

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**NOVEMBER 2021 GRAND JURY
(Impaneled November 5, 2021)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

JENNIFER CAMPBELL

Violations:

Title 18, United States Code,
Sections 1343 and 1028A(a)(1)
(23 Counts and Forfeiture Allegation)

INTRODUCTION

The Grand Jury Charges That:

At all times relevant to this Indictment:

1. Investment Advisory Firm 1 was an investment advisory firm located in Buffalo, New York, which provided investment and financial planning advice to its clients.

2. The defendant, JENNIFER CAMPBELL, was employed by Investment Advisory Firm 1 from approximately 2017 until approximately May 2021. The defendant was the Office Manager for Investment Advisory Firm 1 and, beginning in approximately 2018, also served as Investment Advisory Firm 1's Chief Compliance Officer.

3. Raymond James & Associates, Inc. ("Raymond James") was a broker-dealer that provided Investment Advisory Firm 1 with access to a trading platform for the purchase

and sale of securities. As part of the services it provided, Raymond James maintained an online client portal for Investment Advisory Firm 1 accounts. The client portal allowed users to do things such as access accounts, pay bills, transfer funds, change notification preferences, upload documentation, and view online copies of documents including statements, trade confirmations, and tax reports. The computer servers Raymond James used to host the client portal were located outside the State of New York. The e-mail servers Raymond James used to host its e-mail accounts also were located outside the State of New York.

COUNTS 1 THROUGH 19
(Wire Fraud)

The Grand Jury Further Charges That:

4. The allegations in the Introduction are incorporated herein by reference.

5. Between in or about November 2018, and in or about May 2021, the exact dates being unknown, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, did devise, and intend to devise, a scheme and artifice to defraud Victim 1, Victim 2, Victim 3, Victim 4, and Victim 5, individuals known to the Grand Jury, and Investment Advisory Firm 1, an entity known to the Grand Jury, and to obtain money and property from those victims by means of false and fraudulent pretenses, representations, and promises.

Victim 1, Victim 2, and Victim 3

6. During the relevant time period, Investment Advisory Firm 1 managed funds for a trust, the beneficiaries of which included Victim 1, Victim 2, and Victim 3. The trust

funds for Victim 1 were maintained in Raymond James account number ending in 6161 (“Victim 1 Trust Account”). The trust funds for Victim 2 were maintained in Raymond James account number ending in 6217 (“Victim 2 Trust Account”). The trust funds for Victim 3 were maintained in Raymond James account number ending in 5623 (“Victim 3 Trust Account”).

7. For purposes of managing these accounts and paying bills associated with these accounts, Investment Advisory Firm 1 maintained checkbooks for each account that were kept in a safe in Investment Advisory Firm 1’s offices. The defendant, JENNIFER CAMPBELL, had access to the safe, but was not authorized to transfer any of the trust’s funds or make any transactions concerning the trust’s funds without the approval of one of Investment Advisory Firm 1’s principals.

8. As part of the scheme and artifice to defraud, between on or about February 3, 2019, and on or about August 17, 2020, the defendant, JENNIFER CAMPBELL, forged the signature of an Investment Advisory Firm 1 principal on eight checks totaling \$17,937.80 drawn on the Victim 1 Trust Account, the Victim 2 Trust Account, and the Victim 3 Trust Account, and deposited the checks into defendant’s own Raymond James account number ending in 0389.

9. Also in furtherance of the scheme and artifice to defraud, in order to deposit the checks, the defendant, JENNIFER CAMPBELL, used an Investment Advisory Firm 1 scanner and computer to scan images of the checks, thereby converting the checks to an

electronic image, which the defendant then assigned to her Raymond James account ending in 0389. The check images were sent by wire communication in interstate commerce from the Western District of New York to Raymond James's servers outside of New York State, where Raymond James processed the check images.

Victim 4

10. During the relevant time period, Investment Advisory Firm 1 managed investments from an estate, of which Victim 4 was the beneficiary. Victim 4 and Attorney 1 were co-executors of the estate. The funds for Victim 4 were maintained in Raymond James account number ending in 7453 ("Victim 4 Trust Account").

11. As part of the scheme and artifice to defraud, on or about November 1, 2018, the defendant, JENNIFER CAMPBELL, completed a Capital Access Account Upgrade Application for the Victim 4 Trust Account, forging the signatures of Victim 4 and Attorney 1. The application was submitted to Raymond James using the online client portal. The purpose of the application was to request a checkbook for the Victim 4 Trust Account from which checks could be written.

