

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

2013 FEB -6 PM 3:36

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

GURUDEO SUKUL PERSAUD
a/k/a "Buddy Persaud"

CASE NO. 6:13-cr-25-Orl-30DAB
18 U.S.C. § 1341
18 U.S.C. § 1343
18 U.S.C. § 981(a)(1)(C) - Forfeiture
28 U.S.C. § 2461(c) - Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE
(Mail Fraud)

Introduction

At times material to this Indictment:

1. White Elephant Trading Company LLC ("White Elephant") was a Florida company formed and managed by GURUDEO PERSAUD in June 2007 with its principle place of business in Orlando, Florida. White Elephant was a private equity fund that purportedly invested in securities on the national markets.
2. GURUDEO PERSAUD formed White Elephant to solicit investors for a private equity fund.
3. GURUDEO PERSAUD marketed the White Elephant investment primarily to his family members, friends, and clients at the brokerage and investment adviser firm where he worked.

4. GURUDEO PERSAUD told prospective investors that White Elephant would invest their contributions in stocks, notes, futures, and real estate markets.

5. GURUDEO PERSAUD told investors he would generate profits using his trading skills and would make all trading decisions. Investors had no involvement in making investment or trading decisions, or in the day-to-day operations of White Elephant or its fund.

6. GURUDEO PERSAUD used and maintained Yahoo!, Inc. ("Yahoo!") electronic mail ("email") accounts buddypersaud@yahoo.com and wetcollc@yahoo.com.

7. Yahoo! provides web based e-mail accounts to subscribers. The servers which administer the web based email are located in California. Any email sent from Florida will travel over the Internet to Yahoo! servers in California. If the recipient of the email also uses Yahoo! web based email, the recipient will access the sent email by connecting to Yahoo! servers in California from their current location via the Internet.

The Scheme

8. From in or about June 2007 and continuing through in or about July 2011, in Orange County, in the Middle District of Florida and elsewhere,

GURUDEO SUKUL PERSAUD

the defendant herein, did knowingly and willfully devise and intend to devise a

scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing the United States mail and private and commercial carriers, in violation of Title 18, United States Code, Section 1341.

The Manner and Means of the Scheme

9. The manner and means by which the defendant sought to accomplish the scheme and artifice included, among others things, the following:

(a) It was a part of the scheme and artifice that the defendant would obtain money, and attempt to obtain money, from individuals and others through offering safe and secure investment opportunities that guaranteed rates of return of between 6% to 18% that were payable in a short period of time.

(b) It was a part of the scheme and artifice that the defendant would misrepresent that he would use his investment skills and experience as a certified financial planner, while instead using a trading strategy that was based on lunar cycles and gravitational pull between the moon and the Earth.

(c) It was a further part of the scheme and artifice that the investments offered by the defendant were not legitimate investments, but were a "Ponzi" scheme by which money from later investors would be paid to earlier investors.

(d) It was a further part of the scheme and artifice that, in reliance on the misrepresentations made by the defendant, investors often hand-

delivered the defendant money in the form of checks.

(e) It was a further part of the scheme and artifice that the defendant did not invest all of the money that he received from investors, but instead used money from later investors to pay earlier investors and used significant portions of the money for his own personal use.

(f) It was a further part of the scheme and artifice that the defendant would misrepresent his compensation to investors.

10. It was a further part of the scheme and artifice that the defendant would cover-up, and attempt to cover-up, the scheme and artifice to defraud by:

- (a) misrepresenting the safety and security of the investments; and
- (b) providing investors false Verification of Funds letters that falsely

listed account balances and failed to disclose trading losses.

11. It was a further part of the scheme and artifice that the defendant would use interstate wires to communicate with investors by electronic mail, facsimile, and telephone.

12. It was a further part of the scheme and artifice that the defendant would and did perform acts and make statements to hide and conceal, and cause to be hidden and concealed, the purposes of, and the acts done in furtherance of, said scheme and artifice.

Execution of the Scheme

13. On or about the date set forth below, in the Middle District of

Florida and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice, the defendant did knowingly place and cause to be placed in an authorized depository for mail matter, and deposited and caused to be deposited with a private and commercial interstate carrier, the described matter and things, for delivery according to the directions thereon:

Count	Date	Nature of Mailing
1	July 17, 2008	Package containing a Great American Insurance Group check in the amount of \$461,619.10 issued to "R.N." sent via Federal Express from Great American Insurance Group, 525 Vine Street, Cincinnati, OH 45202 to "R.N.'s" home address in Clermont, FL

All in violation of Title 18, United States Code, Section 1341.

