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

UNITED STATES OF AMERICA

v.

SAMUEL J. MANCINI,
a/k/a "Samuel Gamel"
a/k/a "Samuel J. Gamel"

:
: Hon. Edward S. Kiel
:
: Mag. No. 21-15244
:
: CRIMINAL COMPLAINT
:
: **FILED UNDER SEAL**

I, Elizabeth S. Hornberger, 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 Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

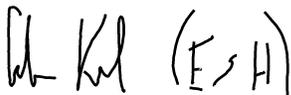
SEE ATTACHMENT B

continued on the attached pages and made a part hereof.



Elizabeth S. Hornberger
Special Agent
Federal Bureau of Investigation

Special Agent Hornberger attested to this Affidavit by telephone pursuant to F.R.C.P. 4.1(B)(2)(A) on this 15th day of July, 2021.



HONORABLE EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

**Count One
(Securities Fraud)**

From at least as early as in or around February 2020 through in or around July 2021, in the District of New Jersey and elsewhere, defendant

SAMUEL J. MANCINI

by use of the means and instrumentalities of interstate commerce, the mails, and facilities of national securities exchanges, directly and indirectly, knowingly and willfully used manipulative and deceptive devices and contrivances in contravention of Title 17, Code of Federal Regulations, Section 240.10b-5 in connection with the purchases and sales of securities, to wit, units of interest in OCP Italia Fund LLC, by (a) employing devices, schemes and artifices to defraud; (b) making untrue statements of material fact and omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engaging in acts, practices and courses of business which operated and would operate as a fraud and deceit upon persons, namely, persons with units of interest in OCP Italia Fund LLC.

In violation of Title 15, United States Code, Sections 78j(b) and 78ff, Title 17, Code of Federal Regulations, Section 240.10b-5, and Title 18, United States Code, Section 2.

Counts Two and Three
(Wire Fraud)

From at least as early as in or around February 2020 through in or around July 2021, in the District of New Jersey and elsewhere, defendant

SAMUEL J. MANCINI

knowingly and intentionally devised and intended 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 and attempting to execute such scheme and artifice, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, the following writings, signs, signals, pictures, and sounds, each constituting a separate count of this Complaint.

Count	Approximate Date	Description
Two	May 29, 2020	Interstate wire related to wire transfer of \$300,000 fraudulently obtained from Victim 1 and Victim 1's spouse
Three	May 29, 2020	Interstate wire related to wire transfer of \$100,000 fraudulently obtained from Victim 1, through a trust controlled by Victim 1

In violation of Title 18, United States Code, Section 1343 and Title 18, United States Code, Section 2.

Count Four
(Money Laundering - Unlawful Monetary Transaction)

On or about November 13, 2020, in the District of New Jersey and elsewhere, defendant

SAMUEL J. MANCINI

did knowingly engage and attempt to engage in a monetary transaction by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a greater value than \$10,000, that is, the transfer of approximately \$15,000 from OCP Italia Fund LLC's account at Bank B to Individual 1's bank account at Bank D, such property having been derived from a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343.

In violation of Title 18, United States Code, Section 1957 and Section 2.

ATTACHMENT B

I, Elizabeth S. Hornberger, am a Special Agent of the Federal Bureau of Investigation. The information contained in the Complaint is based upon my personal knowledge, as well as information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of relevant facts; (b) my review of publicly available information; and (c) my review of evidence, including business records, bank records, and other documents and records. Because this affidavit is submitted for the limited purpose of establishing probable cause, I have not set forth each and every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated. 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.

