

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

SEALED INDICTMENT

S4 15 Cr. 667 (KPF)

TRAVELL THOMAS, :

MAURICE SESSUM, :

ANTHONY BRZEZOWSKI, :

a/k/a "Anthony LaMarco,"

JIMMY STOKES, :

a/k/a "Jimmy Barlow,"

HEATHER GASTA, :

a/k/a "Heather Brez,"

TACOBY THOMAS, :

a/k/a "Daniel Moreland,"

a/k/a "Joseph Rawlings," :

a/k/a "Brian Kelly,"

ANTOHN Y CABA, :

a/k/a "Anthony Davis,"

COLUMBUS SIMMONS, :

a/k/a "Timothy Ham,"

CHARLES STARKS, :

WILLIAM CLARK, :

a/k/a "John Harvey," and

MICHAEL CALLANDRA, :

a/k/a "Michael Thaimani,"

Defendants. :

- - - - - X

COUNT ONE

(Conspiracy to Commit Wire Fraud)

The Grand Jury charges:

RELEVANT PERSONS AND ENTITIES

1. At all times relevant to this Indictment, a company located in Buffalo, New York and its related entities (the "Company") operated as a collection agency. Employees working on behalf of the

Company attempted to collect actual or purported credit card and payday loan debts from victims nationwide using various misrepresentations described below.

2. At all times relevant to this Indictment, TRAVELL THOMAS, the defendant, was a co-owner, Chief Executive Officer, and President of the Company. At all times relevant to this Indictment, MAURICE SESSUM, the defendant, was a co-owner and Chief Operating Officer of the Company. Together, TRAVELL THOMAS and SESSUM were responsible for managing the Company's day-to-day operations, its finances, its bank accounts, its hiring and termination of employees, and its solicitation of consumers to collect debts.

3. At times relevant to this Indictment, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," and TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," the defendants, were employed by the Company as managers or "team leaders." In that capacity, BRZEZOWSKI, STOKES, GASTA, and TACOBY THOMAS were responsible for, among other things, soliciting consumers by telephone across the United States in order to collect actual or purported credit card and payday loan debts and supervising debt collectors on their respective teams. At times relevant to this Indictment, BRZEZOWSKI also served at the Company's Director of

Operations. BRZEZOWSKI, STOKES, GASTA, and TACOBY THOMAS reported to TRAVELL THOMAS and MAURICE SESSUM, the defendants.

4. At times relevant to this Indictment, ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, were employed by the Company as debt collectors. In that capacity, CABA, SIMMONS, STARKS, CLARK, and CALLANDRA were responsible for soliciting consumers by telephone to collect actual or purported credit card and payday loan debts. At relevant times, as set forth below, CABA, SIMMONS, STARKS, CLARK and CALLANDRA made false threats and misrepresentations to consumers in an effort to convince them to repay debts, and often times, to do so for more money than was actually owed. CABA, SIMMONS, STARKS, and CLARK were members of the Company's so-called "Elite Team," which used particularly aggressive and egregious tactics in attempting to trick consumers into paying debts.

OVERVIEW OF THE FRAUDULENT SCHEME

5. From at least in or about 2010 up to and including in or about February 2015, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a

"Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, routinely tricked and coerced or attempted to trick and coerce thousands of victims throughout the United States into paying millions of dollars in consumer debts through a variety of false statements and false threats. As a part of the scheme, the defendants caused victims to wire or otherwise send money to the Company. From in or about January 2010 through in or about November 2014, the Company collected more than approximately \$31 million from thousands of victims contacted across the United States. Of the money that the Company took in from victims, approximately \$850,000 in cash was paid to MAURICE SESSUM, the defendant, approximately \$750,000 in cash was paid to TRAVELL THOMAS, the defendant, approximately \$1.4 million was cashed from banks and ATMs, and tens of thousands of dollars was used to pay for TRAVELL THOMAS's gambling expenses, tickets for professional sports games, TRAVELL THOMAS's wedding reception, jewelry, and cosmetic surgery for his wife, among other expenses.

MEANS AND METHODS OF THE CONSPIRACY

6. In order to trick victims into paying purported credit card and payday loan debts, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS,

a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, using a variety of aliases, knowingly and falsely told victims, among other things, that: (1) the Company was affiliated with local government and law enforcement agencies, including the "county" and the district attorney's office; (2) the consumers had committed criminal acts, such as "wire fraud" or "check fraud," and if they did not pay the debt immediately, warrants or other process would be issued, at which point they would be arrested or haled into court; (3) the consumers would have their drivers' licenses suspended if they did not pay their debts immediately; (4) the Company was a law firm or mediation firm and/or that the Company's employees were working with lawyers, a law firm, mediators, or arbitrators; and (5) a civil lawsuit would be filed, or was pending, against the victims for failing to pay their debts. In truth and in fact, as the defendants well knew, these statements were false and fraudulent.

