

Approved: Vlad Vainberg
Vladislav Vainberg
Assistant United States Attorney

Before: THE HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

17 mag 6032

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SEALED COMPLAINT

UNITED STATES OF AMERICA :

Violations of 18 U.S.C.
§§ 1343 and 2

- v. -

VEDOUTIE HOOBRAJ a/k/a SHIVONIE :
DEOKARAN, :

COUNTY OF OFFENSE:
WESTCHESTER

Defendant.

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SOUTHERN DISTRICT OF NEW YORK, ss.:

Emily P. Eckstut, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE
(Wire Fraud)

1. From at least in or about October 2014 through at least in or about March 2016, in the Southern District of New York and elsewhere, VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, 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, transmitted and caused to be transmitted by means of wire, radio, and television communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, HOOBRAJ used interstate wire communications to solicit funds from victims through false and fraudulent statements that she was diagnosed with terminal cancer.

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

The bases for deponent's knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the FBI and am one of the law enforcement agents with responsibility for this investigation. I have been a Special Agent with the FBI since 2014. I am currently assigned to a squad responsible for investigating public corruption, wire fraud, bank fraud, and other white-collar offenses. As part of my work at the FBI, I have received training regarding wire fraud and white collar crimes. The information contained in this affidavit is based upon my personal knowledge, as well as information obtained during this investigation, directly or indirectly, from other sources and agents including a Special Agent of the FBI with primary responsibility for this investigation ("Agent-1") and a detective from the Ardsley Police Department ("Detective-1"), and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where dates, figures, and calculations are set forth herein, they are approximate.

OVERVIEW OF THE SCHEME TO DEFRAUD

3. Based on the investigation to date, there is probable cause to believe that beginning in at least about October 2014 and through at least March 2016, in Westchester County, New York and elsewhere, VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, solicited donations through fraudulent representations that she had been diagnosed with terminal cancer and needed money for living and medical expenses. HOOBRAJ received in excess of approximately \$50,000 in donations from individuals in Ardsley, New York and elsewhere based on these and other related misrepresentations.

4. There is probable cause to believe that at all times relevant to this Complaint, VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, was not diagnosed with terminal cancer, and did not suffer from terminal cancer.

5. Instead, as described below, there is probable cause to believe that VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, fabricated her purported diagnosis and treatment from multiple doctors that never actually treated HOOBRAJ. Contrary to her representations, HOOBRAJ used the donations for her ordinary living and business expenses rather than any cancer-related medical

costs. When pressed by local law enforcement and others to substantiate her claims in late 2015 and early 2016, HOOBRAJ presented forged medical records, and moved from Westchester County to Florida.

HOOBRAJ SOLICITS DONATIONS THROUGH TWO GOFUNDME WEBSITES AND A LOCAL FUNDRAISER AND USES THE FUNDS FOR ORDINARY LIVING AND BUSINESS EXPENSES

The 2014 GoFundMe Solicitation

6. On October 6, 2014, a friend of VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, who donated to HOOBRAJ's purported medical care ("Donor-1") created a fundraising website titled "Shivonie's Fight Against Leukemia" on the online crowdfunding platform GoFundMe (the "2014 GoFundMe"). Based on my review of GoFundMe records and bank records, and Agent-1's interview of Donor-1, I have learned the following:

a. The 2014 GoFundMe states, among other things:

i. "As most of you know Shivonie was diagnosed with Leukemia and also cancer on her liver."

ii. "Her own fight with cancer has brought an unexpected financial burden to her and her family for chemotherapy treatment and other medical and living expenses. She continues to work as a photographer to support her two boys as a single mother while fighting through ongoing chemotherapy and blood transfusions."

iii. "She does not have insurances and is not eli[gible] for Obama care which makes it nearly impossible to fight without the help of friends and family."

b. The 2014 GoFundMe presents three photographs of HOOBRAJ, lacking hair on her head, posing with her two teenage sons and then-boyfriend (the "Partner").

c. Using the user name "Shivonie Deokaran," HOOBRAJ posted a message on the 2014 GoFundMe thanking the donors for their donations.