Individuals and Entities

1. At all times relevant to this Complaint, unless otherwise indicated:
 - a. Defendant SAMUEL J. MANCINI (“MANCINI”) was a resident of Denver, Colorado.
 - b. “Co-Conspirator 1” was a resident of Laguna Beach, California.
 - c. Outdoor Capital Partners LLC (“OCP”) purported to be a venture capital and private equity firm incorporated in Delaware with a principal place of business in Denver, Colorado. MANCINI and Co-Conspirator 1 were the co-managing directors and co-chief executive officers of OCP.
 - d. OCP Italia Fund LLC (“OCP Italia” or “the Fund”) was a private fund established in Delaware with a principal place of business in Denver, Colorado. OCP, controlled by MANCINI and Co-Conspirator 1, served as managing director of OCP Italia.
 - e. OCP Italia SRL was an Italian company wholly owned by OCP Italia purportedly established to facilitate certain OCP Italia acquisitions.
 - f. OCPItalus LLC (“OCPItalus”), established in Delaware with a principal place of business in Denver, Colorado, was wholly owned by OCP Italia and was purportedly established to manage retail and marketing operations for certain acquisitions to be executed by OCP Italia.
 - g. “Victim 1” was an individual residing in New Jersey. Victim 1 and Victim 1’s spouse were investors and members of OCP Italia. Victim 1 and

Victim 1's spouse are associated with a trust that was an investor and member of OCP Italia.

h. "Victim 2" was an individual residing in Massachusetts. Victim 2 is associated with a trust that was an investor and member of OCP Italia.

i. "Victim 3" was an individual residing in New Jersey and Colorado. Victim 3 was an investor and member of OCP Italia. Victim 3 also is associated with a trust that was an investor and member of OCP Italia.

j. "Victim 4" was an individual residing in New York. Victim 4 was an investor and member of OCP Italia.

k. "Victim 5" was a limited liability company registered in Miami, Florida. Victim 5 was an investor and member of OCP Italia.

l. OCP Italia maintained a bank account at "Bank A" (the "09401 Account"), which was headquartered in New York, New York. MANCINI was the sole signatory on the 09401 Account.

m. OCP Italia maintained a bank account at "Bank B" (the "2285 Account"), which was headquartered in Denver, Colorado. MANCINI was the sole signatory on the 2285 Account.

n. OCPItalus maintained a bank account at Bank B (the "6351 Account"). MANCINI and Co-Conspirator-1 were both signatories on the 6351 Account.

o. OCP Italia maintained a bank account at "Bank C" (the "1127 Account"), which was headquartered in Glenwood Springs, Colorado. MANCINI was the sole signatory on the 1127 Account.

p. Individual-1, MANCINI's spouse who resided in Denver, Colorado, maintained two bank accounts at "Bank D" (the "2323 Account" and "3338 Account"), which was headquartered in Birmingham, Alabama. Individual-1 was the sole signatory on the 2323 and 3338 Accounts.

Overview

2. From at least as early as in or around February 2020 through in or around July 2021, MANCINI orchestrated an investment fraud scheme and fraudulently obtained more than approximately \$10 million from victims (the "Victim Investors"). As part of the scheme, MANCINI promised investors that he was raising approximately \$20 million, including approximately \$5 million of his own money, for a private fund (*i.e.*, OCP Italia or the Fund) to invest solely in acquiring controlling interests in three Italian cycling companies ("Company 1,"

“Company 2,” and “Company 3”) (the “Acquisitions”), which were to take place soon after the Fund closed.

3. To induce investments, investors were promised approximately 70 percent of the Fund’s operating profits. To date, the Acquisitions have not occurred. Instead of making the Acquisitions, MANCINI defaulted on contracts, diverted investor funds out of OCP Italia for purposes inconsistent with the Acquisitions and, in certain instances, paid investor funds to other investors seeking redemption. When confronted with requests for transparency and redemptions by certain investors in OCP Italia, MANCINI failed to honor the redemption requests, made misrepresentations about his inability to honor the redemption requests, misstated and omitted material facts, and provided certain investors with forged, modified, or otherwise fraudulent documentation.

MANCINI Defrauds the May-June 2020 Victim Investors

4. MANCINI began soliciting money from the Victim Investors for investment in OCP Italia at least as early as February 2020.