12. Also in furtherance of the scheme and artifice to defraud, between on or about August 1, 2019, and on or about March 17, 2020, the defendant, JENNIFER CAMPBELL, forged the signature of Victim 4 on nineteen checks totaling \$138,151.11. The checks were written from the Victim 4 Trust Account checkbook and were made payable to Raymond

James. The defendant deposited the checks into her own personal Raymond James account number ending in 0389.

13. Also in furtherance of the scheme and artifice to defraud, on or about August 26, 2019, in an effort to conceal the theft of funds from the Victim 4 Trust Account, the defendant, JENNIFER CAMPBELL, changed the account preferences for the account such that paper statements were no longer sent to Attorney 1. Instead, the defendant directed that statements be e-mailed to a Google e-mail account bearing a name which appeared to be associated with Victim 4, but of which account Victim 4 was unaware.

14. Also in furtherance of the scheme and artifice to defraud, on or about December 1, 2020, in a further effort to conceal the theft of funds from the Victim 4 Trust Account, the defendant e-mailed Victim 4. A fraudulent account statement for the Victim 4 Trust Account representing an account balance of approximately \$148,000 was attached to the e-mail. The actual account balance for the Victim 4 Trust Account at the time was approximately \$91.

15. Also in furtherance of the scheme and artifice to defraud, on or about December 10, 2020, in a further effort to conceal the theft of funds from the Victim 4 Trust Account, the defendant submitted a request to Raymond James to remove Victim 4's access to the Victim 4 Trust Account. In support of this request, the defendant attached to the submission a fraudulent Letters Testamentary, purportedly filed with the Surrogate's Court

of the County of Erie, New York, which purported to remove Victim 4 as a fiduciary for the estate.

16. Also in furtherance of the scheme and artifice to defraud, on or about December 11, 2020, and on or about December 17, 2020, in a further effort to conceal the theft of funds from the Victim 4 Trust Account, the defendant replaced funds she had stolen from the Victim 4 Trust Account by transferring \$152,016.20 from the Victim 5 Trust Account A (described in Paragraph 17, below) to a Bank of America checking account number ending in 6915, which was controlled by Victim 4. Victim 4 believed these funds to be proceeds from the Victim 4 Trust Account.

Victim 5

17. During the relevant time period, Investment Advisory Firm 1 managed funds left in trust for the benefit of Victim 5. Attorney 2 assisted Victim 5 in managing the trust. The funds were maintained in Raymond James account number ending in 4322 (“Victim 5 Trust Account A”). Victim 5 was also a part owner of two companies which owned buildings and received rental income from them. This rental income was deposited into two accounts: Raymond James account number ending in 4416 (“Victim 5 Trust Account B”), and Raymond James account number ending in 1900 (“Victim 5 Trust Account C”).

18. Between on or about September 25, 2020, and on or about April 7, 2021, Investment Advisory Firm 1 received 14 checks totaling \$54,573.42, representing rental income that was meant to be deposited into Victim 5 Trust Account B and Victim 5 Trust

Account C. Instead, the defendant, JENNIFER CAMPBELL, deposited 13 of these checks, totaling \$51,218.48, into her own personal Raymond James account ending in 0389. The defendant also deposited a single check for \$3,354.94 into another Raymond James account she controlled, which account ended in W320.

19. As part of the scheme and artifice to defraud, on or about December 9, 2020, the defendant, JENNIFER CAMPBELL, submitted an ACH Profile Setup Request form to Raymond James for Victim 5 Trust Account A that linked Victim 5 Trust Account A with the Bank of America checking account number ending in 6915, controlled by Victim 4. The defendant forged the signatures of Victim 4 and Victim 5 on the form.

20. As stated above, on or about December 11, 2020, and on or about December 17, 2020, the defendant, JENNIFER CAMPBELL, without any authorization to do so, transferred \$152,016.20 from Victim 5 Trust Account A to the Bank of America checking account number ending in 6915, controlled by Victim 4, for the purpose of replacing funds the defendant had stolen from the Victim 4 Trust Account, and thus attempting to conceal the defendant's theft from that account.

