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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	Hon.
v.	:	
	:	Crim. No. 15-
BOBBY BOYE,	:	
a/k/a "Bobby Ajiboye,"	:	18 U.S.C. § 1349
a/k/a "Bobby Aji-Boye"	:	

INFORMATION

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

Background

1. At all times relevant to this Information, unless otherwise indicated:

a. Defendant BOBBY BOYE, a/k/a "Bobby Ajiboye," a/k/a "Bobby Aji-Boye," ("BOYE") was a resident of Franklin Lakes, New Jersey, and was admitted to practice law in the State of New York. Starting in or about July 2010, defendant BOYE worked as an international petroleum legal advisor for the National Directorate of Petroleum Revenue within the Ministry of Finance of "Country A." As a legal advisor, defendant BOYE was responsible for, among other things, securing contracts with outside vendors for Country A's benefit.

b. Country A was a foreign sovereign nation. In or about February 2012, Country A marketed and solicited bids for a multimillion-dollar contract to provide legal and tax accounting advice to Country A (the "Contract").

As part of his role as an international petroleum legal advisor to Country A, defendant BOYE served on an approximately three-member committee responsible for reviewing and evaluating the submitted bids for the Contract (the "Bid Review Committee").

c. Founded in or about late March 2012 by defendant BOYE, Opus & Best Law Services LLC ("Opus & Best") purported to be an established, multinational law and accounting firm that employed a number of professionals and was experienced in the mining, oil, and gas industries. In reality, defendant BOYE created Opus & Best to facilitate the fraudulent scheme described herein and was its sole member. Indeed, the registered address for Opus & Best was a Jackson Heights, New York residence associated with defendant BOYE.

d. In or about April 2012, defendant BOYE opened a J.P. Morgan Chase Bank business checking account ending in 0399 for Opus & Best in New York, New York (the "Opus & Best 0399 Account"). Defendant BOYE was the sole signatory on the Opus & Best 0399 Account.

e. The Federal Reserve Bank of New York (the "Federal Reserve") operated an Automated Clearing House ("ACH") payments system that allowed customers, including Country A and others, to make payments electronically. The Federal Reserve's ACH processing site was located in East Rutherford, New Jersey.

f. Per the wiring instructions of Opus & Best, Country A wired a total of approximately $3,510,000 in Contract payments from a Country A account at the Federal Reserve (the "Country A Account") to the Opus & Best

0399 Account secretly controlled by defendant BOYE, which electronic payments were processed in East Rutherford, New Jersey and deposited into the Opus & Best Account in New York, New York.

The Conspiracy

2. From in or about March 2012 through in or about May 2013, in the District of New Jersey and elsewhere, defendant

BOBBY BOYE,
a/k/a "Bobby Ajiboye,"
a/k/a "Bobby Aji-Boye,"

did knowingly and intentionally conspire and agree with others, known and unknown, to devise a scheme and artifice to defraud Country A, and to obtain money and property from Country A by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme and artifice, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

Object of the Conspiracy

3. The object of the conspiracy was for defendant BOYE and others to enrich themselves by fraudulently obtaining lucrative consulting contracts from Country A for defendant BOYE's entity, Opus & Best.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that in or about March 2012, defendant BOYE and a family member (the "Relative") authored fraudulent documents submitted by Opus & Best to Country A, in connection with Opus & Best's bid for the multimillion-dollar Contract (collectively, the "Bid Documents").

5. It was further part of the conspiracy that defendant BOYE caused his Relative to create Opus & Best email accounts, including an email account for a purported partner at Opus & Best with the initials "D.L." (the "D.L. Email Account").

6. It was further part of the conspiracy that on or about March 17, 2012, defendant BOYE caused an email containing the Bid Documents to be sent from the D.L. Email Account to representatives of Country A, in order to "register [Opus & Best's] expression of interest and present a formal bid[.]"