5. In or around May 2020, MANCINI communicated with multiple Victim Investors located in New Jersey, New York, and Massachusetts, including Victim 1, Victim 2, Victim 3, and four other investors (together, the “May-June Victim Investors”) regarding a potential investment into OCP Italia. MANCINI made misrepresentations and omissions to induce each of the May-June Victim Investors to invest in the Fund.

6. For instance, as part of the scheme, MANCINI misrepresented his contribution to the Fund on multiple occasions, including to induce investors to invest in the Fund. In particular, in communications with potential investors, including the May-June Victim Investors, MANCINI indicated that he was making a significant personal investment in OCP Italia.

- a. For example, in an email to Victim 1 in or around May 2020, MANCINI stated that there were no fees associated with the Fund because MANCINI had “so much invested” and therefore benefited “from the investment side more.”
- b. Likewise, in an email to Victim 2 in or around May 2020, MANCINI stated that he was “putting in \$5M of my own capital.”
- c. The offering statement summarizing the Fund opportunity (the “Offering Statement”) likewise stated that “OCP is raising up to \$15MM alongside its founders \$5MM”

7. MANCINI’s claim that he made a substantial personal investment in OCP Italia was significant to the May-June Victim Investors’ decision to invest in the Fund.

8. Over the course of the scheme, MANCINI repeatedly misrepresented his finances and misrepresented his contribution to OCP Italia. Based on a review of bank accounts associated with MANCINI and his related entities, there is no evidence to support MANCINI's claim that he contributed any money to OCP Italia, either personally or through any entity, or that he at any point had the means to do so.

9. The Offering Statement made other misstatements. For instance, in the Offering Statement, MANCINI claimed that OCP Italia retained a prominent accounting firm (the "Accounting Firm") for "consulting and accounting services." According to a representative for the Accounting Firm, the Accounting Firm was never retained to perform accounting services for OCP Italia.

10. MANCINI also misrepresented OCP Italia's ability to close on the Acquisitions. In conversations with the May-June Victim Investors, MANCINI communicated that he was raising the final capital needed to close the Fund and move forward with the Acquisitions. A document MANCINI provided to Victim 1 likewise provided that each Acquisition would take place by June 2020. Consistent with this timeline, the Offering Statement's Executive Summary stated that the Fund was in the "Friends final investment round, \$2-5 range million USD," further indicating that the Acquisitions would be imminent. The Operating Agreement sent to and signed by investors, including Victim 1, provided that if the Acquisitions did not take place within three months of placement of the funds, then the funds would be returned. The Operating Agreement also provided that the units of ownership purchased by investors of the Fund are securities.

11. MANCINI has not closed any of the Acquisitions. On or about November 13, 2020, MANCINI sent an email to the Victim Investors stating that OCP Italia would no longer be acquiring Company 3. Despite the fact that one of the three companies would no longer be acquired, MANCINI did not redeem any investor money at this time. According to a representative for Company 1 and Company 2 (the "Representative"), MANCINI has never closed on the Acquisitions of either Company 1 or Company 2. Moreover, according to the Representative, MANCINI breached multiple agreements for failure to pay necessary funds to Company 1 and Company 2. Despite the fact that the Fund has not acquired any of the Companies, on or about April 27, 2021, MANCINI wrote in an investor update email that "We are now closed with [Company 2]."

12. MANCINI also misled investors about his educational background. When MANCINI reached out to and communicated with the May-June Victim Investors, he represented himself as a graduate of the same prestigious military academy ("the "Academy") from which certain of the May-June Victim Investors had also graduated. Moreover, in his online business profile and in materials provided to investors, MANCINI represented himself as an "alumnus" of the Academy. The fact that MANCINI was purportedly a graduate of the Academy

was important to certain of the investors, including investors who had graduated from this institution, as it provided investors with a sense of trust in MANCINI. Law enforcement subsequently learned that MANCINI had failed to graduate from the Academy due to an ethical violation, a fact that he failed to disclose to investors.