21. As part of the scheme and artifice to defraud, between on or about December 11, 2020, and on or about April 7, 2020, the defendant, JENNIFER CAMPBELL, forged the name of Victim 5 on 13 checks from Victim 5 Trust Account A, totaling \$124,630.40 and made payable to Raymond James. The defendant deposited 12 of the checks, totaling \$123,870.30, into her own personal Raymond James account number ending in 0389, and

deposited a single check for \$760.09 into the Raymond James account ending in W320, which she also controlled.

22. Also in furtherance of the scheme and artifice to defraud, on or about May 4, 2021, in response to inquiries from Raymond James Anti-Money Laundering and Financial Crimes Management personnel about the deposits of the rent checks referenced in Paragraph 15, above, into the defendant's personal Raymond James accounts, and the transfers from Victim 5 Trust Account A to the bank account of Victim 4, referenced in Paragraphs 16 and 17, above, the defendant, JENNIFER CAMPBELL, sent an e-mail to Raymond James using the e-mail account of an Investment Advisory Firm 1 principal without authorization to do so. The defendant attached to the e-mail a fraudulent IRS Form 1099-MISC purporting to show that the defendant had received income from the company which was the source of the rental payments that were meant to be deposited into Victim 5 Trust Account B and Victim 5 Trust Account C. The defendant also attached to the e-mail a fraudulent facsimile transmission, dated November 19, 2018, purportedly from Attorney 2 to the defendant, stating that the rent checks were to be sent to the defendant. The fraudulent facsimile further falsely stated that the defendant was Victim 5's niece.

23. Also in furtherance of the scheme and artifice to defraud, on or about May 5, 2021, the defendant JENNIFER CAMPBELL, sent a second e-mail to Raymond James Anti-Money Laundering and Financial Crimes Management personnel, using the e-mail account of the Investment Advisory Firm 1 principal, without authorization to do so. In the e-mail, the defendant falsely stated that Victim 5 was related to the decedent who had named Victim

4 as a beneficiary of the decedent's estate. The e-mail further falsely stated that the same decedent named the defendant's mother as a beneficiary of the decedent's estate.

Company 1

24. During the relevant time period, Investment Advisory Firm 1 managed funds for Company 1 and charged Company 1 advisory fees. Company 1 paid these fees monthly by sending a check to Investment Advisory Firm 1.

25. As part of the scheme and artifice to defraud, between on or about September 8, 2020, and on or about March 21, 2021, the defendant, JENNIFER CAMPBELL, stole four checks totaling \$26,525.29, which Company 1 sent to Investment Advisory Firm 1 to pay for services rendered. Rather than depositing the checks in an Investment Advisory Firm 1 bank account, the defendant deposited the checks in her own personal Raymond James account number ending in 0389.

Execution of the Scheme and Artifice to Defraud

26. On or about the dates set forth below, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, for the purpose of executing the scheme and artifice to defraud, did transmit, and cause to be transmitted, by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, that is, the communications set forth below:

Count	Date	Description of Wire Communication
Victim 1, Victim 2, and Victim 3		
1	2/3/2019	Transmission of check image for check from Victim 1 Trust Account for \$2,112.11 payable to Raymond James
2	6/30/2019	Transmission of check image for check from Victim 2 Trust Account for \$2,211.11 payable to Raymond James
3	7/31/2019	Transmission of check image for check from Victim 3 Trust Account for \$2,901.11 payable to Raymond James
4	8/17/2020	Transmission of check image for check from Victim 2 Trust Account for \$3,895 payable to Raymond James
Victim 4		
5	11/1/2018	Electronic submission of Capital Access Account Upgrade Application form to Raymond James for Victim 4 Trust Account
6	8/1/2019	Transmission of check image for check from Victim 4 Trust Account for \$4,000 payable to Raymond James
7	12/1/2020	E-mail from defendant to Victim 4 attaching false account statement
8	3/17/2020	Transmission of check image for check from Victim 4 Trust Account for \$4,200 payable to Raymond James
Victim 5		
9	9/25/2020	Transmission of check image for rent check for \$3,354.94 intended to be deposited into Victim 5 Trust Account B
10	12/11/2020	Transmission of check image for check from Victim 5 Trust Account A for \$760.09 payable to Raymond James
11	3/29/2021	Transmission of check image for rent check for \$3,821.41 intended to be deposited into Victim 5 Trust Account C
12	4/7/2021	Transmission of check image for check from Victim 5 Trust Account A for \$15,550 payable to Raymond James

