

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	Hon.
v.	:	
	:	Crim. No. 18-
STEVEN NACIM,	:	
a/k/a "Fouad"	:	18 U.S.C. § 371

S U P E R S E D I N G   I N F O R M A T I O N

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 Superseding Information, unless otherwise indicated:
  - a. Defendant STEVEN NACIM, a/k/a "Fouad," owned and operated a business known as Computer 3000, based in East Rutherford, New Jersey and Casablanca, Morocco.
  - b. Co-conspirator #1 ("CC-1"), a co-conspirator who is not named as a defendant herein, was a cousin of defendant STEVEN NACIM and an employee of Computer 3000.
  - c. Defendant STEVEN NACIM was a signatory on a bank account at Fleet Bank in Hackensack, New Jersey, in the name of Computer 3000 (the "Computer 3000 Account").
  - d. CC-1 was a signatory on a bank account at JPMorgan Chase

Bank, N.A. ("Chase Bank"), in the name of a company called Actual Systems (the "Actual Systems Account").

e. Co-conspirator #2 ("CC-2"), a co-conspirator who is not named as a defendant herein, was a signatory on a bank account at Columbia Savings Bank in Fair Lawn, New Jersey, in the name of a company called PC Tech (the "PC Tech Account").

f. Fleet Bank, Chase Bank, and Columbia Savings Bank were financial institutions as defined in Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.

#### The Conspiracy

2. From in or about March 2002 through in or about April 2002, in the District of New Jersey and elsewhere, defendant

STEVEN NACIM,  
a/k/a "Fouad,"

did knowingly and intentionally conspire and agree with CC-1 and CC-2 to execute and attempt to execute a scheme and artifice to defraud financial institutions and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, those financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

#### Goal of the Conspiracy

3. The object of the conspiracy was for defendant STEVEN NACIM, CC-1, and CC-2 to obtain money by fraudulently passing a check drawn on

insufficient funds through financial institutions in the United States for their own personal benefit and for the benefit of defendant STEVEN NACIM's computer retail business in Morocco.

The Manner and Means of the Conspiracy

4. It was a part of the conspiracy that on or about April 2, 2002, defendant STEVEN NACIM obtained a check in the amount of approximately \$289,326, payable to Computer 3000, which was drawn on CC-1's Actual Systems Account. Defendant STEVEN NACIM obtained this check from CC-1 despite the fact that (a) Actual Systems did not have any legitimate business with Computer 3000 related to the approximately \$289,326; and (b) at no time during the period from on or about March 12, 2002 to April 9, 2002 did the balance in CC-1's Actual Systems Account exceed approximately \$4,500.

5. It was a further part of the conspiracy that on or about April 3, 2002, the check described in Paragraph Four was deposited in defendant STEVEN NACIM's Computer 3000 Account. On or about that date, the balance in the payor account — CC-1's Actual Systems Account — was only approximately \$40.66.

6. It was a further part of the conspiracy that on or about April 4, 2002, at approximately 7:30 a.m., defendant STEVEN NACIM wire transferred approximately \$255,000 from the Computer 3000 Account into CC-2's PC Tech Account. Fleet Bank made those funds available in the Computer 3000 Account based on the prior day's deposit of the Actual Systems Check.

7. It was a further part of the conspiracy that also on or about

April 4, 2002, at approximately 7:30 a.m., defendant STEVEN NACIM called CC-2 and instructed CC-2 to wire approximately \$220,900 of the approximately \$255,000 out of the PC Tech Account and into two accounts, discussed below, for the benefit of defendant STEVEN NACIM and his co-conspirators. As compensation for passing the money through the PC Tech Account, defendant STEVEN NACIM and CC-2 agreed that CC-2 would keep approximately \$10,000 of the \$255,000 that defendant STEVEN NACIM wired into the PC Tech Account.

8. It was a further part of the conspiracy that also on or about April 4, 2002, CC-2 wired approximately \$32,900 from the PC Tech Account to a Commercial Bank account in the name of IntelTek, Inc. (the "IntelTek Account"). This wire transfer from the PC Tech Account to the IntelTek Account was not related to any legitimate business transaction between PC Tech and IntelTek.

9. It was a further part of the conspiracy that also on or about April 4, 2002, CC-2 caused approximately \$188,000 to be wired from the PC Tech Account to a Chase Bank account in the name of MaTek, Inc. (the "MaTek Account"), an account controlled by a family member of defendant STEVEN NACIM (the "Relative"). This wire transfer from the PC Tech Account to the MaTek Account was not related to any legitimate business transaction between PC Tech and MaTek.

10. It was a further part of the conspiracy that defendant STEVEN NACIM caused the \$188,000 that had been wired into the Relative's MaTek

Account to be used to fund the purchase of computer equipment for defendant STEVEN NACIM's computer retail business in Morocco.

11. As a result of the fraudulent check and wire transactions described in Paragraphs Four through Ten above, Fleet Bank incurred a loss in the amount of approximately \$240,580.

12. It was a further part of the conspiracy that on or about April 5, 2002, defendant STEVEN NACIM closed the Computer 3000 business in East Rutherford, New Jersey. A day later, on or about April 6, 2002, defendant STEVEN NACIM left the United States for Casablanca, Morocco. Also in or about April 2002, CC-1 left the United States for Casablanca, Morocco.

13. It was a further part of the conspiracy that at the time of their departures to Casablanca, Morocco, defendant STEVEN NACIM and CC-1 had passed a fraudulent check through financial institutions in the amount of approximately \$289,326, and used a large portion of the proceeds for the benefit of defendant STEVEN NACIM's computer retail business in Morocco.

#### Overt Acts

14. In furtherance of the conspiracy and to effect the object thereof, defendant STEVEN NACIM and his co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. On or about April 2, 2002, defendant STEVEN NACIM obtained a check from CC-1, drawn on the Actual Systems Account, in the amount of approximately \$289,326.

b. On or about April 3, 2002, defendant STEVEN NACIM deposited or caused the deposit of the approximately \$289,326 check into the Computer 3000 Account.

c. On or about April 4, 2002, defendant STEVEN NACIM directed a wire transfer of approximately \$255,000 from the Computer 3000 Account into CC-2's PC Tech Account.

In violation of Title 18, United States Code, Section 371.

## FORFEITURE ALLEGATIONS

1. As the result of committing the offense constituting a specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7), as alleged in this Superseding Information, defendant STEVEN NACIM shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said conspiracy offense, and all property traceable thereto, including but not limited to \$240,580.00 in United States currency.

### Substitute Assets Provision

2. If any of the above-described forfeitable 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;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

  
CRAIG CARPENITO  
United States Attorney

CASE NUMBER: 18-\_\_\_\_\_

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

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**UNITED STATES OF AMERICA**

**v.**

**STEVEN NACIM  
(a/k/a "Fouad")**

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**SUPERSEDING INFORMATION FOR**

18 U.S.C. § 371

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**CRAIG CARPENITO**

*UNITED STATES ATTORNEY, NEWARK, NEW JERSEY*

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