

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 14-
	:	
MARIUS VINTILA, a/k/a "Dan Girneata"	:	18 U.S.C. § 1349
	:	18 U.S.C. § 1028A(a)(1)
	:	18 U.S.C. § 1029(b)(2)
	:	18 U.S.C. § 1029(a)(3)
	:	18 U.S.C. § 1029(a)(4)
	:	18 U.S.C. § 2

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey,
sitting at Newark, charges:

COUNT ONE
(Conspiracy to Commit Bank Fraud)
(18 U.S.C. § 1349)

BACKGROUND

1. At various times relevant to this Indictment:
 - a. Defendant MARIUS VINTILA, a/k/a "Dan Girneata," ("VINTILA") was a citizen of Romania and resided in Queens, New York.
 - b. B.R., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.
 - c. I.L., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.
 - d. D.G., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

e. C.G., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

f. M.C., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

g. C.P., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

h. E.R., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

i. F.A., a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

j. E.C., a co-conspirator who is not named as a defendant herein, was a citizen of Bosnia and resided in Queens, New York.

k. Wells Fargo, Citibank, and TD Bank were federally insured financial institutions as that term is defined by Title 18, United States Code, Section 20

l. "Victim 1" was a resident of Ridgewood, New Jersey, and held an account at Citibank ending in 8716.

THE CONSPIRACY

2. From in or about June 2012 through in or about July 2013, in Bergen, Essex, Union, Passaic, Morris, Monmouth, Middlesex, and Ocean Counties, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Girneata"

did knowingly and intentionally conspire and agree with B.R., I.L., D.G., C.G., M.C., C.P., E.R., F.A., E.C., and others to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely Citibank, TD Bank, and Wells Fargo, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain money, funds, assets, and other property owned by and under the custody and control of Citibank, TD Bank, and Wells Fargo, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendant VINTILA, B.R., I.L., D.G., C.G., M.C., C.P., E.R., F.A., E.C., and others to enrich themselves by installing devices on automated teller machines ("ATMs") that acquired customers' bank account and personal identification number ("PIN") information, using this stolen information to produce counterfeit ATM cards, and using the counterfeit ATM cards and stolen PINs to withdraw funds from the compromised accounts.

MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that defendant VINTILA and B.R. designed "skimming" devices for installation onto the card reader interfaces of bank ATMs and bank ATM vestibule doors. The "skimming" devices captured and recorded account information contained in the magnetic strip of customers' ATM cards.

5. It was further part of the conspiracy that defendant VINTILA and B.R. designed pinhole camera panels and paid commercial businesses to manufacture the panels. The pinhole camera panels contained pinhole cameras that were concealed within overlay plates designed to blend in with the banks' existing ATM components. The pinhole cameras were capable of recording the keystrokes of bank customers as they entered their PINs during ATM transactions.

6. It was further part of the conspiracy that defendant VINTILA recruited co-conspirators, including I.L., D.G., C.G., M.C., C.P., E.R., F.A., E.C., and others to participate in the scheme. Defendant VINTILA and B.R. taught these co-conspirators how to install the "skimming" devices and pinhole camera panels on bank ATMs and how to subsequently remove them from bank ATMs in order to extract the stolen customer account information.

7. It was further part of the conspiracy that the co-conspirators recruited by defendant VINTILA installed the "skimming" devices and pinhole camera panels onto bank ATMs and bank

ATM vestibule doors at locations throughout New Jersey, New York, and Florida.

8. It was further part of the conspiracy that defendant VINTILA, B.R., and others then transferred the stolen customer account information and customer PIN numbers onto blank ATM cards, thereby creating counterfeit ATM cards ("Counterfeit ATM Cards").

9. It was further part of the conspiracy that defendant VINTILA directed co-conspirators to use the Counterfeit ATM Cards to make unauthorized ATM withdrawals of millions of dollars from customer bank accounts at ATMs throughout New Jersey, New York, and Florida.

10. It was further part of the conspiracy that defendant VINTILA and others stored "skimming" devices, pinhole camera panels, various components of "skimming" devices and pinhole camera panels, Counterfeit ATM Cards, laptop computers, and other parts and equipment necessary to carry out an ATM skimming scheme in commercial storage facilities located in New York.

11. As a result of the foregoing conduct, Citibank, TD Bank, and Wells Fargo suffered total losses of approximately \$5 million.

SPECIFIC ACTS IN FURTHERANCE OF THE CONSPIRACY

12. From in or about June 2012 through in or about August 2012, defendant VINTILA directed various co-conspirators, including D.G and I.L., to steal bank customers' account information and PINs by

installing and removing ATM "skimming" devices and pinhole camera panels at Wells Fargo bank locations.

13. On or about September 27, 2012, defendant VINTILA, using his alias "Dan Girneata," provided a prototype pinhole camera plate to a commercial business located in Long Island City, New York, and requested that the business produce multiple copies of the prototype in exchange for cash. The pinhole camera plates produced by the commercial business were subsequently installed by defendant VINTILA's co-conspirators, including C.P. and E.R., at TD Bank ATMs throughout New Jersey.

14. In or about December 2012, defendant VINTILA transferred more than fifteen Counterfeit ATM Cards to co-conspirators, including C.G. and M.C. The co-conspirators, including C.G. and M.C., subsequently used the Counterfeit ATM Cards to withdraw funds from Citibank customer bank accounts.

15. On or about March 18, 2013, defendant VINTILA, using his alias "Dan Girneata," leased a storage unit in Flushing, New York, into which he subsequently deposited "skimming" devices, pinhole camera panels, Counterfeit ATM Cards, and laptop computers.

