

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Criminal No. 15-
 :
 : 18 U.S.C. § 1341
 COURTNEY P. SHORTER : 18 U.S.C. § 2

INFORMATION

The defendant having waived in open court prosecution by Indictment, and the defendant having waived any defenses in open Court based upon any statutes of limitations, the United States Attorney for the District of New Jersey charges:

Background

1. At various times relevant to this Information:

The Defendant and Relevant Entities

- a. Defendant Courtney P. Shorter (“defendant SHORTER”), a resident of Roselle, New Jersey, and Memphis, Tennessee, owned Sam Shorter & Son Delivery Service LLC (“Shorter Delivery Service”).
- b. Shorter Delivery Service was a freight shipping and trucking company located in Long Valley, New Jersey.
- c. “Company A” was a medical devices, pharmaceutical, and consumer packaged goods manufacturer, which was located in New Brunswick,

New Jersey.

d. "Company B" was located in Edison, New Jersey, and manufactured insulated containers (the "Containers"), which it supplied to Company A.

e. "Company C" was a freight invoice processing company headquartered in Fort Myers, Florida that Company A at times used to pay freight invoices to trucking companies.

Company A's Business Relationship with Shorter Delivery Service

f. Company A used Shorter Delivery Service to deliver Containers it purchased from Company B to various Company A locations in New Jersey. Company A initially used the services of Company C to pay Shorter Delivery Service invoices for such shipments.

g. Defendant SHORTER would send invoices to Company C for freight charges that Shorter Delivery Service purportedly incurred on behalf of Company A. Company C would then bill Company A for reimbursement, and Company C would in turn pay Shorter Delivery Service after Company C received the monies from Company A.

The Scheme to Defraud

2. From at least as early as in or about 2008 and continuing through in or about April 2010, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

COURTNEY P. SHORTER,

did knowingly and intentionally devise a scheme and artifice to defraud Company A and Company C, and to obtain money and property from Company A and Company C by means of materially false and fraudulent pretenses, representations, and promises, as set forth below.

Object of the Scheme to Defraud

3. The object of the scheme to defraud was for defendant SHORTER to enrich himself by fraudulently charging Company A for transporting and delivering certain shipments of Containers from Company B to Company A when, in fact, those shipments were never made.

Methods and Means of the Scheme to Defraud

4. It was part of the scheme to defraud that defendant SHORTER prepared fraudulent invoices which sought payments for delivery of Containers from Company B to Company A, which Company A had neither ordered nor received, and which Shorter Delivery Service had never actually received.

5. It was further part of the scheme to defraud that defendant SHORTER and others acting with him or on of his behalf submitted over 1,725 of these fraudulent invoices for payment to Company C by facsimile from

Tennessee to Colorado, directing that payment be made by Company C to Shorter Delivery Service in New Jersey.

6. It was further part of the scheme to defraud that defendant SHORTER received approximately 55 checks in the total amount of approximately \$3,039,840 from Company C (the "Checks") in payment of the fraudulent invoices through the U.S. Postal Service from Company C's offices in Fort Myers, Florida, to a P.O. Box address that belonged to defendant SHORTER in Edison, New Jersey.

7. It was further part of the scheme to defraud that defendant SHORTER deposited and caused to be deposited the Checks into bank accounts that belonged to him.

8. It was further part of the scheme to defraud that defendant SHORTER used the approximately \$3,039,840 that he obtained from the above-described scheme to pay for a variety of personal expenses, including, for example, over \$120,000 in jewelry between January and October 2008.

9. On or about January 21, 2010, for the purpose of executing the scheme and artifice to defraud described above, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

COURTNEY P. SHORTER,

knowingly and intentionally caused to be delivered by mail from Company C in Fort Myers, Florida, to defendant SHORTER in Edison, New Jersey, according to the directions thereon a check issued by Company C to defendant SHORTER in

the amount of \$151,200 for purported transportation and delivery services, which, in fact, were never rendered.

In violation of Title 18, United States Code, Section 1341 and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are incorporated by reference as though set forth in full herein 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.

2. The United States hereby gives notice to defendant SHORTER that, upon conviction of the offense charged in this Information, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1341, alleged in this Information, including but not limited to a sum of money equal to at least \$3,039,840 in United States currency.

3. If by any act or omission of defendant SHORTER any of the property subject to forfeiture described in paragraph 2 herein:

- 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 subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of defendant SHORTER up to the value of the property described in this forfeiture allegation.

A handwritten signature in cursive script, reading "Paul J. Fishman". The signature is written in black ink and is positioned above a horizontal line.

PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER:

**United States District Court
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UNITED STATES OF AMERICA

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COURTNEY P. SHORTER

INFORMATION FOR

18 U.S.C. § 1341

18 U.S.C. § 2

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