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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**  
 :  
 v. : Honorable Edward S. Kiel  
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 RUBY BARONI and : Mag. No. 20-15328  
 ROLANDO VELOSO :  
 : **FILED UNDER SEAL**

I, Justyna Ramotowski, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Postal Inspector with the United States Postal Inspection Service, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

*/s/ Justyna Ramotowski/AMT*

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Justyna Ramotowski, Postal Inspector  
U.S. Postal Inspection Service  
*Postal Inspector Justyna Ramotowski attested to this  
Affidavit by telephone pursuant to FRCP 4.1(b)(2)(A).*

Sworn to before me and subscribed in my presence,  
August 3, 2020, Essex County, New Jersey

Honorable Edward S. Kiel  
United States Magistrate Judge

*/s/ Edward S. Kiel/AMT*  
\_\_\_\_\_  
Signature of Judicial Officer

**ATTACHMENT A**

**COUNT 1**  
**(Conspiracy to Commit Wire Fraud)**

From at least as early as in or about October 2010 through in or about August 2016, in Bergen County, in the District of New Jersey and elsewhere, the defendants,

**RUBY BARONI and**  
**ROLANDO VELOSO,**

did knowingly and intentionally conspire and agree with each other and others 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, and for the purpose of executing such scheme and artifice to defraud, to transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, writings, signs, signals, and sounds, contrary to Title 18, United States Code, Section 1343.

In violation of Title 18, United States Code, Section 1349.

## **ATTACHMENT B**

I, Justyna Ramotowski, am a Postal Inspector with the United States Postal Inspection Service. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and photographs of the evidence. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

### **Background**

1. At times relevant to this Complaint:
  - a. Company-A was a for-profit guided-tour operator incorporated in New Jersey, with its principal place of business in East Rutherford, New Jersey.
  - b. CC-1 was employed by Company-A from in or about 1989 through in or about August 2016. From in or about 1996 through in or about August 2016, CC-1 held a management position at Company-A. In that position, CC-1 was responsible for, among other things, arranging for various CC-1 employees and independent contractors to receive payment. CC-1 is a relative of Defendant Rolando Veloso.
  - c. Defendant Ruby Baroni (“BARONI”) resided in or around Lyndhurst, New Jersey, and was employed as an Accounting Manager at Company-A from in or about 2007 through in or about August 2016. As the Accounting Manager, BARONI had access to Company-A’s checking accounts and was authorized to issue checks from these accounts on behalf of Company-A.
  - d. Defendant Rolando Veloso (“VELOSO”) resided in or around Rutherford, New Jersey. At times, VELOSO performed information-technology work for Company-A as an independent contractor.

### **The Conspiracy**

2. From at least as early as in or about October 2010 through in or about August 2016, BARONI, VELOSO, CC-1, and others (the “Conspirators”) orchestrated a large-scale and multifaceted scheme to embezzle funds from Company-A (the “Conspiracy”). All told, the Conspirators embezzled over \$1 million in funds from Company-A during this period, which the Conspirators converted to their personal use.

3. The Conspirators embezzled funds from Company-A through various means, including those set forth below.

**A. The Phony Checks Scheme**

4. At times relevant to this Complaint, Company-A maintained checking accounts at Bank-1 (the “Bank-1 Account”) and Bank-2 (the “Bank-2 Account”) (collectively, the “Checking Accounts”).

5. As Accounting Manager, BARONI was authorized to write checks on behalf of Company-A drawn against the Checking Accounts. BARONI was authorized to sign checks on Company-A’s behalf up to \$10,000; checks exceeding \$10,000 required additional authorization from a Company-A executive.

6. At various times throughout the Conspiracy, CC-1 asked BARONI to issue checks drawn against the Checking Accounts to either (i) cash, (ii) various actual Company-A employees and contractors, (iii) various fictitious individuals, or (iv) various shell entities formed by VELOSO, none of which ever conducted any legitimate actual business of which law enforcement is aware (the “Velo Shell Entities”) (collectively, the “Fraudulent Checks”). None of the Fraudulent Checks aligned with legitimate services or labor provided by these individuals or entities to Company-A.

7. Bank records show that, after issuing certain Fraudulent Checks, BARONI succeeded in cashing them at various Bank-1 branches in or around Bergen County, New Jersey—including checks made out to actual Company-A employees and contractors, and to fictitious people, all other than BARONI herself. Indeed, certain of the successfully negotiated Fraudulent Checks were endorsed with BARONI’s signature and driver’s license number.

8. The Conspirators then converted this cash to their personal use.

9. As just one example of the Phony Checks Scheme:

a. On or about May 11, 2016, BARONI issued a check for approximately \$3,875 from Company-A to Individual-1, an independent contractor of Company-A. The check was cashed at a Bank-1 branch in East Rutherford, New Jersey, on or around the same day.

b. Law enforcement has determined, however, that Individual-1 was out of the country at the time this check was cashed. Law enforcement has also determined that the endorsement on the back of this check was not Individual-1’s actual signature. Law enforcement has further determined that Individual-1 was not owed this money by Company-A.

10. Certain other of the Fraudulent Checks were endorsed to the certain business entities formed and maintained by VELOSO mentioned above, none of which ever conducted any legitimate actual business of which law enforcement is aware (the “Veloso Shell Entities”). VELOSO at times performed some information-technology work for Company-A as an independent contractor, but he did so through a single separate business entity that was not one of the Veloso Shell Entities.

11. Company-A records show that the Conspirators caused vendor accounts to be created for the Veloso Shell Entities in Company-A’s accounting system, allowing for payments to be made from Company-A to the Veloso Shell Entities.

