

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

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 17-
	:	
RALPH MANDIL	:	18 U.S.C. § 1343

INFORMATION

The defendant having waived in open court prosecution by Indictment, the Acting United States Attorney for the District of New Jersey charges:

Background

1. At all times relevant to this Information:
 - a. Victim Company 1 was a privately-held New York company that specialized in the development and marketing of “As Seen on TV” merchandise. Victim Company 1 maintained business information on a password-protected cloud-based computing account, and also made packaging, and various kinds of diagrams for products.
 - b. Company 2 was a privately-held New Jersey company that operated in the same field as Victim Company 1.
 - c. Defendant RALH MANDIL resided in New Jersey and was employed by Victim Company 1.

The Scheme to Defraud

2. From in or about August 2016 through in or about October 2016, in the District of New Jersey and elsewhere, defendant

RALPH MANDIL

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Victim Company 1, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

Goal of the Scheme to Defraud

3. The goal of the scheme to defraud was for defendant MANDIL to profit unlawfully by selling information that he had stolen from Victim Company 1 to representatives of Company 2.

Manner and Means of the Scheme to Defraud

4. It was part of the scheme to defraud that in or about August 2016, defendant MANDIL emailed an employee of Company 2 (the "Employee") and offered to sell to Company 2 information belonging to Victim Company 1.

5. It was further part of the scheme to defraud that defendant MANDIL claimed he would provide, for a fee, access to a password-protected cloud-based computing account in which Victim Company 1's information was stored.

6. It was further part of the scheme to defraud that defendant MANDIL engaged in numerous telephone conversations with employees of

Company 2 to negotiate the sale of Victim Company 1's information and product packaging to Company 2.

7. It was further part of the scheme to defraud that in or about September 2016, defendant MANDIL met with an undercover law enforcement officer (the "UC") in New Jersey. Defendant MANDIL accessed Victim Company 1's cloud computing account on a laptop computer provided by the UC, and also provided the UC with various samples of merchandise and packaging that belonged to Victim Company 1. At the meeting, the UC provided defendant MANDIL with approximately \$10,000 in cash, purportedly in exchange for the material MANDIL provided.

8. It was further part of the scheme to defraud that defendant MANDIL at all times hid his activities with Company 2 from his employers at Victim Company 1.

Execution of the Scheme

9. On or about August 1, 2016, in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute the scheme and artifice to defraud, defendant

RALPH MANDIL

did knowingly and intentionally transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce writings, signs, signals, pictures and sounds, specifically, an email sent by defendant MANDIL in New Jersey to a representative of Company 2 offering to sell Victim Company 1's information.

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

FORFEITURE ALLEGATION

1. As a result of committing the wire fraud offense charged in Count One of this Information, defendant RALPH MANDIL shall forfeit to the United States, pursuant to Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), \$10,000 in United States currency.

Substitute Assets Provision **(Applicable to All Forfeiture Allegations)**

2. If any of the property described above, 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 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 divided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of \$10,000.


WILLIAM E. FITZPATRICK
Acting United States Attorney

CASE NUMBER:

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

UNITED STATES OF AMERICA

v.

RALPH MANDIL

INFORMATION FOR

18 U.S.C. § 1343

WILLIAM E. FITZPATRICK

ACTING U.S. ATTORNEY

NEWARK, NEW JERSEY

ZACH INTRATER

ASSISTANT U.S. ATTORNEY

(973) 645-2728

USA-48AD 8
(Ed. 1/97)