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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

October 2007 Grand Jury

UNITED STATES OF AMERICA,
Plaintiff,

v.

MOSES ONCIU,
BEATA GIZELLA PRIORE, and
IRENE PEMKOVA,

Defendants.

Case No. SA CR 08-180-DOC

INDICTMENT (JURY COPY)

[18 U.S.C. § 371: Conspiracy; 18
U.S.C. § 1343: Wire Fraud; 18
U.S.C. § 2: Aiding and Abetting/
Causing an Act To Be Done]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. INTRODUCTION

At all times relevant to this Indictment:

1 1. Defendant MOSES ONCIU was a resident of Fountain Hills,
2 Arizona, and a director of David and Goliath International
3 Ministries ("D&G").

4 2. Defendant BEATA GIZELLA PRIORE was a resident of Glen
5 Head, New York.

6 3. Defendant IRENE PEMKOVA was a resident of Las Vegas,
7 Nevada.

8 4. Special agents of the Federal Bureau of Investigation
9 (FBI) conducted an undercover investigation into fraudulent high
10 yield investment schemes. The undercover investigation specifically
11 targeted those persons who fraudulently offered substantial returns
12 on investments with low or no risk of loss.

13 5. As part of the undercover investigation, the FBI
14 established an undercover entity (UCE) in Newport Beach, California
15 that purported to be a financial advisory firm. FBI undercover
16 agents (UCAs) posed either as partners of the UCE seeking to invest
17 their own funds or as wealthy clients of the UCE seeking to invest
18 substantial monies.

19 B. OBJECT OF THE CONSPIRACY

20 6. Beginning on or about November 29, 2006, and continuing to
21 on or about March 7, 2007, in Orange County, within the Central
22 District of California and elsewhere, defendants ONCIU, PRIORE, and
23 PEMKOVA, together with others known and unknown to the Grand Jury,
24 knowingly combined, conspired, and agreed with each other to commit
25 the following offense against the United States: wire fraud, in
26 violation of Title 18, United States Code, Section 1343, in
27 connection with the promotion of fraudulent high yield investment
28

1 schemes promising extremely high returns at little or no risk to
2 principal.

3 C. MANNER AND MEANS OF THE CONSPIRACY

4 The manner and means by which the defendants and their co-
5 conspirators sought to accomplish the conspiracy included, among
6 other things, the following:

7 7. Defendants made fraudulent representations and promises to
8 the UCA about defendants' ability to place the UCA's client-investor
9 into a select, secret HYIP.

10 8. Defendants fraudulently represented they had successfully
11 closed previous deals in which extraordinary rates of return were
12 realized by other investors.

13 9. Defendants fraudulently represented that they had access
14 to a HYIP that would yield a 300% to 650% return in 30 to 45 days at
15 no risk.

16 10. Defendants, for the purpose of promoting their fraudulent
17 investment program, made telephone calls to the UCA in Orange
18 County, California, and sent email transmissions to the UCA in
19 Orange County, California.

20 D. OVERT ACTS

21 11. In furtherance of the conspiracy, and to accomplish its
22 object of the conspiracy, defendants ONCIU, PRIORE, and PEMKOVA,
23 together with others known and unknown to the Grand Jury, committed
24 and willfully caused others to commit the following over acts, among
25 others, in the Central District of California and elsewhere:

26 Overt Act No. 1: On or about November 29, 2006,
27 defendant PEMKOVA had a telephone conversation with the UCA.
28

1 Overt Act No. 2: On or about November 29, 2006, during a
2 phone conversation with the UCA, defendant PEMKOVA stated, among
3 other things, that:

4 a. The UCA could expect a call from a "Dr. Priore" in
5 Europe who was working with the bank involved in the program; and

6 b. Defendant PEMKOVA had other clients in the program,
7 which was a "working program," and who had already been paid.

8 Overt Act No. 3: On or about November 29, 2006,
9 defendant PEMKOVA sent an email to the UCA.

10 Overt Act No. 4: On or about November 29, 2006, during a
11 telephone conversation with the UCA, defendant PEMKOVA stated, among
12 other things, that:

13 a. D&G was a humanitarian foundation under the Central
14 Intelligence Agency (CIA) umbrella;

15 b. Defendant ONCIU was a former, highly placed CIA
16 officer and a director of D&G; and

17 c. A humanitarian project was required for entry into
18 the program.