12. During the Conspiracy, CC-1 asked BARONI to issue checks from Company-A to the Veloso Shell Entities. In fact, however, none of the Veloso Shell Entities ever provided any services to Company-A. Nor did BARONI receive invoices or other documents to support these payments, either from CC-1 or from other sources. BARONI nevertheless issued Fraudulent Checks requested by CC-1 to the Veloso Shell Entities.

13. Bank records obtained by law enforcement show that VELOSO caused these checks to be either cashed or deposited and converted the resulting funds to his personal use.

14. For example, from in or about May 2015 through in or about March 2016, BARONI issued eight checks totaling around \$65,437.50 from the Checking Accounts to a Veloso Shell Entity. No invoices were submitted documenting work done by that Veloso Shell Entity for Company-A—and, in fact, no work ever was done by that Veloso Shell Entity for Company-A.

15. Nevertheless, these eight checks were cashed, which caused \$65,437.50 to be deposited into a bank account owned and controlled by VELOSO.

16. Moreover, in or around December 2015, the principal of Company-A sent an email to multiple Company-A employees, including BARONI, regarding VELOSO (the “December 2015 Email”). In that email, the principal explained that Company-A would no longer contract VELOSO for services and instructed that no further payments be made to VELOSO without the principal’s authorization.

17. Nevertheless, BARONI cut at least one check to a Veloso Shell Entity after the December 2015 Email was sent—and VELOSO converted the funds received from that check to his personal use.

18. In this manner, through the issuance of Fraudulent Checks drawn on Company-A Checking Accounts, the Conspirators embezzled around \$817,000 from Company-A.

## **B. The Company Credit Card Scheme**

19. Company-A issued CC-1 a company credit card serviced by Issuer-1 for incidental work-related expenses (the "Company Card"). CC-1 was instructed and expected to submit receipts, expense reports, and other supporting documents to verify that the charges accrued to the Company Card were work-related. CC-1 was instructed and expected to submit these documents to BARONI, who in turn was instructed and expected to review these documents, verify that all accrued charges were work-related, and submit payment from Company-A to Issuer-1 for those charges.

20. From in or around November 2012 through in or around April 2016, records provided by Issuer-1 and other sources show that CC-1 permitted VELOSO to use the Company Card to incur charges while rendering services purportedly provided by certain of the Veloso Shell Entities. None of these Veloso Shell Entities, however, in fact provided services to Company-A. No expense reports, invoices, or other supporting documents were ever provided to BARONI by CC-1 or any other source to validate the overwhelming majority of these charges.

21. Bank records show that VELOSO then converted the funds obtained through these fraudulent charges for his personal use.

22. As just one example, records obtained by law enforcement show that VELOSO took a trip to Las Vegas between on or about April 10, 2014 through on or about April 13, 2014. On or about April 11, 2014, one of the Veloso Shell Entities charged around \$4,895 to the Company Credit Card. That shell entity had performed no work for Company-A, and Company-A owed that shell entity no amount of money, much less the charged \$4,895. Records obtained by law enforcement demonstrate that this charge was initiated in Las Vegas.

23. Records obtained by law enforcement further show that VELOSO converted to his personal use the \$4,895 that the Veloso Shell Entity received by charging the Company Credit Card and that BARONI issued corresponding payment to Issuer-1.

24. Additionally, records obtained by law enforcement show that at least three further charges were made to the Company Credit Card by a Veloso Shell Entity and paid for by Company-A after the December 2015 Email was sent.

25. In this manner, the Conspirators embezzled approximately \$200,500 from Company-A.

## Coordination and Concealment of the Conspiracy

26. Law enforcement has obtained evidence demonstrating coordination among the Conspirators to both execute and conceal the Conspiracy. For example, law enforcement has reviewed the Company-A email accounts of both CC-1 and BARONI, who exchanged multiple emails in furtherance of the Conspiracy. Much of this email correspondence was in Spanish; I have provided rough translations to English where noted below.

27. In one April 2016 email exchange between CC-1 and BARONI, the two Conspirators wrote (translated from Spanish):

a. CC-1 emailed BARONI: "I need you to please make me these checks." The requested checks were to be made out to three individuals, apparently in connection with the Phony Checks Scheme. The amounts varied from \$1900 to \$2800.

b. BARONI replied two hours later: "Girlie, tell me, you want me to cash them at [Bank-1]?"

c. CC-1 then replied: "Yes to cash – all yours kisses and 'delete'"

28. In one December 2015 email exchange between CC-1 and BARONI, the two Conspirators wrote (translated from Spanish):

a. CC-1 emailed BARONI: "[Company-A's owner] is not coming to the office so I'm going to take advantage and go shopping for a gift for my secret friend. These checks if you can cut them and cash them. See you later. Thanks. [CC-1]". CC-1 requested checks to three individuals in amounts ranging from \$2200 to \$4200.

b. BARONI replied around 90 minutes later: "**Ho Ho Ho Santa!!**" (Emphasis added.)

29. In or around April 2016, CC-1 and BARONI began to worry that the principal of Company-A was becoming aware of the Conspiracy. Also in or around April 2016, CC-1 and BARONI exchanged the following emails on their Company-A accounts (translated from Spanish):

a. CC-1 emailed BARONI: "When you want to write me something, use [CC-1's personal email account] from your 'mail' so that way nobody can read anything. Everything ok. Thankssss as always."

b. BARONI replied: "Well yes, better . . . ."

c. BARONI then forwarded this email exchange to her personal email account.