Count	Date	Description of Wire Communication
Victim 4 and Victim 5		
13	12/9/2020	Electronic submission of ACH Profile Setup Request form to Raymond James for Victim 5 Trust Account A
14	12/11/2020	ACH transfer of \$50,000 from Victim 5 Trust Account A to Victim 4 Bank of America Account Number 6915
15	12/17/2020	ACH transfer of \$102,016.20 from Victim 5 Trust Account A to Victim 4 Bank of America Account Number 6915
16	5/4/2021	E-mail from defendant using e-mail account of Investment Advisory Firm 1 principal to Raymond James Anti-Money Laundering and Financial Crimes Management personnel attaching a fraudulent IRS Form 1099-MISC, and a fraudulent facsimile, purportedly from Attorney 2
17	5/5/2021	E-mail from defendant using e-mail account of Investment Advisory Firm 1 principal to Raymond James Anti-Money Laundering and Financial Crimes Management personnel regarding Victim 5 accounts
Company 1		
18	9/8/2020	Transmission of check image for check from Company 1 for \$3,848.59 payable to Investment Advisory Firm 1
19	3/21/2021	Transmission of check image for check from Company 1 for \$15,000 payable to Investment Advisory Firm 1

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

COUNT 20
(Aggravated Identity Theft)

The Grand Jury Further Charges That:

27. The allegations in the Introduction and Counts 1 through 19 are incorporated herein by reference.

28. On or about February 3, 2019, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the signature of a principal at Investment Advisory Firm 1, a person known to the Grand Jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), that is, a violation of Title 18, United States Code, Section 1343, committed in the manner set forth in Count 1 of this Indictment, knowing that the means of identification belonged to another actual person.

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

COUNT 21
(Aggravated Identity Theft)

The Grand Jury Further Charges That:

29. The allegations in the Introduction and Counts 1 through 19 are incorporated herein by reference.

30. On or about August 1, 2019, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the signature of Victim 4, a person known to the Grand Jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), that is, a violation of Title 18, United States Code, Section 1343,

committed in the manner set forth in Count 6 of this Indictment, knowing that the means of identification belonged to another actual person.

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

COUNT 22
(Aggravated Identity Theft)

The Grand Jury Further Charges That:

31. The allegations in the Introduction and Counts 1 through 19 are incorporated herein by reference.

32. On or about December 11, 2020, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the signature of Victim 5, a person known to the Grand Jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), that is, a violation of Title 18, United States Code, Section 1343, committed in the manner set forth in Count 10 of this Indictment, knowing that the means of identification belonged to another actual person.

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

COUNT 23
(Aggravated Identity Theft)

The Grand Jury Further Charges That:

33. The allegations in the Introduction and Counts 1 through 19 are incorporated herein by reference.

34. On or about May 4, 2021, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, JENNIFER CAMPBELL, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the name of an Investment Advisory Firm 1 principal, a person known to the Grand Jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), that is, a violation of Title 18, United States Code, Section 1343, committed in the manner set forth in Count 16 of this Indictment, knowing that the means of identification belonged to another actual person.

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

FORFEITURE ALLEGATION
(Proceeds Forfeiture)

The Grand Jury Alleges That:

Upon conviction of one or more of the offenses set forth in Counts 1 through 23 of this Indictment, the defendant, JENNIFER CAMPBELL, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(A) and (B), Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting, or derived from, proceeds the defendant obtained

directly or indirectly, as the result of such violation. The property to be forfeited includes, but is not limited to, the following:

A. MONETARY SUM

The approximate sum of \$361,817 United States currency, which sum of money is equal to the total amount of proceeds obtained as a result of the offenses for which the defendant, JENNIFER CAMPBELL is charged in Counts 1 through 23. In the event that the above sum is not available, then a money judgment for the same amount will be entered against the defendant.

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

- i. cannot be located upon the exercise of due diligence;
- ii. has been transferred or sold to, or deposited with, a third person;
- iii. has been placed beyond the jurisdiction of the Court;
- iv. has been substantially diminished in value; or
- v. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All pursuant to Title 18, United States Code, Sections 982(a)(2)(A) and (B), Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c).

DATED: Buffalo, New York, May 31, 2022.

TRINI E. ROSS
United States Attorney

BY: S/ _____
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A TRUE BILL:

S/ _____
FOREPERSON