

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN CHAMBERS
U.S.D.C. Atlanta

JAN 24 2013

ATLANTA DIVISION

JAMES N. HATTEN, Clerk
J. Wade Deputy Clerk

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL INFORMATION
 :
 : NO. 1:13-CR-27
 BENJAMIN DANIEL DEHAAN :

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1
[Wire Fraud]

The Scheme to Defraud

1. From in or about January 2010 through in or about May 2012, the exact dates being unknown to the United States Attorney, in the Northern District of Georgia and elsewhere, defendant BENJAMIN DANIEL DEHAAN devised, intended to devise, and participated in a scheme to defraud investors, and to obtain money from investors by means of false and fraudulent pretenses, representations, and promises, and by the omission of material facts.

2. The object of the scheme was for defendant DEHAAN to unjustly enrich himself at the expense of the investors.

3. It was a part of the scheme that, at all times material to this Information:

a. Defendant DEHAAN owned and operated Lighthouse Financial Partners, LLC (“Lighthouse”).

b. Lighthouse was an “investment adviser” as defined in section 202(a)(11) of the Investment Advisers Act of 1940 (15 U.S.C. § 80b-2(a)(11)).

c. Defendant DEHAAN held Series 6, 63, and 65 securities licenses.

4. Defendant DEHAAN recruited investors by posting a series of videos on Lighthouse’s website and on YouTube.

5. Defendant DEHAAN represented to investors that his investment strategy was based upon an algorithm, that is, a proprietary software program called Quantplat, which he had created and which allowed him to determine when to buy and when to sell a particular stock.

6. Approximately 114 people entrusted defendant DEHAAN with money to invest on their behalf.

7. At its peak, Lighthouse had approximately \$6.7 million in assets under management. In or about February 2012, however, defendant DEHAAN sent an email to the Georgia Secretary of State’s Office, falsely and fraudulently stating that Lighthouse had approximately \$39 million in assets under management.

8. Defendant DEHAAN misappropriated and used for his own personal purposes more than \$2.5 million belonging to more than 50 investors.

9. Defendant DEHAAN'S fraudulent expenditures included the following:
 - a. approximately \$200,000 as a down payment toward the purchase of a \$550,000 house in Memphis, Tennessee;
 - b. approximately \$35,000 to purchase a 3% ownership interest in a restaurant and bar in Memphis, Tennessee;
 - c. approximately \$890,000 to fund the development of Quantplat;
 - d. approximately \$250,000 to fund an investment account in defendant DEHAAN'S own name at TD Ameritrade; and
 - e. approximately \$1,525,000 to pay Lighthouse's overhead and operating expenses.

10. Defendant DEHAAN emailed quarterly statements to investors. In some of those statements, defendant DEHAAN made false and fraudulent representations concerning the amount of money that the investor had in his or her Lighthouse account.

Execution of the Scheme

11. On or about November 12, 2010, for the purpose of executing and attempting to execute the scheme, defendant DEHAAN willfully, and with an intent to defraud, caused to be transmitted by means of a wire communication in interstate commerce certain writings, signs, signals, pictures, and sounds, that is, a wire transfer

of funds in the amount of \$110,000 from the account of Lighthouse Financial Partners LLC at Bank of America in Georgia to the account of L.H. at BB&T in Kentucky.

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

SALLY QUILLIAN YATES
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "J. Russell Phillips", written over the printed name.

J. RUSSELL PHILLIPS
ASSISTANT UNITED STATES ATTORNEY
Georgia Bar Number 576335

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