7. It was further part of the conspiracy that the Bid Documents that defendant BOYE caused to be submitted contained a number of false statements and material misrepresentations that were intended to give Country A the misimpression that Opus & Best was a legitimate, established firm, including that:

a. "Opus & Best [wa]s a multi-disciplinary corporation, proving [sic] legal, accounting and economics services principally to the oil and gas sector. It is organized under the New York State laws as a limited liability corporation. Opus & Best was founded in 1985 and it is also registered as a legal and accounting services provider in Europe, Middle East and Africa";

b. "Opus &[ ]Best [wa]s endowed with first class talent of attorneys, accountants and economists performing services principally in the mining, oil and gas sector" (collectively, the "Opus & Best Employees"); and

c. Opus & Best's "Relevant Consulting Experience in the last Five (5) Years/References" purportedly included the "[p]rovision of consulting services" to another foreign sovereign nation ("Country B").

8. In reality, defendant BOYE created Opus & Best for the purpose of submitting the fraudulent Bid Documents. Moreover, Opus & Best employed no one other than defendant BOYE, let alone the professionals identified in the Bid Documents, and had never provided consulting services to Country B.

9. It was further part of the conspiracy that defendant BOYE failed to disclose, and caused others to fail to disclose, that his affiliation with Opus & Best created a conflict of interest and rendered him a third-party beneficiary of the proposed Contract. Indeed, in the Bid Documents' "Statement of any Potential Conflicts of Interest," defendant BOYE falsely "confirm[ed] that [Opus & Best] ha[d] no conflicts of interest in undertaking th[e] assignment[.]" Additionally, the Bid Documents falsely claimed that "there [we]re no third party beneficiaries to th[e] [proposed] Agreement" between Opus & Best and Country A.

10. It was further part of the conspiracy that in or about March 2012, defendant BOYE paid his Relative to create a website for Opus & Best, which contained numerous misrepresentations, including but not limited to, the following false claims regarding Opus & Best's credentials:

> Our professional tax advisors are simply the best in the business. We have over 40 top tax professionals, each with decades of high-level oil and gas tax/accounting experience spread across the Americas, Middle East, Europe, Africa and South East Asia. . . .
>
> Our experienced tax professionals, accountants and economists jointly bring an unparalleled breadth of industry experience to every engagement. We work with organizations to proactively and efficiently address tax matters connected with the business decisions in relation to the oil and gas industry. We provide tax advisory services on all aspects of oil and gas taxation and tax department operations to corporations. We also assist sovereign government revenue agencies to write tax laws, regulations, tax manuals and rulings.

11. It was further part of the conspiracy that defendant BOYE, as a trusted legal advisor to Country A, exploited his membership on the Bid Review Committee responsible for reviewing and scoring the bids submitted for the Contract, in order to steer the Country A Contract to Opus & Best. Largely based upon the misrepresentations discussed above and the recommendation of defendant BOYE, Country A awarded the lucrative Contract to Opus & Best in or about June 2012.

12. It was further part of the conspiracy that, on or about June 3, 2012, defendant BOYE and others caused Country A to enter into a "Contract for Consulting Services" with Opus & Best (the "Consulting Contract"), which Consulting Contract listed defendant BOYE as one of the two project coordinators acting on behalf of Country A. Unaware of defendant BOYE's undisclosed ties with Opus & Best, Country A relied upon defendant BOYE to, in substance and in part, faithfully "coordinat[e] [Opus & Best's] activities under th[e] [Consulting] Contract, . . . accept[] and approv[e] . . . [its] reports and . . . other deliverables . . . and . . . receiv[e] and approv[e] invoices for . . . payment."