13. Based on these misrepresentations, omissions, and others, as well as MANCINI's explanation of the Acquisitions and fund strategy to Victim 1, Victim 1 invested a total of \$400,000 in OCP Italia. Specifically, on or about May 29, 2020, Victim 1 sent two wires to the 09401 Account, one in the amount of \$300,000 and one in the amount of \$100,000.

14. In addition, between May to June 2020, the remaining May-June Victim Investors invested a total of approximately \$1,675,000 in OCP Italia.

15. In addition to the May-June Victim Investors, law enforcement has identified other victims and potential victims over the course of the investigation. In total, law enforcement has identified approximately \$10 million in investments into OCP Italia between in or around February 2020 through in or around May 2021.

16. For instance, law enforcement spoke to Victim 4, who graduated from the Academy. When MANCINI reached out to Victim 4 via email, MANCINI identified himself as a classmate at the Academy. MANCINI indicated to Victim 4 that MANCINI was the primary investor in the Fund. Victim 4 invested approximately \$100,000 into OCP Italia on or about November 12, 2020.

17. Further, in or around March 2021, MANCINI continued to seek investor funds and induced an approximately \$5 million investment from Victim 5. At that time, MANCINI indicated to a representative of Victim 5 that the acquisitions of Company 1 and Company 2 would close within 15 days of the investment, which was memorialized in a purchase agreement ("Victim 5 Purchase Agreement") signed by a representative of Victim 5 and MANCINI.

MANCINI Conceals his Scheme and Fails to Redeem Investors

18. After the May-June Victim Investors made their investments in the Fund, they expected, based on MANCINI's representations, that the Acquisitions would soon follow. That did not occur. Instead, MANCINI repeatedly made myriad and varied excuses for the delays.

19. In or around November and December 2020, the May-June Victim Investors and Victim 4 requested that MANCINI redeem their respective units in the Fund. Initially, MANCINI agreed to return these investments. Since that time, MANCINI has repeatedly made numerous promises of imminent wire transfers and provided various, shifting excuses and explanations for lack of redemption.

- a. For example, on or about January 5, 2021, MANCINI communicated with one of the May-June Victim Investors, indicating that a wire was “almost ready.” Shortly thereafter, he texted, “Should have an update shortly. Almost done.” MANCINI never executed the wire transmission.
- b. On or about March 11, 2021, MANCINI communicated with Victim 3. MANCINI told Victim 3 that the bank was “supposed to send me over the confirmations. The rep was checking and I’m waiting on receipts.” Soon thereafter, MANCINI wrote, “The first has gone through,” but the wire transfer did not occur. MANCINI then wrote, “I can’t win for losing lately but I’m not bullshitting on it...”. The following day, MANCINI emailed Victim 3, writing: “Doing things from a trust is a little harder than I understood but I think we are almost all set. I misunderstood things the other day when I thought they had initiated. [. . .] This is the endgame and should be done quickly.”
- c. On or about April 6, 2021, MANCINI claimed that a wire was coming from outside of the United States, blaming the delay on the fact that he “was unfamiliar with the holiday structure there.” While MANCINI promised that “3 wires” would “hit” that week, MANCINI again did not execute the wire transmissions.

20. Beginning in or around November 2020, the May-June Victim Investors also requested disclosures from MANCINI, including bank records showing OCP Italia’s proceeds, a list of investors and investments, and proof of MANCINI’s alleged investment in the Fund. MANCINI failed to provide the requested disclosures and, again, made multiple excuses for delays in providing these disclosures.

21. After receiving investor requests for financial disclosures, on or about January 20, 2021, MANCINI provided the May-June Victim Investors with a redacted capitalization table (“Cap Table”), dated December 31, 2020. MANCINI redacted the names of investors, but for the names of his alleged trusts, “Mancini Family Trust IV LLC” (a purported \$5,500,000 investment) and “Mancini Family Trust V LLC” (a purported \$4,000,000 investment). Law enforcement has found no evidence suggesting the existence of these entities or their investments in the Fund. In the Cap Table, MANCINI listed the investment amount for each investor, totaling approximately 27 additional investments. In total, the Cap Table provided that MANCINI had raised \$14,675,000, including \$9,500,000 from MANCINI. The information MANCINI presented in the Cap Table (dated December 31, 2020) is inconsistent with information MANCINI provided to investors on other occasions.