19 Overt Act No. 5: On or about November 29, 2006,
20 defendant PEMKOVA sent the UCA an email that stated, among other
21 things, that the UCA could expect a call from defendant PRIORE the
22 next day and that defendant PEMKOVA would arrange a phone conference
23 with defendant ONCIU.

24 Overt Act No. 6: On or about November 30, 2006, during a
25 phone conversation with the UCA, defendant PRIORE stated, among
26 other things, that:

27 a. Defendant PRIORE was calling from the trading group
28 in Frankfurt;

1 b. The investment program was run by the TSI Consulting
2 Group in Frankfurt;

3 c. The program yields returns that are 6.5 times the
4 original investment in 30 to 45 days;

5 d. The investment is "pretty much risk free";

6 e. Defendant PRIORE had been in the business of high-
7 yielding investments for seven years and has seen people make these
8 kinds of returns in the past; and

9 f. The program required a minimum investment of \$1
10 million;

11 Overt Act No. 7: On or about November 30, 2006,
12 defendant PRIORE sent the UCA an email.

13 Overt Act No. 8: On or about December 1, 2006, defendant
14 PRIORE sent the UCA an email.

15 Overt Act No. 9: On or about December 1, 2006, defendant
16 PRIORE sent the UCA an email.

17 Overt Act No. 10: On or about December 4, 2006, during a
18 telephone conference call with the UCA (the "12/4/06 Conference
19 Call"), defendant ONCIU stated, among other things, that:

20 a. Defendant Onciu usually doesn't do transactions of
21 less than \$100 million;

22 b. Making a return of 100% per month is not abnormal;

23 c. Defendant Onciu's role in this transaction is to
24 provide the humanitarian element required for these transactions;

25 d. The program is highly confidential and the government
26 does not want people talking about such investment programs; and

27 e. Defendant Onciu would reduce his fees if it would
28 influence the UCA to invest in the program.

1 Overt Act No. 11: On or about December 4, 2006,
2 defendant PEMKOVA participated in the 12/4/06 Conference Call.

3 Overt Act No. 12: On or about December 5, 2006, during a
4 phone conversation with the UCA, defendant PRIORE stated, among
5 other things, that a client of hers invested \$1 million in the
6 program and made a return of \$6.5 million.

7 Overt Act No. 13: On or about January 6, 2007, defendant
8 PRIORE met with the UCA.

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COUNTS TWO THROUGH SIX

(18 U.S.C. §§ 1343 and 2)

12. Paragraphs 1 through 11 are realleged and incorporated herein by reference, as if set forth in full.

13. Beginning on or about November 29, 2006, and continuing to on or about March 7, 2007 in Orange County, within the Central District of California, and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, together with others known and unknown to the Grand Jury, knowingly and with intent to defraud, devised, participated in, and executed a scheme to defraud as to material matters, and to obtain money and property by means of material false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

14. On or about the dates set forth below, within the Central District of California and elsewhere, defendants ONCIU, PRIORE, and PEMKOVA, for the purpose of executing the above-described scheme to defraud, transmitted, willfully caused the transmission, and aided and abetted the transmission of, the following items by means of wire and radio communication in interstate and foreign commerce:

COUNT	DATE	WIRE TRANSMISSION
2	11/29/06	Email from defendant PEMKOVA, sent from amartyk@yahoo.com through a server in Las Vegas, Nevada to the UCA in Newport Beach, California
3	11/29/06	Email from defendant PEMKOVA, sent from amartyk@yahoo.com through a server in Las Vegas, Nevada to the UCA in Newport Beach, California
4	11/30/06	Email from defendant PRIORE, sent from drbpriore@maxfoundation.us, sent through a server in Arizona to the UCA in Newport Beach, California
5	12/1/06	Email from defendant PRIORE, sent from drbpriore@maxfoundation.us, sent through a server in Arizona to the UCA in Newport Beach, California

1	6	12/1/06	Email from defendant PRIORE, sent from drbpriore@maxfoundation.us, sent through a server in Arizona to the UCA in Newport Beach, California
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4 A TRUE BILL

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8 FOREPERSON

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10 THOMAS P. O'BRIEN
United States Attorney

11 CHRISTINE C. EWELL
12 Assistant United States Attorney
Chief, Criminal Division

13
14 DOUGLAS F. MCCORMICK
15 Assistant United States Attorney
Acting Chief, Santa Ana Office

16 IVY A. WANG
17 Assistant United States Attorney.