

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

-v.- :

ZAKHIR SHIRINOV, :

Defendant. :

- - - - - X

INFORMATION

13 Cr.

COUNT ONE

(Conspiracy to Commit Mail and Wire Fraud)

The United States Attorney charges:

1. At all times relevant to this Information, Mission Settlement Agency, a/k/a Mission Abstract LLC ("Mission"), was a debt settlement company with offices located in Brooklyn and/or Manhattan.

2. From in or about July 2009 through in or about September 2012, ZAKHIR SHIRINOV, the defendant, was employed as a sales representative at Mission, and in that capacity, was responsible for recruiting prospective Mission customers by phone, by email, and in person. While employed at Mission, SHIRINOV defrauded consumers by fraudulently inducing them to enter into contracts with Mission by, among other things, lying to them about Mission's fees.

3. From at least in or about 2009 through in or about 2012, in the Southern District of New York and elsewhere, ZAKHIR SHIRINOV, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit mail fraud, in violation of Title 18, United States Code, Section 1341, and wire fraud, in violation of Title 18, United States Code, Section 1343.

4. It was a part and an object of the conspiracy that ZAKHIR SHIRINOV, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and would and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers and would and did take and receive therefrom, such matters and things, and would and did knowingly cause to be delivered by mail and such carriers according to the directions thereon, and at the places at which they were directed to be delivered by the persons to whom they were addressed, such

matters and things, in violation of Title 18, United States Code, Section 1341.

5. It was further a part and object of the conspiracy that ZAKHIR SHIRINOV, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Acts

6. In furtherance of the conspiracy and to effect its illegal objects, ZAKHIR SHIRINOV, the defendant, and his co-conspirators committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about 2011, a co-conspirator not named as a defendant herein caused a false and fraudulent solicitation letter to be mailed from California to prospective customers located around the country, including in New York, New York.

b. In or about 2012, SHIRINOV made false representations to another person by telephone from an office in New York, New York.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Mail Fraud)

The United States Attorney further charges:

7. From at least in or about 2009 through in or about 2012, in the Southern District of New York and elsewhere, ZAKHIR SHIRINOV, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and receive therefrom, such matters and things, and did knowingly cause to be delivered by mail and such carriers, according to the directions thereon, and at the places at which they are directed to be delivered by the persons to whom they are addressed, such matters and things, to wit, SHIRINOV participated in a scheme to defraud customers of

Mission by, among other things, lying to customers about the fees for Mission's purported "debt settlement" services, and in the course of executing such scheme, caused victims to mail checks and other documents to Mission's office in New York, New York.

(Title 18, United States Code, Sections 1341 and 2.)

COUNT THREE

(Wire Fraud)

The United States Attorney further charges:

8. From at least in or about 2009 through in or about 2012, in the Southern District of New York and elsewhere, ZAKHIR SHIRINOV, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, SHIRINOV participated in a scheme to defraud customers of Mission by, among other things, lying to customers about the fees for Mission's purported "debt settlement" services, and in the course of executing such scheme, caused numerous interstate telephone calls to be made to victims and caused numerous interstate electronic mailings to be

sent to victims, including from Mission's offices in New York, New York.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATIONS

9. As a result of committing the offenses alleged in Counts One through Three of this Information, ZAKHIR SHIRINOV, the defendant, 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, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offenses charged in Counts One through Three of this Information.

Substitute Asset Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.)

Preet Bharara

PREET BHARARA

United States Attorney

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(18 U.S.C. §§ 1349, 1343, 1341, and 2.)

PREET BHARARA
United States Attorney.