- a. For example, the information MANCINI provided in the Cap Table differs from the information in the Victim 5 Purchase Agreement. Among other things, in the Victim 5 Purchase Agreement, MANCINI listed a \$4.2 million contribution from the “Mancini Family Trust”, a personal \$1.2 million contribution, and a \$4,000,000 contribution from “bellmax LLC.”

22. In order to maintain and conceal his scheme, MANCINI provided investors, including the May-June Victim Investors, with forged, modified, and/or manipulated documents, including financial documents. For example:

- a. MANCINI provided Victim 3 with a statement related to OCP Italia’s 1127 Account at Bank C (the “Forged Bank C Statement”). Comparing this statement to Account 1127 records, it appears that MANCINI doctored the record he provided to Victim 3. For example, the Forged Bank C Statement lists a February 2, 2021 \$100,000 incoming wire from OCP Italia. Meanwhile, the actual bank records demonstrate this wire came from an individual believed to be an investor/victim. Likewise, the Forged Bank C Statement listed a \$25,000 outgoing wire to Company 2 on February 3, 2021. The actual bank records demonstrate this wire went to another individual believed to be an investor/victim. Finally, the Forged Bank C Statement listed a February 3, 2021 \$2,500,000 incoming wire. Based on a review of the actual Bank C records, this transaction did not occur.
- b. In an email to Victim 3 on or about January 27, 2021, MANCINI forwarded what MANCINI claimed to be a bank statement from a representative of an Italian bank (“the Italian Bank”). The statement appeared to show that OCP Italia SRL’s account balance at the Italian Bank on or about January 27, 2021 was “\$4.999.251,32 eur.” This document was forged. On or about January 27, 2021, the balance in this account was approximately \$1,494.92 euros.
- c. MANCINI attached to a January 21, 2021 email to the Victim Investors an OCP Italia balance sheet for December 2020 (the “Balance Sheet”). The Balance Sheet misrepresents (and inflates) the then-balances for the 09401 Account and the 6351 Account.

MANCINI Misappropriates and Unlawfully Transfers Investor Funds

23. Over the course of the scheme, MANCINI misappropriated certain investor funds.

24. For instance, on or about November 12, 2020, Victim 4 wired approximately \$100,000 into OCP Italia’s 2285 Account at Bank B. On or about

November 13, 2020, MANCINI transferred from the 2285 Account to Individual 1's 2323 Account approximately \$15,000. The same day, Individual 1 transferred approximately \$15,000 from the 2323 Account to the 3338 Account, a money market account.

25. Individual 1, MANCINI's spouse, has no known business association with OCP Italia, OCP, OCPitalus, or OCP Italia SRL. As of on or about July 9, 2021, MANCINI had transferred to Individual 1, directly and indirectly, approximately \$281,240.02 in Victim Investor funds. In addition to the above, Individual 1 spent this money on, among other things: tennis club expenses, telecommunications services, cash withdrawals, personal transfers, insurance payments, and other retail expenses.

26. MANCINI also used Victim Investor money to pay certain investor redemptions. For instance, on or about March 18, 2021, Victim 5 wired approximately \$5 million to OCP Italia's 1127 Account. The day before this \$5 million wire transfer, the 1127 Account balance was approximately \$16,876.97. MANCINI misappropriated at least a certain portion of Victim 5's funds, including by making payments to other investors. For instance, the following day, on or about March 19, 2021, MANCINI made a redemption payment to Victim 4 in the amount of approximately \$100,000 with Victim 5's investment.

27. In addition, over the course of the scheme, MANCINI transferred more than approximately \$312,000 of Victim Investor money into personal bank accounts under MANCINI's control.

28. As of July 19, 2021, MANCINI had not returned any of the funds invested by the May-June Victim Investors.