16. On or about May 16, 2013, defendant VINTILA provided a prototype pinhole camera plate to a commercial business located in Deerfield, Florida, and requested that the business produce multiple copies of the prototype in exchange for cash.

17. On or about June 3, 2013, defendant VINTILA and another individual test-fitted a pinhole camera plate onto a TD Bank ATM in Fort Lauderdale, Florida.

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

COUNT TWO
(Aggravated Identity Theft)
(18 U.S.C. § 1028A(a)(1))

1. The allegations set forth in paragraphs 1 and 4 through 17 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. In or about December 2012, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Girneata"

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, namely an ATM card containing the name and bank account number of Victim 1, during and in relation to a felony violation of a provision contained in chapter 63, United States Code, that is, conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE

**(Conspiracy to Possess Fifteen or More Counterfeit Access Devices)
(18 U.S.C. § 1029(b) (2))**

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

THE CONSPIRACY

2. From in or about June 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Gineata"

did knowingly conspire and agree with others to possess, with intent to defraud, at least fifteen counterfeit and unauthorized access devices, as defined in Title 18, United States Code, Section 1029(e) (1) - (3), namely counterfeit and unauthorized ATM cards, in a manner affecting interstate and foreign commerce, contrary to Title 18, United States Code, Section 1029(a) (3).

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendant VINTILA and others to possess more than fifteen counterfeit and unauthorized access devices, namely counterfeit and unauthorized ATM cards, in order to use those counterfeit and unauthorized ATM cards to enrich themselves by withdrawing funds from compromised bank accounts.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

4. In furtherance of the conspiracy and in order to effect the object thereof, defendant VINTILA and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. In or about December 2012, defendant VINTILA transferred more than fifteen Counterfeit ATM Cards to co-conspirators, including C.G. and M.C.

b. On or about March 18, 2013, defendant VINTILA, using his alias "Dan Girneata," leased a storage unit in Flushing, New York.

All in violation of Title 18, United States Code, Sections 1029(b) (2) and (c) (1) (A) (i).

COUNT FOUR

(Possession of Fifteen or More Counterfeit Access Devices)
(18 U.S.C. § 1029(a)(3))

1. The allegations set forth in paragraphs 1 and 4 through 17 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. From in or about June 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Gineata"

did knowingly and with intent to defraud, possess at least fifteen counterfeit and unauthorized access devices, as defined in Title 18, United States Code, Section 1029(e)(1)-(3), namely counterfeit and unauthorized ATM cards, in and affecting interstate commerce.

All in violation of Title 18, United States Code, Sections 1029(a)(3) and (c)(1)(A)(i).

COUNT FIVE
(Conspiracy to Possess Access-Device Making Equipment)
(18 U.S.C. § 1029(b)(2))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

THE CONSPIRACY

2. From in or about June 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Girneata"

did knowingly conspire and agree with others to produce, traffic in, have custody and control of, and possess, with the intent to defraud, access device-making equipment, as defined in Title 18, United States Code, Section 1029(e)(6), in a manner affecting interstate and foreign commerce, contrary to Title 18, United States Code, Section 1029(a)(4).

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendant VINTILA and others to attach access device-making equipment, namely "skimming" devices and pinhole camera panels, to bank ATMS in order to steal bank customers' account information and PINs, to produce Counterfeit ATM Cards encoded with such stolen information, and to

enrich themselves by withdrawing funds from the compromised bank accounts using the Counterfeit ATM Cards.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

4. In furtherance of the conspiracy and in order to effect the object thereof, defendant VINTILA and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about September 27, 2012, defendant VINTILA, using his alias "Dan Girneata," provided a prototype pinhole camera plate to a commercial business located in Long Island City, New York.

b. In or about December 2012, defendant VINTILA transferred more than fifteen Counterfeit ATM Cards to co-conspirators, including C.G. and M.C.

c. On or about March 18, 2013, defendant VINTILA, using his alias "Dan Girneata," leased a storage unit in Flushing, New York.

d. On or about May 16, 2013, defendant VINTILA provided a prototype pinhole camera plate to a commercial business located in Deerfield, Florida.

e. On or about June 3, 2013, defendant VINTILA and another individual test-fitted a pinhole camera plate onto a TD Bank ATM in Fort Lauderdale, Florida.

All in violation of Title 18, United States Code, Sections 1029(b) (2) and (c) (1) (A) (ii).

COUNT SIX
(Possession of Access Device-Making Equipment)
(18 U.S.C. § 1029(a)(4))

1. The allegations set forth in paragraphs 1 and 4 through 17 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. From in or about June 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendant

MARIUS VINTILA,
a/k/a "Dan Girneata"

did knowingly and with intent to defraud, produce, traffic in, have custody and control of, and possess access device-making equipment, as defined in Title 18, United States Code, Section 1029(e)(6), affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 1029(a)(4) and (c)(1)(A)(ii).

FIRST FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant, that upon his conviction of the offense charged in Count One of this Indictment, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c), which requires any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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 divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in paragraph 2.

SECOND FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2) and 1029(c)(1)(C).

2. The United States hereby gives notice to the defendant, that upon his conviction of the offenses charged in Counts Three through Six of this Indictment, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), which requires any person convicted of such offenses to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offenses, and in accordance with Title 18, United States Code, Section 1029(c)(1)(C), which requires any person convicted of such offenses to forfeit any personal property used or intended to be used to commit such offense.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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 divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in paragraph 2.



PAUL J. FISHMAN
United States Attorney