

APR 17 2019

US DISTRICT COURT
WESTERN DISTRICT OF NC

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

UNITED STATES OF AMERICA)
)
)
v.)
)
)
(1) OLUDAYO KOLAWOLE JOHN)
ADEAGBO)
a/k/a John Edwards)
a/k/a John Dayo)
(2) DONALD IKENNA ECHEAZU)
a/k/a Donald Smith)
a/k/a Donald Dodient)
)
)
)

DOCKET NO. 5:19CR34-FDW
BILL OF INDICTMENT

Violations:
18 U.S.C. § 1343
18 U.S.C. § 1349
18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 1957
18 U.S.C. § 1956(h)
18 U.S.C. § 1028A

UNDER SEAL

THE GRAND JURY CHARGES:

At all relevant times:

SUMMARY

1. From on or about August 30, 2016 through on or about January 12, 2017, OLUDAYO KOLAWOLE JOHN ADEAGBO, DONALD IKENNA ECHEAZU, and others known and unknown to the Grand Jury, conspired to defraud Appalachian State University out of approximately \$1,959,925.02, and to launder the proceeds of the fraud.

INDIVIDUALS AND ENTITIES

2. OLUDAYO KOLAWOLE JOHN ADEAGBO (a/k/a "John Edwards," a/k/a "John Dayo") was a resident of the United Kingdom.

3. DONALD IKENNA ECHEAZU (a/k/a "Don Smith," a/k/a "Donald Dodient") was a resident of the United Kingdom.

4. Ho Shin Lee, charged elsewhere, was a resident of California.

5. Appalachian State University ("Appalachian State") was a university located in Boone, North Carolina. In or about 2016, Appalachian State awarded a contract to Rodgers Builders to build a new health sciences building at the university.

6. Rodgers Builders was a large national builder headquartered in Charlotte, North Carolina.

Rodgers arranged an Automated Clearing House (“ACH”) payment system with Appalachian State in order to receive payments for the construction of the health sciences building.

THE PREPARATION

7. On or about August 30, 2016, JOHN ADEAGBO registered for an account with a company that provided information relating to large construction projects occurring throughout the United States. Through this account, ADEAGBO obtained information relating to dozens of multi-million dollar construction projects, including: (1) the names of the entities that offered the construction contracts; (2) the names of the construction companies that were awarded the contracts; and (3) the amounts of the contracts.

8. One of the construction contracts about which ADEAGBO received information was between Appalachian State and Rodgers Builders. Specifically, ADEAGBO had access to, among other things: names, phone numbers, and email addresses of Appalachian State employees involved in the contract; the amount of the contract; and the status of the contract. ADEAGBO provided this information to his co-conspirators.

9. On or about November 18, 2016, Ho Shin Lee applied to the Secretary of State of California to register Royce Hub Trading, Inc. as a corporation in California, claiming that the corporation was in the business “general merchandise.” Lee represented himself to be the Chief Executive Officer, Secretary, and Chief Financial Officer of Royce Hub Trading.

10. On or about November 23, 2016, at the direction of co-conspirators, Lee opened a bank account at JPMorgan Chase Bank (“JPMorgan”), account *5580, in the name of Royce Hub Trading, Inc. at a JPMorgan branch located in Los Angeles, California. Lee claimed to be president of Royce Hub Trading and was the sole account holder.

11. ECHEAZU controlled a domain registration account in the name of “danielroberts605.” Using the construction contract information obtained by ADEAGBO, on or about December 2, 2016, the conspirators used the danielroberts605 account to create the domain “rodgersbuildersinc.com,” and the email account “accounts@rodgersbuildersinc.com.” The domain used by Rodgers Builders was, in fact, “rodgersbuilders.com,” and legitimate emails from real Rodgers Builders employees used that domain.

THE FRAUD

12. On or about December 2, 2016, an employee at Appalachian State received an email from a conspirator purporting to be D.M., Finance Technician II at Rodgers Builders. The e-mail was sent from accounts@rodgersbuildersinc.com. The e-mail included an attached direct deposit form and instructions to change Rodgers Builders’ previously submitted banking information to Lee’s newly created JPMorgan account *5580. Thereafter, the Appalachian State employee changed the ACH information to send payments for Rodgers Builders to the new JP Morgan account *5580 as requested in the email.

13. The suffix for the legitimate e-mail address for Rodgers Builders was “rodgersbuilders.com” and not “rodgersbuildersinc.com.” Additionally, although D.M. was an employee at Rodgers Builders, he did not generate the e-mail or the attachments, and he did not approve any changes to Rodgers Builders’ banking information.

14. On or about December 8, 2016, Appalachian State processed a payment of approximately \$1,959,925.02 to Rodgers Builders and, as a result of the fraudulent email redirecting payment, directed this money to be deposited into Lee's JPMorgan account *5580.

THE MONEY-LAUNDERING

15. On or about December 10, 2016, at the direction of co-conspirators, Lee opened bank account *6257, in the name of Royce Hub Trading, Inc., at Bank of Hope at a branch located in Los Angeles, California. Lee claimed to be president of Royce Hub Trading and was the sole account holder.

16. On or about December 12, 2016, Lee participated in the transfer of the fraud proceeds, through his account *5580 at JPMorgan, by receiving the \$1,959,925.02 payment intended for Rodgers Builders.

17. On or about December 13, 2016, an individual who also resided in California ("Individual 1") sent ADEAGBO an encrypted message which stated,

Nothing is getting sent out today from the 1.9, but they will send something tomorrow I am just waiting to confirm the amount and to make sure that it happens first thing this is what [Individual 2] told me. . . . I will chase them to make if [sic] first thing in the am.

