

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 14-
 :
 v. : 18 U.S.C. § 1512
 :
 DENNIS NADEAU :
 : 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, defendant DENNIS NADEAU worked for VO Financial, Inc. (“VO Financial”), and its predecessor Vacation Ownership Group, Inc., a/k/a VO Group (the “VO Group”).

2. On November 4, 2010, agents of the Federal Bureau of Investigation executed a search warrant at the offices of the VO Group in Egg Harbor Township, New Jersey, and seized documents, including files relating to customers of the VO Group. Defendant DENNIS NADEAU was aware of the execution of the search warrant and the seizure of files relating to VO Group customers.

3. On or about April 12, 2012, the United States filed criminal complaints charging VO Group President Adam Lacerda, his wife VO Group Chief Operations Officer Ashley Lacerda, and several others with conspiracy to commit mail fraud. The charges were based on actions the defendants took at the VO Group to defraud customers of the VO Group.

4. As part of their conditions of release, the Court ordered Adam Lacerda and Ashley Lacerda, in substance and in part, to avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution.

5. Defendant DENNIS NADEAU read the criminal complaints against Adam Lacerda and Ashley Lacerda.

6. After the criminal complaints were filed, VO Financial continued operating the business as the successor to the VO Group. Individuals who had worked at the VO Group, including Adam Lacerda, Ashley Lacerda, and defendant DENNIS NADEAU, continued their work at VO Financial.

7. On or about May 3, 2012, the grand jury in and for the District of New Jersey, sitting at Trenton, returned an indictment charging Adam Lacerda, Ashley Lacerda, and five other VO Group employees with conspiracy to commit mail fraud and wire fraud, as well as individual acts of mail fraud and wire fraud and other offenses. United States v. Adam Lacerda et al., Crim. No. 12-303 (NLH). In substance and in part, the indictment charged that the VO Group employees made misrepresentations to owners of timeshares and persuaded those victims to send a total of over \$2.6 million to the VO Group. As charged in the indictment, VO Group employees told their victims, among other false statements, that the VO Group was working with or for the banks that held the loans on their timeshares and that the VO Group could eliminate the victims' debts on their timeshares. The indictment further alleged that VO Group employees falsely told customers that, for a fee, the VO Group could cancel their timeshares, save the customers money, and secure a refund.

8. The indictment described over 30 contacts with VO Group victims in furtherance of the conspiracy and identified the victims by their initials. EC was one of the victims identified in the indictment.

9. Defendant DENNIS NADEAU read the indictment in United States v. Adam Lacerda et al., Crim. No. 12-303 (NLH).

10. Beginning in or about September 2012, as part of the discovery in United States v. Adam Lacerda et al., the United States made the VO Group's individual customer files seized during the search available to Adam Lacerda, Ashley Lacerda, and the other charged VO Group employees, along with summaries of FBI interviews with the customer victims and other documents. This discovery contained the full names, addresses, and telephone numbers of victims, including the victims identified by initials in the indictment. Along with their respective counsel, Adam Lacerda and Ashley Lacerda reviewed the discovery and obtained copies of VO Group customer files seized by the FBI on November 4, 2010.

11. On January 23, 2013, the grand jury in and for the District of New Jersey, sitting at Camden, returned a superseding indictment against Adam Lacerda, Ashley Lacerda, and eight other VO Group employees. Except for the addition of three defendants and some clarification of the charges, the superseding indictment was substantially identical to the indictment and included the allegations about EC and other VO Group victims.

12. On or about March 7, 2013, the Court scheduled trial to start on or about July 8, 2013.

13. Adam Lacerda and Ashley Lacerda continued to work at VO Financial while they were under indictment and awaiting trial. Defendant DENNIS NADEAU continued to work at VO Financial and was a subordinate of Adam Lacerda and Ashley Lacerda. NADEAU and other VO Financial employees were aware of the criminal charges and the impending trial in United States v. Adam Lacerda et al.

14. In April, May, and June 2013, Adam Lacerda and Ashley Lacerda directed defendant DENNIS NADEAU and other VO Financial employees to contact numerous VO Group victims who had spoken to the FBI during the investigation. NADEAU was told to try to

persuade the victims that everything had been explained to them and that any problems occurred because the victims had not followed the instructions of the United States v. Adam Lacerda et al. charged VO Group employees. In some cases, NADEAU was told to offer the victims refunds and other benefits.

15. Defendant DENNIS NADEAU complied with the directions of Adam Lacerda and Ashley Lacerda and contacted numerous VO Group victims. NADEAU knew that many of those victims had spoken to the FBI and therefore that those victims were actual or potential witnesses in the trial of United States v. Adam Lacerda et al.

16. In or about May 2013, Ashley Lacerda told defendant DENNIS NADEAU to contact EC. NADEAU then called EC several times in or about May and June 2013.

17. On or about June 1, 2013, at the direction of Adam Lacerda, defendant DENNIS NADEAU called EC. Before making the call, NADEAU knew that EC was a likely witness at the trial in United States v. Lacerda et al., and NADEAU made a recording of the call without EC's knowledge for use during the trial. During the call, NADEAU knowingly made several false statements about EC's dealings with the VO Group and asked EC to agree with his false statements. NADEAU falsely told EC that she had originally contracted with the VO Group for a debt reduction deed replacement service, that the VO Group had advised her that it would obtain a deed in lieu of foreclosure for her, and that EC had problems because she decided not to listen to the VO Group's advice. NADEAU ended the call by saying that he had everything he needed and that EC probably would get a refund.

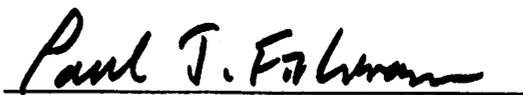
18. The trial in United States v. Adam Lacerda et al. commenced on or about July 11, 2013, with the start of jury selection, and the jury heard evidence in July and August 2013.

19. From in or about April 2013 through in or about August 2013 at Egg Harbor Township, in Atlantic County, in the District of New Jersey, and elsewhere, defendant

DENNIS NADEAU

did knowingly engage in misleading conduct towards another person, with intent to influence the testimony of that person in an official proceeding, namely, the trial in the United States District Court for the District of New Jersey in United States v. Adam Lacerda et al., No. 12-303(NLH).

All in violation of Title 18, United States Code, Section 1512(b).


PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 14- _____

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

UNITED STATES OF AMERICA

v.

DENNIS NADEAU

INFORMATION

18 U.S.C. § 1512

PAUL J. FISHMAN
U.S. Attorney
Newark, New Jersey

R. DAVID WALK, JR.
Assistant U.S. Attorney
856-757-5026

USA-48AD 8
(Ed. 1/97)