d. Based on my review of a recorded interview between Donor-1 and Detective-1, among others, I have learned that the Partner requested Donor-1 to create a GoFundMe page on HOOBRAJ's behalf to benefit HOOBRAJ. The Partner provided Donor-1 the text of the solicitation to be used for the 2014 GoFundMe.

e. The bank account linked to the 2014 GoFundMe is a Chase bank account ending in the digits 0355 (the "Chase Account.")

f. Based on my review of Chase bank records, I know that at all times relevant to this Complaint, HOOBRAJ was the sole signatory of the Chase Account.

g. The 2014 GoFundMe received approximately \$10,030 in donations from about 83 people between October 2014 and December 2015.

The 2015 GoFundMe Solicitation

7. On August 20, 2015, one of the defendant's sons, then aged sixteen, created a GoFundMe page "on behalf of Vedoutie Hoobraj," titled "Our Mom [sic] Battle with Leukemia" (the "2015 GoFundMe"). From Agent-1's review of GoFundMe records and bank records, and interview of another individual who donated to HOOBRAJ ("Donor-2"), I have learned the following:

a. The 2015 GoFundMe states, among other things:

i. "As most of you know Shivonie was diagnosed with Leukemia and also cancer on her liver."

ii. "Her own fight with cancer has brought an unexpected financial burden to her and our family for chemotherapy treatment and other medical and living expenses. She continues to work as a photographer to support me and my brother as a single mother while fighting through ongoing chemotherapy and blood transfusions."

iii. "the Drs is [sic] giving our Mom a timeline of 18 months."

iv. "My mom and our family is worried about losing [the family dog] Gia, we have until September 10, 2015 to find a new place to live . . . where they will allow[] us to keep Gia."

b. The 2015 GoFundMe presented photographs of VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, devoid of hair on her head, and posing with her children.

c. GoFundMe records identify the beneficiary of the 2015 GoFundMe as "Vedoutie Hoobraj." The beneficiary's linked bank account for withdrawing donations is the Chase Account.

d. The 2015 GoFundMe received approximately \$25,634 in donations from 366 people between about August 2015 and December

2015.

e. On or about August 20, 2015, the same day as the 2015 GoFundMe was set up, HOOBRAJ publicized the fundraiser in an article posted on www.thedodo.com (the "Article"). In the Article, which contained a link to the 2015 GoFundMe, HOOBRAJ represented in part and substance that she "was just told there's nothing left they can do - she has only 18 months left to live" and that "she and her family are going to lose their home due to financial crisis caused by the cost of all her treatments."

f. Based on Agent-1's review of emails provided by a guidance counselor at Ardsley High School ("Donor-2") and Agent-1's interview of Donor-2, I have learned that on or about September 2, 2015, HOOBRAJ emailed a link to the Article to Donor-2 for further dissemination to individuals who might donate or publicize the fundraiser. Subsequently, in September 2015, Donor-2 contributed \$50 to the 2015 GoFundMe and sent the link to others.

Receipt of Donations Through Interstate Wire Communications

8. Based on Agent-1's conversation with a representative of WePay, a payment solution vendor used by GoFundMe, and Agent-1's review of WePay's Merchant Services Agreement, and banking records, I have learned the following:

a. When donations are made to a GoFundMe website, they are first housed in WePay's designated merchant bank in Ohio (the "WePay Ohio Account").

b. Between October 2014 and December 2015, HOOBRAJ transferred a total of approximately \$32,600 from the 2014 GoFundMe and the 2015 GoFundMe fundraisers from the WePay Ohio Account to her Chase Account in New York by means of interstate wire communications.

