

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 21-
:
v. : 18 U.S.C. § 1349
:
JOSEPH SPACCAVENTO :

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:

COUNT ONE
(Conspiracy to Commit Wire Fraud)

1. At all times relevant to this Information:
 - a. Defendant JOSEPH SPACCAVENTO ("SPACCAVENTO") was a resident of Bergen County, New Jersey.
 - b. The Victim Company was a security systems supplier with an office in Ridgefield Park, New Jersey.
 - c. The Predecessor Victim Company was a developer of software and hardware technologies for video surveillance that was acquired by the Victim Company in or around November 2015 (together with the Victim Company, the "Victim Companies").
 - d. SPACCAVENTO was an employee of the Victim Companies whose responsibilities included serving as accounts payable manager and Assistant Controller.
 - e. Co-Conspirator Melissa Corso ("Co-Conspirator Corso") was

an employee of the Victim Companies responsible for coordinating the collection of customer payments and applying payments to customer invoices.

The Conspiracy to Defraud

2. From in or around February 2013 through in or around September 2018, in the District of New Jersey and elsewhere, defendant

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did knowingly and intentionally conspire and agree with 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, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

Goal of the Conspiracy

3. The goal of the conspiracy was for SPACCAVENTO and Co-conspirator Corso to enrich themselves by diverting payments intended for the Victim Companies to an account that they controlled, and then spending the Victim Companies' funds on personal expenses.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that:

a. Co-Conspirator Corso instructed certain customers of the Victim Companies to submit their payments to an online payment account registered in SPACCAVENTO's name and associated with Co-Conspirator

Corso's work email address (the "Scheme Account"). In reality, the Scheme Account was not authorized by the Victim Companies to receive these payments.

b. SPACCAVENTO and Co-Conspirator Corso caused withdrawals to be made from the Scheme Account and diverted the funds to other online payment accounts linked to personal email accounts of SPACCAVENTO, Co-Conspirator Corso, and others.

c. In addition, SPACCAVENTO and Co-Conspirator Corso caused transfers of funds from the Scheme Account to various commercial retailers to pay for personal expenses, including eBay; AutoZone, Inc.; Bloomingdales; Best Buy; Dick's Sporting Goods; GrubHub; Forever 21; Louis Vuitton; MAC Cosmetics; and Target. Purchases from these commercial retailers were shipped to the home and/or work addresses of SPACCAVENTO, Co-Conspirator Corso, and others.

d. Co-Conspirator Corso used false documents, including fraudulent customer statements and internal accounting records of the Victim Company, to cover up the diversion of the Victim Companies' funds.

e. By fraudulently diverting funds for their personal gain, SPACCAVENTO and Co-Conspirator Corso caused the Victim Companies losses of approximately \$516,857.70.

All in violation of Title 18, United States Code, Section 1349.

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. As a result of committing the offense charged in Count One of this Information, defendant

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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 said offense, and all property traceable thereto.

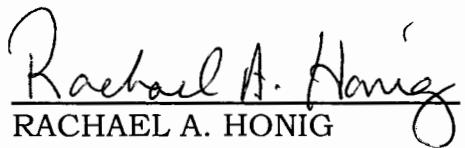
Substitute Assets Provision

3. 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.


RACHAEL A. HONIG
Acting United States Attorney

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v.

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INFORMATION FOR

18 U.S.C. § 1349

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