COUNTS TWO THROUGH FIVE
(Wire Fraud)

Introduction

14. The Grand Jury hereby realleges Paragraphs 1 through 7 of this Indictment and incorporates such paragraphs by reference as though fully set forth herein.

The Scheme

15. Beginning on an unknown date, but at least from as early as in or about June 2007, and continuing through in and about July 2011, in Orange County, in the Middle District of Florida, and elsewhere,

GURUDEO SUKUL PERSAUD

the defendant herein, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and did transmit and cause to be transmitted by means of wire and radio communications in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purpose of executing said scheme and artifice.

The Manner and Means of the Scheme

16. The substance of the manner and means of the scheme and artifice is described in Paragraphs 9 through 12 of Count One of this Indictment, and the Grand Jury hereby realleges and incorporates by reference those paragraphs as though fully set forth herein.

Execution of the Scheme

17. On or about the dates set forth below, in the Middle District of Florida and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice, the defendant did cause to be transmitted by means of wire communication in interstate and foreign commerce the following:

Count	Date	Nature of Wire
2	July 16, 2008	"R.N." sent a facsimile of a "Surrender of Funds" from Clermont, Florida to Great American Insurance Group in Cincinnati, Ohio requesting "R.N.'s" Great American Insurance Group account xxxx2596 be liquidated and directing the funds be sent via overnight delivery.

Count	Date	Nature of Wire
3	November 11, 2009	The defendant sent a message via email from buddypersaud@yahoo.com to "W.R.'s" email address, accessed in New York, wherein the defendant stated, "Your current balance with White Elephant Trading Co. LLC. as of November 10, 2009 is \$97,504.00, interest due will be credited on August 30, 2010, your maturity date. Please accept this as a confirmation of your current balance. It will be updated on August 30, 2010."
4	November 11, 2010	The defendant sent a message via email from buddypersaud@yahoo.com to "W.R.'s" electronic mail address, accessed in New York, with an attachment letter dated November 8, 2010, stating "W.R." had an account balance of \$108,361.00.
5	January 5, 2011	The defendant sent a message via email from buddypersaud@yahoo.com to "D.A.'s" electronic mail address with an attachment "Verification of Funds for D.A." referencing account 1010-3491 indicating "D.A." had an account balance as of December 31, 2010, in the amount of \$175,313.23.

In violation of Title 18, United States Code, Sections 1343.

FORFEITURES

1. The allegations contained in Counts One through Five of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. From his engagement in the violations alleged in Counts One through Five of this Indictment, punishable by imprisonment for more than one year, the defendant

GURUDEO SUKUL PERSAUD

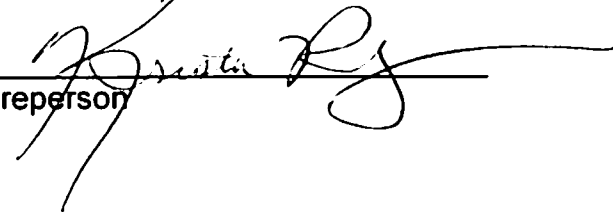
shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of his interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violations.

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;


the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,




Foreperson

ROBERT E. O'NEILL
United States Attorney

By: 

David L. Haas
Assistant United States Attorney

By: 

Carlos A. Perez-Irizarry
Assistant United States Attorney
Chief, Orlando Division

UNITED STATES DISTRICT COURT

Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

GURUDEO SUKUL PERSAUD
a/k/a Buddy Persaud

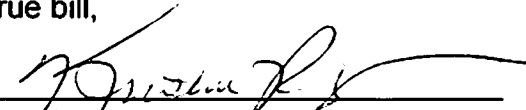
INDICTMENT

Violations:

18 U.S.C. § 1341

18 U.S.C. § 1343

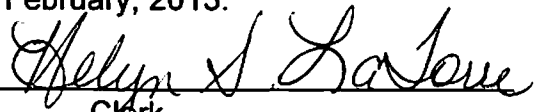
A true bill,



Foreperson

Filed in open court this 6th day

of February, 2013.



Clerk

Bail \$ _____