7. In addition to falsely and fraudulently telling victims over the telephone that the Company was affiliated with government and law enforcement agencies, employees of the Company also at times prepared and sent correspondence to victims that made it appear falsely that the Company was affiliated with the government

or courts. For example, one document sent by e-mail on the Company's behalf to a victim was entitled "Affidavit of Legal Notice." This document listed a "pending claim" number and represented a case in the "General Court of Justice District Court" in the "County of Gregghead." The document further listed a particular check services company and a particular bank as plaintiffs and indicated that "the State" alleged "theft of goods and services." The "legal notice" threatened to take legal action to recover the debt. The signature line lists the "Hon David A Rossi, Hearing Officer, District Restitution Office." In truth and in fact, there was no such case, claim, or hearing officer.

8. In addition, to falsely create an appearance of legitimacy, and further trick their victims into making payments, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, routinely used legal-sounding terminology to invent legitimate-sounding, but completely bogus, explanations for the supposed criminal or legal action that had been or would be initiated against the consumers for failure to repay

debts, including that the consumer had "breached a contractual agreement," committed "theft of good and services," and engaged in "malicious intent to defraud a financial institution." The defendants used these quasi-legal terms knowingly and falsely to frighten and coerce victims into paying actual or purported debts.

9. As a further part of the scheme to defraud, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, further lied to victims on the telephone by falsely inflating the balances of the debts so that they could collect more money from the victims than the victims actually owed, a practice known within the Company as "juicing" balances.

10. In furtherance of the scheme to defraud, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael

Thaimani," the defendants, knowingly disseminated to Company employees, and knowingly and fraudulently used, collection "scripts" to solicit consumers by telephone. The scripts contained various misrepresentations designed to trick victims into paying purported debts. For example, the scripts misrepresented, among other things: "In the next 48 hours we will be handing the matter over to our fraud department who will work together with your local district attorneys [sic] office in attempting to resolve the matter"; the collector was calling "from [the] law firm of Global Management Group"; the collector was a "claims associate calling on behalf of the legal processing firm" who would "file with our affiliate litigator in _____ county, to serve you to appear to plea"; and the consumers' voice was being recorded on a "federally recorded line" for use "as admissible evidence." In or about May 2015, following the commencement of a federal criminal investigation of the Company, TRAVELL THOMAS, the defendant, instructed a former employee of the Company in a text message not to show Company scripts "to anyone" because they "weren't legal."

The Defendants' Lies

11. As a part of the scheme to defraud, TRAVELL THOMAS and MAURICE SESSUM, the defendants, at times instructed employees of the Company to make misrepresentations to victims, including to "juice" balances, in order to trick them into paying debts.

12. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," the defendant, knowingly misrepresented to victims over the telephone, including to a victim who stated that she was physically disabled and unable to work, among other things, that he was an attorney and/or an "associate with the firm" and was calling from an attorney's office and would "handle their legals for free." BRZEZOWSKI likewise instructed collectors on his team to falsely introduce him to victims on calls as an attorney in an effort to "close" a debt repayment.

13. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, JIMMY STOKES, a/k/a "Jimmy Barlow," the defendant, knowingly misrepresented to victims over the telephone, among other things, he would have a bench warrant issued for the arrest of victims, would contact the "county" to initiate legal proceedings, and was not calling from a collection agency.

14. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, HEATHER GASTA, a/k/a "Heather Brez," the defendant, knowingly misrepresented to victims over the telephone, including to a victim who stated that she was homeless, among other things, that "we are directly linked in with the court system," her office had been

"retained" regarding "bad check charges," GASTA was working with attorneys, and the victims' failure to repay the debt was a "federal issue."

15. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," the defendant, knowingly misrepresented to victims over the telephone, among other things, that he was a "process server" from "U.S. Couriers" with "legal documents" to serve on victims, victims had committed "check fraud," and that TACOBY THOMAS was calling from an "arbitration firm."

16. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, ANTHONY CABA, a/k/a "Anthony Davis," the defendant, knowingly misrepresented to victims over the telephone, including to the mother of a consumer undergoing dialysis for kidney failure, among other things, that he was a "legal investigator" calling from a law firm, the Company was not a collection agency, and victims had committed check fraud.

17. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, COLUMBUS SIMMONS, a/k/a "Timothy Ham," the defendant, knowingly misrepresented to victims over the telephone, among other things,

that consumers had committed a felony by failing to repay debts and would face charges for "theft of services" and fraud, that consumers' driver's licenses would be suspended, and that SIMMONS would refer the matter to "my attorney network."

18. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, CHARLES STARKS, the defendant, knowingly misrepresented to victims over the telephone, among other things, that consumers had committed a "federal offense" by failing to repay debt, that charges would be "press[ed]," the consumers were "under investigation for check fraud," and that STARKS was working with attorneys.

19. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts, WILLIAM CLARK, a/k/a "John Harvey," the defendant, knowingly misrepresented to victims over the telephone, among other things, that CLARK was "lead investigator" with a law office that has been retained by a company that issues payday loans ("Payday Company-1") to bring an action for fraud and theft of goods and services, victims had committed fraud, including "social security fraud," and victims would be served with process at their "home or place of employment" within 72 hours.

20. As a further part of the scheme to defraud, and in an effort to fraudulently induce victims into paying purported debts,

MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendant, knowingly misrepresented to victims over the telephone, among other things, that the victims had committed fraud, including wire fraud under Title 18, United States Code, Section 1343, that CALLANDRA was "in contact with the magistrate," and that "they're en route right now . . . within 46 minutes they'll be there to serve you."

21. In or about November 2012, Payday Company-1 advised TRAVELL THOMAS, the defendant, that Payday Company-1 had learned that employees of the Company were making improper threats and misrepresentations in order to collect debts purportedly owed to Payday Company-1 and falsely indicating to consumers that the Company was providing collection services on behalf of Payday Company-1. Payday Company-1 issued a letter to THOMAS directing THOMAS to cease and desist using Payday Company-1's name in collecting debt. THOMAS refused, and employees of the Company continued to attempt to collect debts purportedly on behalf of Payday Company-1.

STATUTORY ALLEGATIONS

22. From at least in or about 2010, up to and including in or about February 2015, in the Southern District of New York and elsewhere, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a

"Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, willfully and knowingly combined, conspired, confederated and agreed together and with each other to commit an offense against the United States, to wit, wire fraud, in violation of Title 18, United States Code, Section 1343.

23. It was a part and an object of the conspiracy that TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, the defendants engaged in a scheme to make false and fraudulent representations by

telephone and e-mail to victims, in the Southern District of New York and elsewhere, in order to convince victims to pay purported debts, including by wire transfer.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Wire Fraud)

The Grand Jury further charges:

24. The allegations contained in paragraphs 1 through 21 above are hereby repeated, realleged and incorporated by reference as if fully set forth herein.

25. From at least in or about 2010 through in or about February 2015, in the Southern District of New York and elsewhere, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEZOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals,

pictures, and sounds for the purpose of executing such scheme and artifice, to wit, the defendants engaged in a scheme to make false and fraudulent representations by telephone and e-mail to victims, in the Southern District of New York and elsewhere, in order to convince victims to pay purported debts, including by wire transfer.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATION

26. As the result of committing the offenses charged in Counts One and Two of this Indictment, TRAVELL THOMAS, MAURICE SESSUM, ANTHONY BRZEWOWSKI, a/k/a "Anthony LaMarco," JIMMY STOKES, a/k/a "Jimmy Barlow," HEATHER GASTA, a/k/a "Heather Brez," TACOBY THOMAS, a/k/a "Daniel Moreland," a/k/a "Joseph Rawlings," a/k/a "Brian Kelly," ANTOHNY CABA, a/k/a "Anthony Davis," COLUMBUS SIMMONS, a/k/a "Timothy Ham," CHARLES STARKS, WILLIAM CLARK, a/k/a "John Harvey," and MICHAEL CALLANDRA, a/k/a "Michael Thaimani," the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to a sum of United States currency equal to at least \$31,000,000.00, in that such sum represents property constituting or derived from proceeds traceable to the offenses alleged in Counts One and Two of the Indictment.

Substitute Assets Provision

27. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

- (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 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982;
Title 21, United States Code, Section 853;
Title 28, United States Code, Section 2461.)


FOREPERSON



PREET BHARARA *NF*
United States Attorney

UNITED STATES DISTRICT COURT
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CHARLES STARKS,
WILLIAM CLARK,
a/k/a "John Harvey," and
MICHAEL CALLANDRA,
a/k/a "Michael Thaimani,"

Defendants.

SEALED INDICTMENT

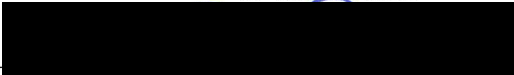
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(18 U.S.C. §§ 1349, 1343 and 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.
