

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

2019 NOV -7 P 12: 35

WILLIAM W. BLEVINS
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR WIRE FRAUD AND NOTICE OF FORFEITURE

UNITED STATES OF AMERICA

*

CRIMINAL NO: **19-231**

v.

*

SECTION: **SECT. EMAG. 4**

ANDREW JAMES VAN ATTA

*

VIOLATION: 18 U.S.C. § 1343

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* * *

The Grand Jury charges that:

COUNT 1
(Wire Fraud)

A. AT ALL TIMES MATERIAL HEREIN:

1. The defendant, ANDREW JAMES VAN ATTA ("VAN ATTA"), resided in or around New Orleans, Louisiana, which is in the Eastern District of Louisiana, and elsewhere.
2. VAN ATTA maintained several email accounts (collectively, the "Email Accounts") from a variety of domains, registered under his own name as well as under the names of others.

___ Fee _____
 ___ Process _____
 Dktd _____
 ___ CtRmDep _____
 ___ Doc. No. _____

3. VAN ATTA maintained two bank accounts at USAA Bank, for which he was the sole authorized signatory. VAN ATTA also maintained a bank account at Wells Fargo, for which he was the sole authorized signatory.

4. VAN ATTA attended medical school from 2013 through 2017, when he graduated and became a doctor.

5. Company 1 was a healthcare market research company that paid doctors to take surveys and then used that information to assist pharmaceutical companies. Company 1 maintained its servers in Virginia.

6. PayPal was a payment company. When doctors completed surveys with Company 1, Company 1 issued payments to the doctors via PayPal, to accounts designated by the doctors.

7. VAN ATTA maintained several accounts with PayPal, each associated with one or more of the Email Accounts (collectively, the "PayPal Accounts"). Each of the PayPal Accounts were able to transfer funds to, or receive funds from, other PayPal Accounts. Several of the PayPal Accounts were able to deposit funds into VAN ATTA's accounts at USAA Bank and Wells Fargo.

B. THE SCHEME TO DEFRAUD:

Beginning in or about January of 2017, and continuing until in or about May of 2018, in the Eastern District of Louisiana and elsewhere, the defendant, VAN ATTA, did knowingly devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, by completing surveys with Company 1 under false names, and using the Email Accounts, to induce Company 1 to make cash deposits into the PayPal accounts, allowing VAN ATTA to receive payments from Company

1 to which he was not entitled, and that Company 1 would not have paid if Company 1 had known that it was VAN ATTA filling out all of the surveys.

C. MANNER AND MEANS TO ACCOMPLISH THE SCHEME:

1. The manner and means by which VAN ATTA sought to accomplish the object and purpose of the scheme included, among other things, the following:

2. VAN ATTA began filling out surveys with Company 1 in or around March of 2017, when he was still a student in medical school. Company 1 would only pay for surveys created by licensed physicians who met certain criteria, so VAN ATTA could not complete them under his own name. A licensed physician who met the criteria could only complete a survey once. To impersonate multiple licensed physicians, VAN ATTA used the National Provider Identifier codes for actual physicians to create false accounts under their names with Company 1, using the Email Accounts.

3. VAN ATTA submitted the PayPal Accounts to receive payments from Company 1 for the surveys that he completed under the fake names. VAN ATTA maintained a log of the names associated with the Email Accounts and the survey topics for which he had completed surveys with Company 1.

4. Company 1 paid VAN ATTA for completed surveys by sending money to the PayPal Account associated with whichever Email Account VAN ATTA used to complete the survey. VAN ATTA then transferred the funds to his bank accounts at USAA Bank or Wells Fargo, in some cases after transferring the funds through other PayPal accounts. VAN ATTA's use of several of the PayPal Accounts allowed him to avoid receiving more than \$20,000 in any one of the PayPal Accounts, which would have led PayPal to request a taxpayer identification number from VAN ATTA.

5. Whenever **VAN ATTA** completed a survey with Company 1, it caused an electronic signal to be transmitted from his location to Company 1's servers in Virginia.

6. In total, **VAN ATTA** completed approximately 5,262 surveys with Company 1, and Company 1 paid **VAN ATTA** approximately \$114,944 through the PayPal Accounts.

D. THE EXECUTIONS:

Between on or about January 2, 2017, and continuing through August 16, 2017, in the Eastern District of Louisiana and elsewhere, the defendant, **VAN ATTA**, for the purpose of executing and attempting to execute the scheme and artifice to defraud set forth above, did transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures and sounds, namely, **VAN ATTA** electronically accessed Company 1's servers, which were in Virginia, multiple times while **VAN ATTA** was located in New Orleans, Louisiana, in furtherance of the scheme described above in Parts A, B, and C.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF FORFEITURE

1. The allegations of Count 1 are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offense alleged in Count 1, the defendant, **ANDREW JAMES VAN ATTA**, 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), any property real or personal which constitutes or is derived from proceeds traceable to said offense.

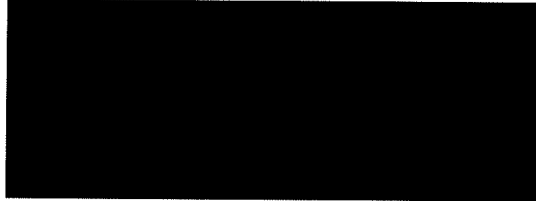
3. If any of the above-described property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

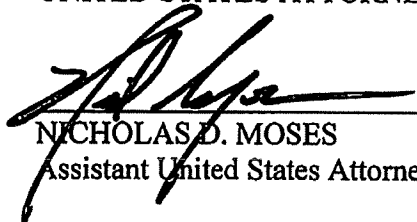
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States shall seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendant up to the value of said property.

A TRUE BILL:



PETER G. STRASSER
UNITED STATES ATTORNEY


NICHOLAS D. MOSES
Assistant United States Attorney

New Orleans, Louisiana
November 7, 2019