

FILED IN OPEN COURT
CN 4/8/10
Dennis F. Iavarone, Clerk
US District Court
Eastern District of NC

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

- NO. 5:10-CR-107-1 FL(A)
- NO. 5:10-CR-107-2 FL(A)
- NO. 5:10-CR-107-3 FL(A)
- NO. 5:10-CR-107-4 FL(A)
- NO. 5:10-CR-107-5 FL(A)

UNITED STATES OF AMERICA)
)
 v.)
)
 JENNIFER ANN WOODARD)
 DEAGO LARASE SMITH)
 LANCE CORBETT HOLT)
 JOHN L. QUINN, II)
 ANTHONY LEONARD BOBBITT)

I N D I C T M E N T

The Grand Jury charges that:

INTRODUCTION

At all times relevant to this Indictment:

1. City National Bank (CNB) of Carson, California and Citi Private Bank (Citibank) of Washington, D.C. (hereafter collectively referred to as "victim banks"); and
2. Branch Banking & Trust (BB&T) of Wilson, North Carolina; Fort Still National Bank (FSNB) of Fayetteville, North Carolina; National City Bank (NCB) of Detroit, Michigan; and Coastal Federal Credit Union (CFCU) of Durham, North Carolina (hereafter collectively referred to as "receiving banks"), provide an Internet accessible secure website for their customers to view and transact

online banking activities including the electronic transfer of funds.

3. Beginning on a date unknown, but no later than in or about May 2007, and continuing up until the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, JENNIFER ANN WOODARD, DEAGO LARASE SMITH, LANCE CORBETT HOLT, JOHN L. QUINN, II, and ANTHONY LEONARD BOBBITT, and others known and unknown to the Grand Jury, knowingly and intentionally combined, conspired and agreed to devise a scheme and artifice to defraud financial institutions and to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of a financial institution, by means of materially false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344, and, in furtherance thereof, knowingly transmitted and caused to be transmitted in interstate and foreign commerce, by means of wire communications, certain writings, signs, and signals, for the purpose of executing such scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1343.

OBJECTS OF THE CONSPIRACY

4. It was an object of the conspiracy that the defendants would provide the user name and other login information and passwords for their personal online bank accounts to co-

conspirators, both known and unknown to the Grand Jury, for the purpose of using their online bank accounts to receive and distribute unauthorized electronic transfers of funds from victim bank accounts.

5. It also was an object of the conspiracy that, after the successful unauthorized electronic transfer of funds from accounts at the victim banks to defendant-controlled accounts at receiving banks, the defendants would withdraw and attempt to withdraw cash, purchase cashier's checks and further transfer and attempt to transfer funds to co-conspirators, known and unknown to the Grand Jury.

MANNER AND MEANS OF THE CONSPIRACY

6. It was part of the conspiracy that defendants JOHN QUINN and ANTHONY BOBBITT provided their user name and other login banking information to defendants DEAGO SMITH and JENNIFER WOODARD who, in turn, provided such information to co-conspirators, both known and unknown to the Grand Jury.

7. It further was part of the conspiracy that defendants QUINN, BOBBITT, WOODARD and LANCE HOLT would each permit their respective online bank accounts to act as a receiving bank account into which the unauthorized transfer of funds from accounts at the victim banks could be and were made.

8. It further was part of the conspiracy that once defendants QUINN and BOBBITT received their respective unauthorized

transfer of funds, they agreed to further transfer the funds to defendant WOODARD, keeping a portion of the funds for themselves.

ACTS COMMITTED IN FURTHERANCE OF THE CONSPIRACY

9. In furtherance of the conspiracy and to effect the objects thereof, at least one of the co-conspirators committed and caused to be committed in the Eastern District of North Carolina and elsewhere, at least one of the following overt acts:

The City National Bank (CNB) series of wire transfers

- a. On or about May 23, 2007, a unauthorized electronic transfer of \$90,500 was made from a Carson, California account at City National Bank (CNB) to the Branch Banking & Trust (BB&T) account of QUINN in Wilson, North Carolina for the benefit of SMITH.
- b. On or about May 23, 2007, QUINN electronically transferred and caused to be transferred, \$90,000 from his BB&T account to the Fort Sill National Bank (FSNB) account of WOODARD in Fayetteville, North Carolina.
- c. On or about May 23, 2007, WOODARD, at a FSNB branch in Fayetteville, North Carolina, withdrew \$6,000 in cash from her account, the same account into which Quinn had earlier transferred \$90,000.
- d. On or about May 23, 2007, at a FSNB branch in Spring Lake, North Carolina, WOODARD withdrew \$8,000 in cash from her account and obtained two \$30,000 cashier's

checks payable to herself, all from the same account into which QUINN had transferred \$90,000.

- e. On or about May 24, 2007, at a FSNB branch in Spring Lake, North Carolina, WOODARD cashed one of the \$30,000 cashier's checks she had obtained the day before, and deposited the other \$30,000 cashier's check back into her FSNB account, the same account into which QUINN had transferred \$90,000.
- f. On or about May 24, 2007, a second unauthorized wire transfer of \$358,500 was made from a Carson, California account at CNB to a National City Bank (NCB) account of HOLT d/b/a Broadbase Financial, in Detroit, Michigan.
- g. On or about May 24, 2007, HOLT withdrew approximately \$103,800 from his Broadbase Financial account at NCB, by making and cashing fourteen checks in varying amounts, at eight different NCB locations in the Detroit area.

The Citi Private Bank (Citibank) series of wire transfers

- h. On or about May 24, 2007, two unauthorized wire transfers, totaling \$60,467, were made from accounts at Citi Private Bank (Citibank), Washington, DC, to the Coastal Federal Credit Union (CFCU) account of BOBBITT in Durham, North Carolina.
- i. On or about May 25, 2007, BOBBITT attempted to electronically transfer \$60,037 from his CFCU account to

the FSNB account of WOODARD in Fayetteville, North Carolina.

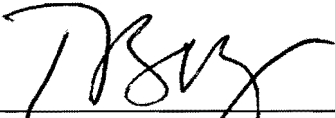
All in violation of the provisions of Title 18, United States Code, Section 1349.

A TRUE BILL

FOREPERSON

DATE: 4/7/2010

GEORGE E. B. HOLDING
United States Attorney



BY: THOMAS B. MURPHY
Assistant United States Attorney