13. It was further part of the conspiracy that defendant BOYE caused Country A to wire a total of approximately $3,510,000 to the Opus & Best 0399 Account, which wires were processed via transmissions from New Jersey to New York, as follows:

Approximate Date	Description of Wire Transmission
June 15, 2012	Country A wired approximately $1,080,000 from the Country A Account to the Opus & Best 0399 Account.
July 20, 2012	Country A wired approximately $432,000 from the Country A Account to the Opus & Best 0399 Account.
August 3, 2012	Country A wired approximately $720,000 from the Country A Account to the Opus & Best 0399 Account.
December 12, 2012	Country A wired approximately $648,000 from the Country A Account to the Opus & Best 0399 Account.
December 17, 2012	Country A wired approximately $630,000 from the Country A Account to the Opus & Best 0399 Account.

14. It was further part of the conspiracy that defendant BOYE and others attempted to fraudulently obtain additional payments from Country A in or about 2013. For example, on or about May 26, 2013, defendant BOYE and others caused an email to be sent from the D.L. Email Account to certain Country A representatives, attaching an invoice for a "final payment" of approximately $630,000, which "D.L." claimed was purportedly owed to Opus & Best under the Consulting Contract.

15. It was further part of the conspiracy that rather than disclosing his affiliation with Opus & Best to Country A, defendant BOYE and his coconspirators sought new opportunities to fraudulently obtain moneys from Country A. After registering an Opus & Best entity as a Hong Kong company in

or about December 2012 ("Opus & Best-Hong Kong"), defendant BOYE and others caused Opus & Best-Hong Kong, in partnership with a local Hong Kong law firm, to attempt to enter into a contract for "Tax Consulting and Advisory Services" with Country A in or about April 2013. In seeking this engagement, defendant BOYE failed to disclose, among other things, his involvement in Opus & Best-Hong Kong, and sought an advanced payment of approximately $250,000 from Country A. Country A did not accept the proposal, and defendant BOYE left Country A shortly thereafter.

The Proceeds of the Fraud

16. It was further part of the conspiracy that defendant BOYE diverted the more than approximately $3.5 million wired by Country A to Opus & Best for purported consulting services for his own personal use. For example, defendant BOYE used more than $2 million of the total proceeds of the fraud to purchase the following assets:

a. Four properties located in Ramsey, New Jersey, North Haledon, New Jersey, Oakland, New Jersey, and Elizabeth, New Jersey, respectively, for a total of more than approximately $1.5 million in cash;

b. Three luxury vehicles, namely a 2012 silver Bentley Continental for approximately $172,000, a 2012 black Range Rover for approximately $100,983, and a 2011 gray Rolls Royce Ghost for approximately $215,000; and

c. Two designer watches for, in total, almost $20,000.

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 alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 1349 set forth in this Information, the defendant, BOBBY BOYE, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all right, title, and interest in any property, real or personal, that constitutes or is derived from proceeds traceable to the offense charged in Count One of this Information. The property to be forfeited includes, but is not limited to, the following:

a. A sum of money equal to $4,233,015.42, representing the amount of proceeds obtained as a result of the offense of conviction; and

b. All of the defendant's right, title and interest in the following specific property, which was seized or restrained on or about June 19, 2014:

   i. The contents of J.P. Morgan Chase Bank Account number [redacted]0399, held in the name of Opus and Best, LLC (approximately $103.84);

   ii. Approximately $8,408 in U.S. currency seized from the defendant; and

   iii. All right, title, and interest, including all appurtenances and improvements thereon, in the following real properties:

      (a) 25 Crescent Hollow Court, Ramsey, New Jersey;
      (b) 36 Rosewood Court, North Haledon, New Jersey; and
      (c) 140 Grove Street, Elizabeth, New Jersey.

3. If any of the property described above, 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 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant, BOBBY BOYE, up to the value of the above-described forfeitable property.

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 15-_____

United States District Court
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UNITED STATES OF AMERICA

v.

BOBBY BOYE,
a/k/a "Bobby Ajiboye,"
a/k/a "Bobby Aji-Boye"

INFORMATION FOR

18 U.S.C. § 1349

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