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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

March 30, 2022

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA §

v. §

OLUDAYO KOLAWOLE §

JOHN ADEAGBO §

a/k/a John Edwards §

a/k/a John Dayo §

Defendant §

CRIMINAL NO. 4:22-cr-165

UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES:

At times material to this Indictment:

INTRODUCTION

1. Defendant **OLUDAYO KOLAWOLE JOHN ADEAGBO** (“**ADEAGBO**”) was a Nigerian national residing outside of the United States.
2. Company 1 was a government entity located in Galveston, Texas.
3. Company 2 was a company headquartered in the League City, Texas, area that was involved in construction.
4. Company 3 was a college in the Houston, Texas area.
5. Company 4 was a company headquartered in Houston, Texas, that was involved in construction.

6. Company 5 was a government entity located in Houston, Texas.

7. Company 6 was a company headquartered in Houston, Texas, that was involved in construction.

8. From in or about November 2016, and continuing through in or about July 2018, defendant **ADEAGBO**, and others known and unknown to the Grand Jury, conspired to unlawfully enrich themselves by participating in a series of cyber-enabled business email compromise (“BEC”) fraud scams. These scams perpetrated by **ADEAGBO** and his co-conspirators targeted the unsuspecting victims listed in this indictment, including victims in the Southern District of Texas, and attempted to cause more than three million dollars in losses.

Relevant Terms and Definitions

9. “Spoofing” is a technique where the criminal actors trick victims into believing that an email originated from a person or entity that is known or trusted. In spoofing attacks, the actor either forges the email headers or registers an account that is similar the trusted account. For example, if a trusted email account is john@acme.com, the actor may utilize the similar-appearing account john@acmes.com to send email(s).

COUNT ONE

**Conspiracy to Commit Wire Fraud
(18 U.S.C. §§ 1343 and 1349)**

10. Paragraphs 1 through 9 of this Indictment are hereby incorporated by reference as though fully set forth herein.

11. From at least in or about November 2016, and continuing through in or about July 2018, in the Southern District of Texas and elsewhere, the defendant,

OLUDAYO KOLAWOLE JOHN ADEAGBO,

did knowingly combine, conspire, confederate, and agree with others known and unknown to the Grand Jury to devise and intend to devise a scheme and artifice to defraud and to obtain and attempt to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and in execution of said scheme and artifice, transmit and cause to be transmitted by means of wire in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purpose of executing said scheme and artifice to defraud in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS

12. It was part of the conspiracy that defendant **ADEAGBO** and others devised, executed, and facilitated email spoofing schemes over the internet that directed funds to accounts controlled by conspirators.

13. It was further part of the conspiracy that defendant **ADEAGBO** and others knowingly registered domain names with hosting services that appeared very similar to legitimate domain names used by companies.

14. It was further part of the conspiracy that defendant **ADEAGBO** and others created email addresses associated with the domains that they registered.

15. It was further part of the conspiracy that defendant **ADEAGBO** and others sent emails falsely purporting to be employees of companies that conducted business with the victim companies, including purporting to be employees of Companies 2, 4, and 6. These emails fraudulently induced customers and clients to send payments to bank accounts controlled by the conspirators, including through false claims that the company associated with the employee's email address had changed its payment bank account. These unauthorized emails deceived representatives at victim companies, including Company 1, Company 3, and Company 5, into transferring payments to accounts controlled by the conspirators.

16. It was further part of the conspiracy that defendant **ADEAGBO** and others often transmitted such emails from email addresses they created that were very similar to trusted legitimate email addresses, all in furtherance of their attempt to deceive the customers or clients into sending wire payments to accounts controlled by the conspirators.

17. It was further part of the conspiracy that defendant **ADEAGBO** and others concealed their identity through a number of means, including by using aliases, online nicknames, and falsely-registered email accounts.

18. It was further part of the conspiracy that defendant **ADEAGBO** accessed the accounts used to create the domains used in the fraudulent scheme.

19. It was further part of the conspiracy that defendant **ADEAGBO** paid for an account that was used to determine which companies had construction contracts, in order to send emails targeting those companies in furtherance of the fraudulent scheme.

20. It was further part of the conspiracy that defendant **ADEAGBO** and others knowingly falsely registered a domain and knowingly used that domain in the course of the offense.

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

COUNT TWO

**Wire Fraud
(18 U.S.C. § 1343)**

21. Paragraphs 1 through 9 and 12 through 20 of this Indictment are hereby incorporated by reference as though fully set forth herein.

22. From in or about November 2016, to in or about July 2018, in the Southern District of Texas and elsewhere, the defendant,

OLUDAYO KOLAWOLE JOHN ADEAGBO,

knowingly devised and intended to devise, a scheme to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and did aid and abet the same.

EXECUTION OF THE SCHEME

23. On or about the date listed below, in the Southern District of Texas and elsewhere, for the purpose of executing the above-described scheme to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, the defendant, **ADEAGBO**, transmitted and caused to be transmitted by means of wire communication in and affecting interstate and foreign commerce writings, signals, and sounds, that is, the transmission of an email sent on or about March 13, 2018 to an employee at Company 1 fraudulently claiming that Company 2 had updated its payment account.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF CRIMINAL FORFEITURE
(18 U.S.C. § 981(a)(1)(C); 28 U.S.C. § 2461(c))

24. Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), the United States gives notice that upon Defendant's conviction of the offenses charged in Counts One and Two of this

Indictment, the United States intends to seek forfeiture of all property, real or personal, which constitutes or is derived from proceeds traceable to such offenses.

25. The United States gives notice that it will seek a money judgment against the Defendant. In the event that one or more conditions listed in Title 21, United States Code, Section 853(p) exist, the United States will seek to forfeit any other property of the Defendant up to the amount of the money judgment.

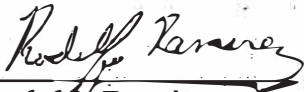
A TRUE BILL

Signature on File

~~FOREPERSON~~

JENNIFER B. LOWERY
UNITED STATES ATTORNEY

By:



Rodolfo Ramirez
Assistant United States Attorney

Brian Mund
Trial Attorney
Computer Crime and Intellectual Property Section
Department of Justice, Criminal Division