Additional Solicitations

9. Based on Agent-1's review of bank records and an interview of an Ardsley resident ("Donor-3") who helped organize a spaghetti dinner fundraiser for VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, I have learned the following:

a. In or about November 2015, HOOBRAJ received two donation checks totaling \$16,274 from the Student Activity Fund of Ardsley High School.

b. The money was raised from, among other things, a

spaghetti fundraising dinner hosted by Ardsley High School's football team with assistance from Donor-3 in November 2015.

c. HOOBRAJ signed both checks and deposited them to the Chase Account.

d. After the fundraising dinner, Donor-3 received some donation checks in the mail from other members of the community that he passed on to a third party to pass on to HOOBRAJ. Bank records indicate that in or about December 2015, HOOBRAJ deposited over 10 checks, totaling over \$1,000 into the Chase Account. The memoranda lines and payee information on these checks suggest that they were given as donations to HOOBRAJ.

Use of Scheme Proceeds

10. Based on my review of a financial analysis of the Chase Account prepared by a forensic accountant at the FBI, I have learned the following:

a. At all time periods relevant to this Complaint, VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, did not use any money in the Chase Account for any apparent cancer-related medical expenses.

b. HOOBRAJ comingled proceeds of over \$50,000 from the cancer-related solicitations with income from her photography business, among other deposits, and used that money to pay rent, ordinary living expenses, and business expenses, among other things.

HOOBRAJ MAKES FALSE STATEMENTS REGARDING HER MEDICAL TREATMENT AND PRESENTS FORGED MEDICAL RECORDS TO PREVENT EXPOSURE OF HER FRAUDULENT SCHEME

11. Based on Agent-1's review of records, reports and other information provided by Detective-1, I have learned the following:

a. On or about January 20, 2016, VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, and the Partner were interviewed by Detective-1 and one other officer in Dobbs Ferry, New York. HOOBRAJ made the following statements, in part and substance:

i. HOOBRAJ was diagnosed with terminal cancer and told that she only had 18 months to live by a specific doctor at Sloan Kettering Medical Center ("Doctor-1"), who died in an earthquake in Nepal in April 2015.

ii. HOOBRAJ is currently being treated by another doctor ("Doctor-2").

iii. HOOBRAJ has gone to "Mount Kisco Medical Center" and "Bronx Lebanon Hospital" for treatments.

b. In or about February 2017, the Partner forwarded Detective-1 correspondence sent to him and occasionally copying HOOBRAJ's e-mail account between at least August 2014 through December 2015 by the purported Doctor-1. The email address allegedly used by Doctor-1 is a Gmail account made up of the first and last name of Doctor-1 and the letters "md" ("Doctor-1 Gmail Account").

c. Among other topics of correspondence, the Doctor-1 Gmail Account described HOOBRAJ'S purported ongoing chemotherapy and blood transfusions, provided advice to the Partner on how to take care of HOOBRAJ, and stated that HOOBRAJ's "concern and stress is about money issue." In June 2015, after Doctor-1 purportedly died in a Nepal earthquake, the person operating the Doctor-1 Gmail Account claimed that Doctor-1's brother was continuing to care for HOOBRAJ.

12. Based on information provided by Google, I have learned that the Doctor-1 Gmail Account was created on August 22, 2014 and was deleted on January 29, 2016.

13. I have learned from Agent-1 that a doctor bearing the same name as the name in the Doctor-1 Gmail Account works as an oncologist at Sloan Memorial Kettering Center in New York. Based on Agent-1's interview of that doctor, I have learned that the doctor did not recall ever meeting or having any contact with VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, and never owned or used the Doctor-1 Gmail Account.

14. Based on written statements made by representatives of Northern Westchester Hospital in Mt. Kisco, New York (believed to be the "Mount Kisco Medical Center" referred to by VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant), Bronx Lebanon Hospital Center, and Sloan Kettering Memorial Center, I have learned that these medical centers conducted a search of their records and found no records substantiating any treatment provided to "Vedoutie Hoobraj" or "Shivonie Deokaran."

15. I have learned from Agent-1 that a doctor bearing a similar name to Doctor-2 works at Bronx Lebanon Hospital Center. Based on Agent-1's interview of that doctor, I have learned that the doctor knows VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the

defendant, socially, and was told by HOOBRAJ that she had cancer in her bone marrow, but never evaluated, treated, or diagnosed HOOBRAJ for any medical condition and never reviewed any of HOOBRAJ's medical records.