ADEAGBO replied, "Cool."

18. Beginning on or about December 14, 2016, Lee quickly transferred and caused to be transferred the fraud proceeds out of JPMorgan account *5580 through a series of financial transactions knowing that the transactions were designed to conceal, in whole and in part, the nature, location, source, ownership, and control of the fraud proceeds as set forth below:

Approximate Date	Recipient	Method of Transfer	Amount
12/14/16	Royce Hub Trading, Inc.	Check # 7438	\$45,000
12/15/16	J.S.	Check # 7445	\$4,700
12/15/16	Drone Media Centric	Fed Wire transfer	\$269,000
12/19/16	Royce Hub Trading, Inc.	Check # 176	\$30,000
12/19/16	Royce Hub Trading, Inc.	Check # 177	\$40,000
12/19/16	Earth Lab, Inc.	Fed Wire Transfer	\$150,000
12/19/16	Holding Properties.	Cashier's Check	\$460,000

19. Lee deposited and caused to be deposited check number 7438 in the amount of \$45,000 into his newly held bank account at Bank of Hope (account *6257).

20. On or about December 17, 2016, at the direction of co-conspirators, Lee opened yet another bank account in the name of Royce Hub Trading, Inc. This bank account, account *6010, was opened at Union Bank in Los Angeles, California, and Lee again claimed to be president of Royce Hub Trading and was the sole account holder.

21. Lee deposited and caused to be deposited check number 176 in the amount of \$30,000 from his JP Morgan account (described above) into his newly created bank account *6010 at Union Bank.

COUNT ONE
18 U.S.C. § 1349
Wire Fraud Conspiracy

22. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 21 of the Bill of Indictment, and further alleges that:

23. Beginning no later than August 30, 2016, and continuing to at least in or about January 12, 2017, in Watauga County, within the Western District of North Carolina and elsewhere, the defendants, OLU DAYO KOLA WOLE JOHN ADEAGBO and DONALD IKENNA ECHEAZU, did knowingly combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury to commit wire fraud in violation of 18 U.S.C. § 1343.

Objects of the Conspiracy

24. *Wire Fraud.* It was a part and an object of the conspiracy that the defendants, and others known and unknown to the Grand Jury, having devised the above-described scheme and artifice to defraud and for the purpose of obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, would and did transmit and cause to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, pictures, and sounds for the purposes of executing said scheme and artifice, in violation of Title 18, United States Code Section 1343.

Manner and Means

25. ADEAGBO and ECHEAZU and others known and unknown to the Grand Jury carried out the conspiracy through the manner and means as set forth in paragraphs 1 through 21 above, among others.

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

COUNT TWO
18 U.S.C. § 1956(h)
Money Laundering Conspiracy

26. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 21 of the Bill of Indictment, and further alleges that:

27. Beginning no later than August 30, 2016, and continuing to at least in or about January 12, 2017, in Watauga County, within the Western District of North Carolina and elsewhere, the defendants, OLU DAYO KOLA WOLE JOHN ADEAGBO and DONALD IKENNA ECHEAZU, did knowingly and voluntarily conspire and agree with others known and unknown to the Grand Jury to

commit offenses against the United States in violation of 18 U.S.C. §§ 1956 and 1957, to wit:

a. to knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, wire fraud in violation of 18 U.S.C. § 1343, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of such specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i); and

b. to 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 value greater than \$10,000, that is, the withdrawal, deposit, and transfer of U.S. currency, funds, and monetary instruments, such property having been derived from specified unlawful activity, that is, wire fraud in violation of 18 U.S.C. § 1343, all in violation of 18 U.S.C. § 1957(a).

MANNER AND MEANS

28. The manner and means used to accomplish the objectives of the conspiracy included, among others, those described in paragraphs 1 through 21 of the Bill of Indictment.

OVERT ACTS

29. In furtherance of the conspiracy, and to effect its objects and purposes, various overt acts were committed by the defendants and their conspirators known and unknown to the Grand Jury, within the Western District of North Carolina and elsewhere, including but not limited to the acts described in paragraphs 1 through 21 of the Bill of Indictment.

All in violation of Title 18 United States Code Sections 1956(h).

COUNT THREE

18 U.S.C. § 1028A

Aggravated Identity Theft

30. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 21 of the Bill of Indictment, and further alleges that:

31. On or about December 2, 2016, in Watauga County, within the Western District of North Carolina, and elsewhere, the defendants, OLUDAYO KOLAWOLE JOHN ADEAGBO and DONALD IKENNA ECHEAZU, aiding and abetting each other, and others known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the full name of D.M., during and in relation to felony violations enumerated in 18 U.S.C. § 1028A(c), to wit the offense charged in Count One (Conspiracy to Commit Wire Fraud), knowing that the means of identification belonged to another actual person.

All in violation of 18 U.S.C. §§ 1028A(a)(1) and 2.

FORFEITURE

32. Notice is hereby given of 18 U.S.C. § 982, 21 U.S.C. § 853, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 982, 853, and/or 2461(c):

a. All property which constitutes or is derived from proceeds of the violations set forth in this Bill of Indictment;

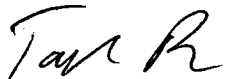
b. All property involved in the violations set forth in this bill of indictment or traceable to property involved in such violations; and

c. If, as set forth in 21 U.S.C. § 853(p), any property described in (a) and (b) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a) and (b).

A TRUE BILL



R. ANDREW MURRAY
UNITED STATES ATTORNEY



TAYLOR J. PHILLIPS
ASSISTANT UNITED STATES ATTORNEY