of the credit card "bust out" scheme to others, including defendant MIN-SOO SON and Co-Conspirator S.K.S., among others.

Overt Acts

12. In furtherance of the conspiracy and in order to effect the objects thereof, defendant MIN-SOO SON and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about October 3, 2009, during a telephone conversation with Co-Conspirator S.H.P., Co-Conspirator S.K.S. stated he would declare bankruptcy after "busting out" his business' credit cards.

b. On or after October 3, 2009, Co-Conspirator S.K.S. provided his business credit cards to Co-Conspirator S.H.P.

c. On or about December 18, 2009, defendant MIN-SOO SON, at a bank in Bergen County, New Jersey, made a payment with a worthless check in the amount of \$18,462 toward a credit card business account belonging to Co-Conspirator S.K.S.

d. On or about December 18, 2009, Co-Conspirator H.J.Y. made a telephone inquiry to check the status of Co-Conspirator S.K.S.'s credit card balance.

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



PAUL J. FISHMAN
United States Attorney

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INFORMATION FOR

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