

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Esther Salas  
: :  
: Criminal No. 19-  
v. : :  
: :  
BOGDAN VIOREL RUSU : 18 U.S.C. § 1349

**INFORMATION**

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

a. Defendant BOGDAN VIOREL RUSU (“RUSU”) was a citizen of Romania and resided in Queens, New York.

b. Bank 1 and Bank 2 were each “financial institutions” as defined by Title 18, United States Code, Sections 20 and 27.

**THE CONSPIRACY**

2. From in or about March 2015 through in or about July 2016, in the District of New Jersey, and elsewhere, the defendant,

BOGDAN VIOREL RUSU,

did knowingly and intentionally conspire and agree with others to execute and attempt to execute a scheme and artifice to defraud financial institutions, namely Bank 1 and Bank 2, and to obtain money, funds, credit, assets, securities, and other property owned by, and under the custody and control of, Bank 1 and Bank 2, 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 RUSU and others to enrich themselves by unlawfully withdrawing money from automated teller machines (“ATMs”) using counterfeit ATM cards encoded with bank customers’ account information that previously had been stolen by devices installed on the ATMs that acquired bank customers’ account information and personal identification codes.

### MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that the co-conspirators installed “skimming” devices onto the card reader interfaces of bank ATMs and bank ATM vestibule doors belonging to Bank 1 and Bank 2. These “skimming” devices captured and recorded information contained in the magnetic strip of customers’ ATM cards.

5. It was further part of the conspiracy that the co-conspirators installed pinhole cameras, concealed within overlay plates designed to blend in with the banks’ existing ATM components, onto bank ATMs. These pinhole cameras were capable of recording the keystrokes of bank customers as they entered their Personal Identification Numbers (“PINs”) during ATM transactions.

6. It was further part of the conspiracy that the co-conspirators then transferred the stolen customer account data and customer PIN numbers onto blank ATM cards, thereby creating counterfeit ATM cards (“Counterfeit ATM Cards”).

7. It was further part of the conspiracy that RUSU and co-conspirators gave the Counterfeit ATM Cards to other co-conspirators, who in turn used the Counterfeit ATM Cards to make unauthorized ATM withdrawals from customer bank accounts.

8. As a result of the foregoing conduct, Bank 1 suffered losses that were reasonably foreseeable to RUSU in the amount of approximately \$428,581.

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

#### FORFEITURE ALLEGATION

1. The allegations contained in this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2).

2. The United States hereby gives notice to the defendant, that upon his conviction of the offense charged in this Information, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), 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 property described above, 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.

  
CRAIG CARPENITO  
United States Attorney

CASE NUMBER: 19-

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**UNITED STATES OF AMERICA**

v.

**BOGDAN VIOREL RUSU**

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**INFORMATION FOR**

**18 U.S.C. § 1349**

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**CRAIG CARPENITO**  
*UNITED STATES ATTORNEY*  
*NEWARK, NEW JERSEY*

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KELLY GRAVES  
ASSISTANT U.S. ATTORNEY  
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