16. Based on Agent-1's interview of Donor-3, I have learned the following:

a. In or about December 2015, at a meeting between Donor-3 and VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, in which Donor-3 expressed concerns about the truth of HOOBRAJ'S cancer claims, HOOBRAJ stated, in part and substance, that her doctor at "Sloan" died in an earthquake in Nepal and that she has a tumor on her kidney.

b. In or about March 2016, in an effort to prove that she had cancer, HOOBRAJ used the online messaging tool Facebook Messenger to send Donor-3 a screenshot of HOOBRAJ'S purported laboratory tests from an examination performed on January 29, 2016 at Jacobi Medical Center in the Bronx, New York ("Jacobi").

c. Among other things, the screenshot purported to show that: HOOBRAJ'S hemoglobin was 6.00 g/Dl compared to a stated normal range of 12.0-16.0; her platelet count was 100 nL compared to a stated normal range of 150-440; and her red blood cell count was 2.38 pL compared to a stated normal range of 3.8-5.2.

17. Based on Agent-1's review of medical records separately provided by Jacobi, I have learned the following:

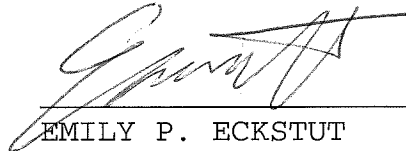
a. VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, was admitted to Jacobi on January 29 and 30, 2016 complaining of dizziness, nose bleeds, and feeling cold. Among other things, HOOBRAJ reported to Jacobi personnel that she had been diagnosed with leukemia by a doctor in Guyana in December 2014 and received 15 rounds of treatment between December 2014 and June 2015, but had no records of her diagnosis.

b. Jacobi performed a lab analysis on HOOBRAJ on January 29, 2016 and provided the results to HOOBRAJ. While Jacobi's record matches some of the data in the screenshot HOOBRAJ sent to Donor-2, it differs in several key respects, indicating that the version presented by HOOBRAJ had been forged. Specifically, the Jacobi record shows that: HOOBRAJ'S actual hemoglobin was 13.7 rather than 6.00 g/dL; her platelet count was 302 rather than 100 Nl; and her red blood cell count was 5.38 rather than 2.38 pl.

c. The patient discharge form given to HOOBRAJ by Jacobi on or about January 30, 2016, further stated that she was diagnosed with "adult failure to thrive," and advised, "You were seen in the ED for worsening dizziness and weight loss. Your labs turned out to show no abnormalities." HOOBRAJ was not prescribed any medicine.

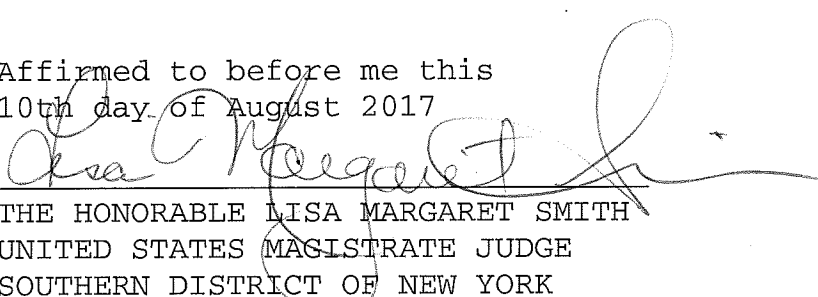
18. VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, was voluntarily interviewed by Agent-1 and another Special Agent of the FBI on August 10, 2017 in Orlando, Florida. In the course of that interview, HOOBRAJ acknowledged, among other things, that she knew that she did not have leukemia during the period when the fundraising solicitations were made, and that she "made a mistake" that she wishes she could take back.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of VEDOUTIE HOOBRAJ a/k/a SHIVONIE DEOKARAN, the defendant, and that she be imprisoned or bailed, as the case may be.



EMILY P. ECKSTUT
Special Agent
Federal Bureau of Investigation

Affirmed to before me this
10th day of August 2017



THE HONORABLE LISA MARGARET SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK