

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,

Plaintiff;

v.

**6009 North Cosby Court,
Kansas City, Missouri;**

**A 2014 Porsche 911, silver
metallic in color, VIN:
WP0CB2A94ES155310;**

**John Hancock Life Insurance
Company, Term policy number
56735954 and its proceeds,
Death benefit \$2M;**

**Jackson National Life
Insurance Company, Term
policy number 0018197970 and
its proceeds, Death Benefit \$1M;**

**Protective Life Insurance
Company, Whole policy
number E00055064 and its
proceeds, Death Benefit \$1M;**

**Protective Life Insurance
Company, Whole policy
number E00084558 and its
proceeds, Death Benefit \$1M;**

**Protective Life Insurance
Company, Universal policy
number E00404317 and its**

FILED UNDER SEAL

Case No. 17-

proceeds, Death Benefit \$1M;

**Various items of jewelry seized
on August 5, 2016;**

Defendants.

COMPLAINT FOR FORFEITURE IN REM

Plaintiff, United States of America, by its attorneys, Thomas M. Larson, Acting United States Attorney for the Western District of Missouri, and James Curt Bohling, Chief, Monetary Penalties Unit and Assistant United States Attorney, brings this complaint and alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is an action to forfeit property to the United States for violations of 18 U.S.C. § 981(a)(1)(A) and 18 U.S.C. § 981(a)(1)(C).

THE DEFENDANTS IN REM

2. The defendant real property known and numbered as 6009 North Cosby Court, Kansas City, Missouri 64151, with all its appurtenances, improvements, and attachments thereon, and is more fully described as: all of Lot 153, Tremont Manor – Sixth Plat, a subdivision in Kansas City, Platte County, Missouri, according to the recorded plat thereof. The defendant real property has not been seized but it is located within the jurisdiction of the Court. The United States does not request authority from the Court to seize the defendant real property at this time. The United States will, as provided by 18 U.S.C. § 985(b)(1) and (c)(1), post notice of this action and a copy of the Complaint on the defendant real property, and serve notice of this action on the defendant real property's owner, and any other person or entity who may

claim an interest in the defendant, along with a copy of this Complaint. The United States is also moving for certain injunctive relief as to the defendant real property. The United States may elect to file a Lis Pendens as to the Defendant real property at any time.

3. Proceeds of the life insurance policies listed below, believed to be held by Midwest Trust Company in the Sellers Family Irrevocable Life Insurance Trust (ILIT), account number [REDACTED]. The United States is moving for injunctive relief to freeze these funds wherever they may be located. The policies include:

- a. John Hancock Life Insurance Company, Term policy number 56735954 and its proceeds, Death Benefit \$2M;
- b. Jackson National Life Insurance Company, Term policy number 0018197970 and its proceeds, Death Benefit \$1M;
- c. Protective Life Insurance Company, Whole policy number E00055064 and its proceeds, Death Benefit \$1M;
- d. Protective Life Insurance Company, Whole policy number E00084558 and its proceeds, Death Benefit \$1M;
- e. Protective Life Insurance Company, Universal policy number E00404317 and its proceeds, Death Benefit \$1M.

4. The defendant Porsche 911, VIN: WP0CB2A94ES155310, was seized on August 5, 2016, and is currently in the custody of the FBI.

5. The following items of jewelry, seized on August 5, 2016, and currently in the custody of the FBI:

- a. One Platinum diamond engagement ring, designed by Jack Kelège, serial# 1016; 15x7 mm wide pavè diamond shank and bezel top, hand engraved and mille grain detail throughout;

center integrated rose gold four twin prong setting, total diamond weight 6.49 carats.

- b. One pair platinum South Sea cultured pearl and diamond earrings, designed by Mikimoto; articulated dangle style containing eight prong set marquise brilliant cut diamonds, total weight 0.93 carat, G color, VS clarity, and two 11.0 mm round white South Sea cultured pearls.
- c. One knotted strand of 33 Mikimoto South Sea cultured pearls, graduating in size 12.0 mm to 13.9 mm, white body color, moderately-strong orient, excellent luster, clean surface, very good symmetry and matching; measuring eighteen inches in length with 18 karat white gold pavè diamond 15 mm ball clasp, total weight 2.65 carats, G-H color, S1 clarity.
- d. One knotted strand of 38 Kasumiga cultured pearls, graduating in size 10.0 mm to 12.00 mm, white and varying shades of pink body colors; measuring sixteen inches in length with 18 karat white gold 10 mm ball clasp containing ten flush set round brilliant cut diamonds, total weight 0.15 carat.
- e. One pair platinum diamond earrings, micro pavè diamond demi hoops with articulated dangles, center integrated four prong settings containing two cushion brilliant cut diamonds, total weight 1.86 carat, E color, S1-1 clarity; micro pavè bezels and hoops, total weight 0.44 carat, G color, VS clarity.
- f. One pair 18 karat white gold “inside-out” diamond hoop earrings, designed by Penny Preville, faux engraved detail on sidewalls; containing 96 prong set round brilliant cut diamonds, total weight 0.63 carat, G-H color, S1 clarity.
- g. One pair platinum diamond earrings, designed by Michael Beaudry; articulated dangle style composed each with three sections, filigree detail in gallerie and mille grain detail on finial drop; top sections containing two prong set pear brilliant cut diamonds, total weight 0.49 carat, F color, VS clarity; center sections containing two pear brilliant cut diamonds, prong set in 18 karat rose gold, total weight 0.55 carat, fancy blue color; and

pavè bezel style finial drops with integrated 18 karat rose gold center four prong settings containing two radiant cut diamonds, total weight 1.04 carat, fancy pink color; and 32 round brilliant cut diamonds, total weight 0.39 carat, F color, VS clarity.

- h. One 18 karat yellow gold diamond, sapphire, and tsavorite garnet pin; cast and assembled construction, elephant motif; eye bezel set with one round brilliant cut diamond, ear invisibly set with eleven princess cut diamonds, and blanket on elephant's back invisibly set with six princess cut diamonds, six 1.3 mm caliber cut blue sapphires, and six 1.3 mm caliber cut tsavorite garnets; total diamonds weight 0.60 carat, F-G color, VVS clarity; 7.5 pennyweight.
- i. One 18 karat yellow gold and sterling silver diamond and enamel turtle pin; silver back with brown and yellow enamel detail; yellow gold head, feet, and tail; containing twenty-four round single cut diamonds, bead set in head and feet, total weight approximately 0.45 carat, G-H color, VS clarity; 8.2 pennyweight.
- j. One pair 18 karat white gold diamond hoop earrings, designed by Roberto Coin; cast and assembled construction, hinged huggie style hoop; containing 78 bead set round brilliant cut diamonds, total weight approximately 0.75 carat, G-H color, S1-1 clarity.
- k. One pair platinum diamond earrings, Petal design by Kwiat; cluster style on posts, with bezel and prong settings; containing eighteen round brilliant cut diamonds, total weight 0.72 carat, G-H color, VS clarity.
- l. One 18 karat white gold "Diamonds by the Yard" diamond necklace; measuring 18 ½ inches in length, composed of cable link chain with bezel stations containing forty round brilliant cut diamonds, total weight 3.55 carats, G-H color, VS to S1 clarity.
- m. One pair platinum diamond stud earrings with micro pavè diamond bezels containing forty round brilliant cut diamonds,

total weight 0.24 carat, F color, VS clarity; integrated four prong settings containing two round brilliant cut diamonds, total weight 3.29 carats.

- n. One 18 karat yellow gold diamond brooch, lizard design by Asch Grossbardt; cast and assembled construction, body embellished with inlaid black onyx and serpentine; bezel set emerald eyes; tail is pavè set with twenty round brilliant cut diamonds; total weight 0.30 carat, G-H color, VS-S1 clarity; 6.4 pennyweight.
- o. One 18 karat yellow gold multi-colored gemstone brooch, bee design by Asch Grossbardt; cast and assembled construction, serpentine inlaid eyes, carved mother-of-pearl wings, and body of black onyx, mother of pearl, lapis, malachite, and sardonyx; 5.5 pennyweight.
- p. One 18 karat yellow gold emerald, ruby, and diamond brooch; cast and assembled, rabbit motif in corded wire fashion; white gold “brow” section over eye containing three bead set round brilliant cut diamonds, total weight approximately 0.03 carat; bezel set eye containing one 4mm cabochon cut moderately included emerald; bezel set nose containing one 2.5 mm round cabochon cut moderately saturated ruby; 5.6 pennyweight.
- q. One 14 karat yellow gold mabè pearl and emerald brooch; cast and assembled construction, frog motif; containing one 18x14 mm pear shaped white mabè pearl; and bezel set eyes containing two 2.6 mm round cabochon cut, moderately included emeralds; 5.0 pennyweight.
- r. One 18 karat yellow gold rhodium plated cultured pearl and diamond brooch, designed by Mikimoto; cast and assembled construction, spray motif with three textured ribbon sections and cluster of settings containing six round Akoya cultured pearls, varying in size 6.6 mm to 7.5 mm, white body color, rosè overtones, excellent luster, very light blemish, very well matched; and five prong set round brilliant cut diamonds, total weight approximately 0.07 carat, G-H color, VS clarity; 9.4 pennyweight.

- s. One 14 karat yellow and rose gold rabbit motif ring; cast and assembled construction, yellow gold flat shank with rose gold 3-D rabbit motif top and three bezel settings containing three round faceted green gemstones, assumed to be emeralds (cannot be conclusively identified due to heavy abrasion); 3.6 pennyweight. (valued at approximately \$1,500).
- t. One 14 karat yellow and white gold rhodium plated diamond brooch; cast and assembled construction, yellow gold bow motif with ribbed finish and white gold rim; containing 32 bead set round brilliant cut diamonds, total weight approximately 0.52 carat, G-1 color, VS to S1 clarity; 7.5 pennyweight.
- u. One platinum, 18 karat yellow and rose gold fancy pastel diamond bracelet, one of a kind design by Michael Beaudry; bezel set connector links, containing ten lily brilliant cut diamonds, total weight 3.39 carats, G color, VS clarity; alternating with 10 pavè bezel links, containing 152 round brilliant cut diamonds, total weight 2.26 carats, G color, VS clarity, and each containing a center bezel set fancy color diamond.
- v. One pair platinum diamond earrings, Beautique Colisée design by Michael Beaudry, serial# 215508; button style on posts with pavè tiered double bezel and center integrated four prong settings; containing two round brilliant cut diamonds, total weight 0.30 carat, F-G color, VS clarity; and sixty round brilliant cut diamonds, total weight 0.38 carat, F-G color, VS clarity.
- w. One 18 karat yellow gold diamond star fish motif brooch; cast and assembled construction, 25 mm outer diameter, containing one prong set round brilliant cut diamond weighing approximately 0.04 carat, G color, VS-1 clarity; 3.6 pennyweight.
- x. One yellow gold hummingbird motif brooch, no quality stamp, tested to be 14 karat; cast and assembled construction, 35x31 mm outer diameter, with green, white, and orange enamel detail; 5.6 pennyweight.

- y. One 18 karat yellow gold mabè pearl, ruby, sapphire, diamond, and tourmaline owl motif brooch/pendant, trademark stamped “GUMPS”; cast and assembled construction, 27x21 mm outer diameter, hinged hidden bail; containing one back set 15 mm round white mabè pearl belly; eighteen round faceted blue sapphires, prong set on wings, total weight approximately 2.00 carats; six round faceted rubies, prong set on top of head, total weight approximately 0.60 carat; two bezel set 4 mm round cabochon cut green tourmaline eyes; and ten round brilliant cut diamonds, bead set surrounding eyes, total weight approximately 0.20 carat, G color, VVS clarity; all gemstones very fine quality; 7.7 pennyweight.
- z. One 18 karat yellow gold ruby and diamond seahorse motif brooch; cast and assembled construction, 44x20 mm outer diameter, heavily stippled finish; containing one bead set 2.00 mm round faceted, vivid red ruby eye; and one round brilliant cut diamond, prong set at end of tail, weighing approximately 0.06 carat, G color, VVS clarity; 7.8 pennyweight.
- aa. One 18 karat yellow gold ruby and diamond teddy bear motif brooch; cast and assembled construction, 35x27 mm outer diameter, heavily brushed finish; containing two bead set 1.7 mm round faceted, strong red ruby eyes; and one round brilliant cut diamond, bead set in belly button, weighing approximately 0.07 carat, G color, VS-1 clarity; 9.0 pennyweight.
- bb. One 18 karat yellow gold malachite, ruby, and diamond frog motif brooch; cast and assembled construction, 34x33 mm outer diameter, carved malachite head and legs, two bezel set 2.7 mm round faceted ruby eyes, and pavè diamond belly and mouth, 73 round brilliant cut diamonds, total weight approximately 0.51 carat, H-1 color, S1 to I-1 clarity; 11.4 pennyweight.
- cc. One pair 14 karat yellow gold onyx and mother-of-pearl earrings, trademark stamped “KABANA©”; cast and assembled construction, 24x17 mm teardrop shape demi hoop style with checkered pattern inlaid black onyx and mother of pearl; 13.1 pennyweight.

- dd. One pair 14 karat yellow gold black onyx, hematite, and mother-of-pearl earrings; cast and assembled construction, 25 mm triangular design with ribbed detail centers and carved sections, one each of black onyx, hematite, and mother-of-pearl; 11.8 pennyweight.
- ee. One pair 14 karat yellow gold fashion earrings, trademark stamped "DANKNER"; cast and assembled construction, post/Omega backs, 25x22 mm outer diameter; fluted, soft spray motif.
- ff. One 14 karat yellow gold coin frame pendant containing one silver ancient Greek coin, Acarnania, Leucas, 250-230BC; Athena on obverse, Pegasus on reverse; 7.6 pennyweight.
- gg. One 18 karat yellow gold coin frame pendant containing one silver ancient Greek coin, Calabria, Tarentum; Taras, 271-272BC; man on horse on obverse, Taras on dolphin on reverse; 6.1 pennyweight
- hh. One 18 karat yellow, white, and rose gold necklace, trademark stamped "Caplain Paris"; measuring 11 mm in width and 17 ½ inches in length with jumbo spring ring clasp with cabochon blue sapphire; composed of yellow gold rolo link chain with white and rose gold round link stations; 40.9 pennyweight.
- ii. One pair 14 karat white gold stud earrings containing two 10.0 mm round Tahitian cultured pearls, dark gray to black body color, moderate blue and strong peacock overtones, very good to excellent luster, clean surface, excellent symmetry, fair matching; 2.4 pennyweight.
- jj. One platinum diamond open heart pendant; cast production; 16 mm diameter, stamped on back "SANDRA & MARK 1 15 1972"; containing eighteen round brilliant cut diamonds, bead set on front, total weight approximately 0.35 carat, G-H color, VVS to VS clarity; suspended on platinum sixteen inch 1.3 mm cable link chain; 6.8 pennyweight.

- kk. One pair 14 karat white gold South Sea cultured pearl dangle earrings; shepherd hooks containing two articulated post set 10.4 mm semi baroque South Sea cultured pearls, white body color, moderately-strong orient, excellent luster, light blemish, fair symmetry, good matching; 2.8 pennyweight.
- ll. One pair of 18 karat white gold earrings, on lever backs each with one 4 prong set Classica cut diamonds on front, total weight 0.51 carat, G-H color, VS clarity, each with one 12 mm white South Sea pearl.
- mm. One pair of sterling silver earrings, Albion collection, designed by David Yurman; cable motif edges and center bezel set with two 7 mm cushion shaped faceted pink tourmalines, surrounded by bezel bead set with round brilliant cut diamonds, total weight 0.40 carat, 1-K color, S1 clarity.
- nn. One platinum tanzanite and diamond pendant, custom design by Harry Kotlar; pavè diamond bezel, gallery and double row articulated bail; integrated four prong setting containing one oval mixed cut tanzanite weight 5.77 carats, measuring 13.0 x 10.1 x 6.0 mm, bluish-violet color, vivid saturation, dark tone, very good polish and symmetry, very slightly included; and 83 pavè set round brilliant cut diamonds, total weight 0.45 carat, graded VS-1 in clarity and G in color, excellent cutting; suspended on platinum 17 inch 1.1 mm cable link chain; 4.4 pennyweight.
- oo. One pair platinum tanzanite and diamond stud earrings matching above pendant, custom design by Harry Kotlar; pavè diamond bezel and gallery; integrated four prong center settings containing two oval mixed cut tanzanites, total weight 6.27 carat, each measuring 10.1 x 8.10 mm in diameter, violet color, strong saturation, dark tone, fair to good polish, fair to good symmetry, eye-clean clarity, fair matching; and 138 pavè set round brilliant cut diamonds, total weight 0.68 carat, graded VS-1 in clarity and G in color; 4.3 pennyweight.
- pp. One platinum diamond eternity ring, designed by Jack Kelège; center channel setting and scrolled outer edges with mille grain

detail throughout; containing 26 princess cut diamonds, channel set through center, total weight 2.58 carats, F-G color, VVS to VS clarity; and 40 round brilliant cut diamonds, bead and bezel set throughout borders, total weight 1.10 carat, F-G color, VS clarity.

- qq. One platinum and 18 karat rose gold diamond bracelet, designed by Michael Beaudry; platinum center heart shape link with alternating bar and cushion shape links; hand engraved and mille grain detail throughout and 18 karat rose gold true filigree and bezel settings; containing one heart brilliant cut diamond weighing 0.81 carats, fancy light pink color; six radiant cut diamonds, total weight 1.06 carat, fancy intense pink color; and melee diamonds, bead set throughout entire bracelet, total weight 2.53 carats, F-G color, VS clarity.
- rr. One pair 18 karat white gold ruby and diamond earrings; micro pavè bezels with center integrated four prong center settings containing two 5.1 mm round faceted rubies, total weight 1.49 carats, medium-dark, vivid red color (GemeSquare R[1]6/6), good polish and symmetry, well matched; surrounded by forty round brilliant cut diamonds on rims, total weight 0.12 carat, F color, VS clarity; 1.0 pennyweight.
- ss. One 18 karat white gold Tahitian cultured pearl and diamond necklace, designed by Penny Preville; “Y” style necklace composed of cable link chain with six bezel stations, center pavè trim, bezel connector, and pavè pearl cap; containing one 10.7 mm drop shape Tahitian cultured pearl, black body color, light peacock overtones, good luster, moderate blemish, good symmetry; and melee diamonds, total weight 0.51 carat, G-H color, SI-1 clarity.
- tt. One pair 18 karat white gold Tahitian cultured pearl and diamond earrings, designed by Penny Preville; dangle style with pavè detail at post, bezel connectors, and pavè pearl caps; containing two 10.6 mm drop shape Tahitian cultured pearls, black body color, strong peacock overtones, very good luster, moderate blemish, good symmetry and matching; and melee diamonds, total weight 0.42 carat, G-H color, SI-1 clarity.

- uu. One 18 karat white gold Tahitian cultured pearl and diamond necklace, designed by Penny Preville; measuring forty-four inches in length with three clasps at seven, 17 ½, and 19 inch lengths; composed of cable link chain with pearl and pavè diamond roundel stations, bezel diamond stations, and pavè barrel roundel stations; containing ten Tahitian cultured pearls, varying in size 8.9 mm to 9.9 mm, light, medium, and dark gray and black body colors, aubergine, celadon, blue, and peacock overtones, very good to excellent luster, very light to moderate blemish, semi-round to round shape; and melee diamonds, total weight 1.70 carat, G-H color, SI-1 clarity.
- vv. One 18 karat white gold custom Tahitian cultured pearl and diamond bracelet, custom designed by Penny Preville; measuring 7 ½ inches in length, composed of four strands of cable chain with pearl and diamond stations and four pavè diamond bar separators and bar clasp; containing sixteen 9 mm Tahitian cultured pearls, medium, dark gray and black body colors, aubergine, celadon, blue, and peacock overtones, very good to excellent luster, very light to moderate blemish, semi-round to round shape; and 50 round brilliant cut diamonds, total weight 2.36 carats, G-H color, S1 clarity.
- ww. One pair 18 karat white gold emerald and diamond earrings, custom designed by Penny Preville; French wire dangles with floral motif containing four marquise emeralds, total weight approximately 1.30 carat, medium-dark, moderately strong, bluish green color (GemeSquare bG[16]6/4); and fourteen round brilliant cut diamonds, total weight 0.36 carat, G-H color, S1 clarity.
- xx. One 18 karat white gold necklace, designed by Penny Preville; measuring 36 inches in length, 1.4 mm cable chain with lobster claw clasp, with 8 marquise shaped stations each pavè set on one side and floral engraved detail on other, six pavè roundels and thirty-two bezel stations; containing 152 round brilliant cut diamonds, total weight 2.46 carats, G-H color, SI clarity.

- yy. One pair 18 karat white gold diamond earrings; four prong stud settings with chain dangles and open square finials; containing two round brilliant cut diamonds, total weight approximately 0.50 carat, I color, SI-1 to SI-2 clarity; and 24 round brilliant cut diamonds, total weight approximately 0.48 carat, G-H color, VS clarity; 1.5 pennyweight.
- zz. One platinum diamond pendant, designed by Harry Kotlar; cluster style with center 18 karat rose gold bezel setting containing one pear shape brilliant cut diamond weighting 1.87 carat, measuring 11.64 x 6.77 x 3.83 mm, natural light pink color, VS-2 clarity, further described in G.I.A. Diamond Grading Report no. 13139223; and 22 round brilliant cut diamonds, prong set surrounding center, total weight approximately 0.61 carat, G color, VS clarity.
- aaa. Riviera style diamond necklace measuring sixteen inches in length with a total diamond weight of approximately 5.90 carat.
- bbb. One pair of diamond stud earrings with a total diamond weight of approximately 1.44 carat.
- ccc. One pair of 18 karat white gold ear pins, by Penny Preville, mille grain detail, double crescent design, longer side bead set with round brilliant cut diamonds at 0.30 ctw, GH, SI, shorter high polished crescent.
- ddd. 18 karat white gold diamond ear pins, by Penny Preville, garland design outlined with rbc diamonds, earrings position up the ear, total weight 0.96 ctw, G-H color, SI clarity.
- eee. One pair 14 karat yellow gold rhodium plated stud earrings containing two bezel set 5mm trilliant cut tanzanites, total weight approximately 0.80 carat, medium-light, moderately-strong, bluish-violet color (GemeSquare bV[24] 4/4).
- fff. One pair of 18K white gold earrings, Fly By Night Collection, design by Stephen Webster; 'V' shaped hoop tops each pavè set with round brilliant cut diamonds, attached batmoth dangle

fully pavè set with round brilliant cut diamonds, with the combined total weight of 0.75 carat, F color, SI-1 clarity.

ggg. One pair of 18K white gold earrings, slightly raised center four prong set with 9mm round opal doublets, surrounded by 20 bead set round brilliant cut diamonds, four raised square stations at each corner bead set with one round brilliant cut diamond, 48 diamonds total, with the combined total weight of 0.34 carat, E to F color, VS clarity, on post backs

hhh. One platinum diamond and pearl pendant, four prong set with one 0.70 carat classica cut diamond measuring 5.10 X 4.87 X 3.63mm, E color, VS-2 clarity; 74.5% depth, 60% table, medium to thick girdle, no culet, very good polish and symmetry, no fluorescence, see G.I.A. Grading Report no. 14091456; bottom of pendant with one 14.4-14.5mm white South Sea cultured pearl; suspended from a platinum 0.9 mm spega chain measuring 18 inches in length with lobster claw clasp.

iii. One 18 karat yellow gold pendant, center four prong set with one oval shaped Ethiopian opal weighing 3.45 carats, measuring 10.5 mm X 9.8 mm, surrounding bezel shared prong set with 14 round brilliant cut diamonds weighing 1.15 carat, outer scalloped shape outlined with 44 round brilliant cut diamonds weighing 0.31 carat, G to H color, Vs clarity. On one 18 karat yellow gold Tivol chain, cable link chain, 18 inches in length, ring for adjustable length, lobster claw clasp.

jjj. One pair of 18K yellow gold earrings, center of each prong set with one 9mm round opal, two with the combined total weight of 3.70 carats, each surrounded by 16 round brilliant cut diamonds, 32 total, with the combined total weight of 1.28 carat, G to H color, VS clarity, on post backs.

kkk. One 18K white gold necklace, design by Penny Preville, center prong set east/west direction with one 14 X 10 oval white boulder opal weighing 4.65 carats, scalloped design outer bezel bead set with 28 round diamonds, attaching to 16 inch cable link

chain with two bezel set round diamond eyeglass stations, with the combined total weight of 0.38 carat, G-H color, SI clarity, lobster claw clasp.

lll. One 18K white gold necklace, rectangular shape set east/west, center four prong set with one rectangular shape tanzanite weighing 2.25 carats, surrounding diamond halo bead set with round diamonds, total weight 0.29 carat, E-F color, VS clarity, 18 inch 18K white gold chain, lobster claw clasp and rink for adjustable length, TIVOL Collection.

mmm. One 18K white gold necklace, Carizma Collection, design by Carelle, round open center pendant, outlined with seven larger bar set round diamonds, total weight 0.70 carat, alternating with seven smaller bead set round diamonds, scalloped design outlined with pave set round diamonds on each scallop, total weight of 0.25 carat, G-H color, VS-SI clarity; attached to 16 inch fine cable link chain, 16 inches in length.

nnn. One pair of 18K white gold drop style earrings, French wire backs, front of each back pave set with six round diamonds, attaching to drop, each center four prong set with one emerald cut blue tourmaline measuring 11.2 X 7mm, total weight 7.85 carats, diamond total weight of 0.06 carat; tourmaline with no indication of heat treatment.

ooo. One pair 18 karat white gold post earrings containing two 12.0 mm round Kasumiga cultured pearls; and two prong set round brilliant cut diamonds, total weight 0.70 carat, H color, S1-1 to S1-2 clarity.

ppp. One platinum solitaire diamond pendant, design by Michael Beaudry; bezel setting with articulated bail, filigree, hand engraved and mille grain detail throughout; containing one round brilliant cut diamond measuring approximately 9.61-9.71 X 5.52 mm, weighing approximately 3.08 carats, J color, VS-2 clarity, 57.1% depth, 65% table, thin to slightly thick girdle, no culet, good polish and symmetry, no fluorescence; 2.2 pennyweight.

- qqq. One platinum diamond line bracelet, Riviera Collection by Kwiat, serial no. 74692; classic four prong settings containing twenty-eight round brilliant cut diamonds, total weight 20.69 carats, E-F color, S1-2 clarity, estimated GIA cut grade – Very Good.
- rrr. One 18 karat white gold hematite, crystal quartz and diamond pendant, Romantic design by Stephen Webster, serial no. 12640; center bezel setting containing one round checker top crystal quartz over hematite backing; twenty round brilliant cut diamonds, bead set surrounding center and on bail, total weight 0.18 carat; and two round faceted blue sapphires, bead set on bail; suspended on 18 karat white gold sixteen inch 1.0 mm wheat chain with Stephen Webster logo tag.
- sss. One platinum diamond pendant, by Tiffany & Co.; small size, 18 X 13mm diameter with shared prong settings containing eleven round brilliant cut diamonds, total weight 0.51 carat, E-G color, VVS to VS clarity; suspended on platinum Tiffany & Co. sixteen inch 1.1mm cable link chain; 2.7 pennyweight.
- ttt. One 18 karat white gold ruby and diamond necklace; measuring sixteen inches in length with center trim composed of three pavè bezel sections alternating with four plain bezel sections, suspended on fine cable link chain; containing three prong set round faceted rubies, total weight 0.55 carat; and 40 bead and bezel set round brilliant cut diamonds, total weight 0.39 carat.
- uuu. One pair 18 karat white gold tanzanite and diamond earrings, design by Penny Preville; teardrop shape dangles on lever backs; containing two prong set 6 X 4 mm pear shape faceted tanzanites, total weight 1.02 carat, medium, slightly grayish, bluish-violet color (GemeSquare bV[24]5/2); and melee diamonds, 0.80 carat, G-H color, S1-1 clarity.
- vvv. One 18 karat white gold “diamonds by the yard” necklace, design by Penny Preville; measuring 36 inches in length, cable chain with bezel stations containing twenty round brilliant cut diamonds, total weight 0.20 carat, G-H color, SI clarity.

www. One 18 karat white gold pendant, prong set with one 7.02 carat pear shape sapphire, violetish blue with medium vivid saturation, VB23 (00) 5/6, excellent polish, very good symmetry, sapphires routinely heat treated; prong set with twenty prong set round brilliant diamonds with a total weight of 0.60 carat and three pear shape diamonds with a total weight of 0.35 carat, VS-S1 clarity, G-H color, 16 inch cable link chain with lobster claw clasp.

xxx. One 18 karat white gold bracelet, two outer rows prong set with fifty round faceted sapphires with a total weight of 17.82 carat, violetish blue, medium vivid saturation, 23 (00) 5/6; prong set with seventy-five marquise shape diamonds with a total weight of 6.60 carat, VS clarity, F-G color; 7 inches in length.

yyy. One pair 18 karat white gold drop style earrings, prong set with two sapphires with a total weight of 2.37 carat; bezel set with two pear shape diamonds with a total weight of 0.37 carat and pavè set with forty-four round brilliant diamonds with a total weight of 0.42 carat, VS clarity, F color.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court has in rem jurisdiction over the defendant property pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

7. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district, and pursuant to 28 U.S.C. § 1395(a), (b), and (c).

GROUND FOR FORFEITURE

8. The defendant properties are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A), because they constitute property involved in

transactions or in attempted transactions in violation of sections 1956 or 1957 of Title 18, United States Code, or are properties traceable to such property.

9. The defendant properties are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), because they constitute or were derived from proceeds traceable to an offense constituting a “specified unlawful activity” as defined in Section 1956(c)(7) and 1961(1) of Title 18, United States Code, or a conspiracy to commit such offense. Such offenses include violations of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1343 (wire fraud), and 18 U.S.C. § 1344 (bank fraud).

FACTS

The investment fraud scheme

10. On or about June 6, 2016, the Kansas City Division of the FBI received a complaint regarding an investment fraud scheme in which the complainant and other investors throughout the Kansas City, Missouri area, Georgia, and Alabama, and elsewhere, invested with Mark Sellers (Sellers), a Kansas City, Missouri, resident, doing business as Selden Companies, LLC (Selden). Records obtained during the investigation show there were approximately 100 investors who invested approximately \$10 million from December 2007 through at least 2015. Sellers’ bank records show approximately \$9.9 million of investor funds were utilized for his own personal use and benefit to fund his lifestyle, vehicles, life insurance policies, homes, jewelry, and credit cards purchases. Sellers fraudulently misrepresented to investors that Selden would use the funds to purchase companies and turn them around to sell at a profit. Sellers hid from investors the fact that he and his wife spent almost all of the invested funds to maintain their own lavish lifestyle, in part by laundering the invested

funds through multiple bank accounts. In addition, when Sellers had depleted the investors' funds he defrauded several financial institutions by running a large credit card "bust out" scheme in a final effort to maintain his and his wife's lifestyle.

11. Since the early 2000s, Sellers' business has been to solicit investors to invest in the various business ventures described below.

12. In the early 2000s, Sellers purchased Flo Healthcare (Flo), a company that held patents and made medical carts for hospitals. Sellers solicited investors in Flo, including his family and friends. In approximately 2006 or 2007, Sellers sold Flo and the investors received a return on their investment. Many of these investors rolled over these returns to invest in Selden.

13. In late October 2007, Sellers and his business partner began soliciting investors to invest in his new business, Selden. Sellers represented to potential investors that Selden's objective was to identify and purchase struggling business organizations and cause the operations to become leaner by eliminating unprofitable functions and duplicative operations. Selden would then sell the companies to a buyer for a profit. In late 2007 through early 2008, investors began investing in Selden and did so until at least 2015. One company Selden purchased and convinced investors to invest in was Global Cable and Electronics (Global Cable). Global Cable made heavy-duty cable components and wire harnesses. Global Cable was based in Lawrenceville, Georgia.

14. In early 2008, Sellers began to utilize investor funds for his own personal benefit without the investors' knowledge or consent. Sellers deposited funds provided by investors into business accounts controlled by Sellers and moved the funds to his personal account. The funds typically

moved through business checking accounts, money market accounts, and personal direct deposit accounts controlled by Sellers before Sellers utilized the funds for his personal use. Sellers frequently contacted investors and provided false and misleading information through e-mails and texts regarding their investments.

15. Sellers' investment records reveal approximately 100 investors invested approximately \$10 million between 2007 and 2015 with him. Based on public record checks, Sellers was associated with at least nine business entities including, but not limited to, Selden and Unique Business Solutions and Services (UBSS), a company created to act as the management company for Selden.

16. Sellers received investor funds in a number of ways, including direct payments by check and wire transfer. In addition, Sellers convinced a number of investors to move funds from their existing retirement accounts, IRAs, or other retirement savings accounts into self-directed IRAs controlled by Sellers. The self-directed IRAs were held at a trust company in Ohio. From January 2008 through May 2015, approximately \$3.6 million was transferred from the self-directed IRAs at the trust company to Selden's bank account and from there to the UBSS bank account at Commerce Bank in Kansas City, Missouri. Sellers would then transfer the funds to Sellers' personal bank account and spend them in the manner described later in this Complaint.

17. Out of the approximately \$10 million of invested funds solicited by Sellers for Selden, approximately \$206,000 was returned to investors. Sellers deposited at least \$8.8 million ultimately into his personal bank account and spent them. Sellers caused Selden to make payments to another entity (not associated with Global Cable) which, after payments back into Selden from

that entity, resulted in a net payment out of the Selden account of approximately \$470,000.

18. Over the course of the scheme to defraud, Sellers provided updates to investors over e-mail and U.S. mail in which he falsely represented that the investment in Global Cable was doing well. In fact, Sellers had personally spent all of the investors' funds, and because he had exhausted these funds sometime in 2014 or 2015, he had to resort to the credit card "bust out" scheme described below in order to maintain his and his wife's extravagant lifestyle.

The credit card "bust out" scheme

19. In approximately December 2015, information reported by a financial institution indicated Sellers had operated a credit card "bust out" scheme. A bust out scheme is a type of credit card fraud in which an individual establishes a normal usage pattern and solid repayment history, then racks up numerous charges and maxes out the card with no intention of paying the bill. The consumer establishes the card issuer's trust and a strong credit profile with the goal of opening numerous accounts and receiving credit line increases so that more funds are available.

20. Sellers opened approximately eight credit cards with JP Morgan Chase over several years, ran up large credit card balances, increased the credit limit available on the credit cards, and then paid the bill with ACH transfers backed by insufficient funds. Sellers was able to continue spending for a few days with the credit cards because it appeared the bill had been paid. Sellers was able to take advantage of "float" time, that is, the time between the processing of the payment by the financial institution and having the payment applied to the account. The float time required by the financial institution to process the payment provided Sellers with an

opportunity to spend additional funds as the payments were backed by insufficient funds, which also caused large fees and penalties to be incurred.

21. For example, on January 25, 2016, Sellers made a payment of \$8,965 to J.P. Morgan Chase Bank. On January 28, 2016, the bank returned the payment due to insufficient funds. On January 26, 2016, Sellers made a payment of \$5,075 to J.P. Morgan Chase Bank. On January 29, 2016, the bank returned the payment due to insufficient funds. This type of activity occurred on one credit card 92 times in a five-month span.

22. In a review of the other seven cards, Sellers conducted similar financial activity. In December 2015, Bank of America and Commerce Bank shut down Sellers' accounts and ceased to do business with Sellers. J.P. Morgan Chase Bank was left with an outstanding balance on Sellers' credit cards of approximately \$557,000. Commerce Bank sustained a loss of approximately \$33,000 caused by Sellers depositing several insufficient funds checks into his bank accounts.

Events during the investigation

23. On July 18, 2016, Kansas City Missouri Police Department (KCMOPD) was called to the Sellers' residence for a possible homicide/suicide. Upon arrival, the KCMOPD found Sellers incoherent in his bedroom lying next to his wife, Sandra Sellers, who was deceased. Sandra Sellers had been shot in the head, and Sellers had attempted to overdose on medication. Sellers was taken to an area hospital for medical attention and evaluation.

24. On or about July 23, 2016, Sellers contacted Aristocrat Motors to sell the Porsche 911. Sellers requested they come to his residence and retrieve the Porsche 911. On or about July 25, 2016, Aristocrat came to Sellers' residence and retrieved the vehicle.

25. Based on the FBI's investigation, the United States applied for and received a search warrant signed on August 1, 2016, by United States Magistrate Judge John T. Maughmer, 16-SW-0199-JTM, to search Sellers' residence located at 6009 N. Cosby Court, Kansas City, Missouri.

26. On August 2, 2016, the FBI and supporting law enforcement agencies executed the search warrant at Sellers' residence, 6009 North Cosby Court, Kansas City, Missouri. Sellers was not home at the time the warrant was executed. At approximately 8:33am, Sellers was observed driving his Ford Explorer near NW 60th and N. Cosby Court, Kansas City, Missouri. When Sellers realized he was not able to turn onto North Cosby Court because KCMOPD and FBI Agents had blocked the intersection (to prevent Sellers from approaching the residence), Sellers accelerated past the intersection. At that time, FBI and KCMOPD stopped the vehicle, which was occupied solely by Sellers. Sellers stopped his vehicle and shot himself in the head with a .22 revolver. Sellers was transported to an area hospital where he later succumbed to his self-inflicted gunshot wounds.

27. Evidence seized during the search included, but was not limited to, business records and jewelry, as described above.

Use of funds and tracing of proceeds

28. Financial records indicate Sellers expended approximately \$9.9 million of investor funds in the following ways:

- a. Approximately \$343,343 was paid to Commerce Bank mortgage department to pay his personal mortgage at 6009 N. Cosby Court, Kansas City, Missouri;
- b. Approximately \$931,384 was expended on remodeling, upgrading, and maintaining his personal residence, 6009 N. Cosby Court, Kansas City, Missouri;

- c. Approximately \$701,102 was expended at Tivol in Kansas City, Missouri;
- d. Approximately \$253,641 was spent at Aristocrat Motors and Thoroughbred Ford to purchase luxury vehicles for him and his wife;
- e. Approximately \$260,131 was expended at Midwest Trust Company;
- f. Approximately \$7,461,116 was expended to credit card companies including but not limited to J.P. Morgan Chase, Capital One, Discover, CitiBank, and American Express.

29. From January 2008 through May 2015, Selden's Commerce Bank accounts received approximately \$3.6 million from the trust company in Ohio via wire transfers and check payments. Additionally, Sellers received funds from investors via cash, check, and wire outside of payments from the trust company and deposited those funds into bank accounts he controlled. Funds deposited into Selden bank accounts from the trust company varied in amounts ranging from \$500 to approximately \$300,000. Sellers used investors' retirement funds and debenture investments to fund Selden. Sellers typically disbursed investor funds from Selden to the UBSS Bank account at Commerce Bank. Sellers then disbursed the funds to his personal accounts at Commerce Bank to fund his lifestyle. Examples describing Sellers use of investor funds are provided below. Based upon an extensive and continuing financial analysis, the examples below are consistent with the pattern of activity conducted by Sellers.

30. On August 5, 2016, a seizure warrant signed by United States Magistrate Judge John T. Maughmer, 16-SW-0200-JTM, was obtained for Sellers' 2014 Porsche 911, VIN: WP0CB2A94ES155310, from Aristocrat

Motors, 9400 W 65th Street, Merriam, Kansas. This vehicle was seized on August 5, 2016. A review of the financial and title history records revealed Sellers purchased and made payments on this car. Sellers purchased the vehicle on or about January 27, 2014, for approximately \$135,000 from Aristocrat Motors in Merriam, Kansas. On January 27, 2014, Sellers wrote check number 2191 to Aristocrat Motors for approximately \$56,300. Sellers utilized a 2012 Porsche valued at approximately \$110,000 as a trade-in on the purchase. Sellers financed the remaining purchase price of approximately \$79,976 through U.S. Bank. Sellers generated the down payment made to Aristocrat from investor funds. Details of the funds on the vehicle are as follows:

31. On January 17, 2014, Selden received a cashier's check drawn on Bank of America on behalf of an investor for \$75,000. The same day, Sellers transferred \$78,000 to the UBSS account at Commerce Bank, which Sellers followed with another transfer of \$78,000 to Sellers' personal account at Commerce Bank. On January 27, 2014, Sellers purchased the 2014 Porsche from Aristocrat Motors for approximately \$56,300 with a check drawn on his personal Commerce Bank account.

32. On May 26, 2009, Sellers deposited a check from an investor for \$98,568 into Selden's Commerce Bank account. On August 5, 2009, Sellers deposited a check for \$29,975 from an investor into Selden's Commerce Bank account. On August 10, 2009, Sellers deposited a check for \$85,000 from Selden's Commerce Bank account into his Commerce personal account. On August 12, 2009, Sellers wrote three checks to Aristocrat Motors totaling \$85,347.

33. On February 2, 2009, Sellers deposited an investor check for \$100,000 into Selden's Commerce Bank account. On February 6, 2009, Sellers

transferred \$100,000 from Selden's Commerce Bank account to his personal Commerce Bank money market account. On February 23, 2009, Sellers transferred \$23,575.54 from Selden's Commerce Bank account into his personal account. On February 24, 2009, Sellers transferred \$42,000 from Sellers Commerce Bank money market account into his personal Commerce Bank account. On February 27, 2009, Sellers wrote a check from his personal Commerce Bank account to Aristocrat Motors for \$63,794.

34. Sellers expended approximately \$230,000 at Aristocrat Motors from February 2009 through January 2014. These funds were either expended on vehicles later traded in ultimately for the 2014 Porsche or were expended directly on the 2014 Porsche. U.S. Bank received approximately 19 payments totaling \$21,892 from March 2014 through October 2015.

35. A review of financial records show Sellers made approximately 114 monthly mortgage payments on his personal residence located at 6009 North Cosby Court, Kansas City, Missouri, in amounts ranging from \$772.17 to \$6,977.98. Sellers used investor funds to make his mortgage payments from January 2008 through December 2015 for a total of \$343,375. Approximately 80%, or \$8.6 million, of the funds in his personal account at Commerce Bank were generated from Selden and UBSS, which were funded primarily by investor funds fraudulently obtained by Sellers.

36. Three examples describing Sellers use of investor funds for mortgage payments are provided below. Based upon an extensive and continuing financial analysis, the examples below are consistent with the pattern of activity conducted by Sellers.

37. On March 28, 2013, Sellers deposited a check for \$270,000 drawn on an investor's retirement account into Selden's Commerce Bank account. On April 1, 2013, Sellers deposited a \$20,000 check from Selden's Commerce

Bank account into his personal Commerce Bank account. On April 2, 2013, Sellers made a mortgage payment from Sellers' personal Commerce Bank account to Commerce Bank for \$3,009.20. The same day, Sellers made another payment to Commerce Mortgage for \$2,909.20.

38. On October 23, 2012, Sellers deposited a check from an investor's IRA account at the trust company for \$25,000 into Selden's Commerce Bank account. On October 30, 2012, Sellers deposited \$10,000 from Selden's Commerce Bank account into Sellers' personal Commerce Bank account. On October 30, 2012, Sellers made a payment to Commerce Bank mortgage for \$2,878.51 from his personal Commerce Bank account.

39. On February 16, 2012, Sellers deposited two checks into Selden's Commerce Bank account. The first deposit was a check from an investor for \$100,000; the second deposit was a check for \$70,000 from another investor. On February 17, 2012, Sellers deposited a check for \$130,000 drawn on Selden Company's Commerce Bank account into Sellers' personal Commerce Bank account. On March 8, 2012, Sellers paid Commerce mortgage Bank \$2,923.51 from his personal Commerce Bank account.

40. The financial records reveal Sellers expended approximately \$931,384 from his personal Commerce Bank account on remodeling work on the 6009 North Cosby Court house. This work included kitchen remodeling, installing landscaping, tile and granite, new cabinets and windows, fencing. Sellers also expended funds to install and maintain an in-ground swimming pool. Sellers utilized investor funds from January 2008 through October 2015 to pay for these expenses. Palmer Design, a home design business, received \$549,017 from Sellers' personal Commerce Bank account. Examples describing Sellers' personal use of investor funds are provided below. Based upon an extensive

and continuing financial analysis, the examples below are consistent with the pattern of activity conducted by Sellers.

41. On August 22, 2011, Sellers deposited a \$10,000 check from an investor into Selden's Commerce Bank account. On August 29, 2011, Sellers wrote check number 1350 to himself and deposited into his personal Commerce Bank account. Sellers then expended \$11,522 with a check to Palmer Design on August 30, 2011, for home-related expenses from his personal Commerce Bank account.

42. On January 25, 2010, Sellers deposited a check for \$97,858 drawn on an investor's investment account at Edward Jones Investments into Selden's Commerce Bank account. The same day, Sellers transferred \$85,000 to the Selden Company money market account at Commerce Bank. On February 1, 2010, Sellers transferred \$28,000 from Selden's money market account at Commerce to Selden's checking account at Commerce. On February 1, 2010, Sellers transferred \$28,000 to his personal Commerce account. On February 5, 2010, Sellers wrote a check from his personal Commerce Bank account to Palmer Design for \$33,240.57 for home-related expenses.

43. On August 6, 2013, the Selden Commerce Bank account received a \$23,000 wire from an investor's IRA account held at the trust company. On August 7, 2013, Sellers transferred \$23,000 from Selden's Commerce account to Sellers' UBSS Commerce Bank account. On August 19, 2013, Sellers caused \$25,500 to be disbursed to Sellers' personal Commerce Bank account with check number 2219 drawn on UBSS. On August 20, 2013, Pinnacle Construction received a check for \$18,217 and Hardscape Construction received a check for \$6,000, from Sellers' personal Commerce Bank account.

44. Financial records provide details regarding five life insurance policies Sellers purchased and that Midwest Trust Company administered. Sellers

made 25 premium payments totaling \$260,131 in amounts ranging from \$1,000 to \$76,000 from February 2009 through March 2016. Midwest Trust Company has converted the five life insurance policies to cash and placed approximately \$6 million into Sellers Family ILIT, Account number [REDACTED], held at Midwest Trust Company. Details of the policies held by Midwest Trust Company are as follows:

- a. John Hancock Life Insurance Company, Term policy number 56735954 and its proceeds, Death benefit \$2 million;
- b. Jackson National Life Insurance Company, Term policy number 0018197970 and its proceeds, Death Benefit \$1 million;
- c. Protective Life Insurance Company, Whole policy number E00055064 and its proceeds, Death Benefit \$1 million;
- d. Protective Life Insurance Company, Whole policy number E00084558 and its proceeds, Death Benefit \$1 million;
- e. Protective Life Insurance Company, Universal policy number E00404317 and its proceeds, Death Benefit \$1 million.

45. Financial records provide details regarding the life insurance policies administered by Midwest Trust Company. Sellers made 25 premium payments totaling \$260,131 in amounts ranging from \$1,000 to \$76,000 from February 2009 through March 2016.

46. Two examples of investor funds used to satisfy the life insurance premiums are as follows.

47. On February 2, 2009, Sellers deposited an investor check for \$100,000 into Selden's Commerce Bank account. On February 6, 2009, Sellers transferred \$100,000 from Selden's Commerce Bank account to Sellers' Commerce Bank money market account. On February 11, 2009, Sellers

transferred \$75,000 from Sellers' Commerce Bank money market account to Sellers Commerce Bank personal checking account. On February 18, 2009, Sellers wrote a check from his personal Commerce checking account to Midwest Trust Company for \$76,000.

48. On February 4, 2010, Sellers deposited an investor check for \$100,000 into Selden's Commerce Bank account. On February 16, 2010, Sellers transferred \$39,720 from Selden's Commerce Bank account into Sellers' personal Commerce Bank account. On February 23, 2010, Sellers wrote a check from his personal Commerce Bank checking account to Midwest Trust Company for \$39,720.

49. From January 2008 to February 2016, Sellers purchased approximately \$700,000 in jewelry from Tivol and paid for the purchases with funds drawn on Sellers' personal Commerce Bank account and personal credit cards issued by J.P. Morgan Chase Bank. Sellers purchased jewelry from Tivol frequently and retained a personal jeweler at Tivol who would personally deliver the jewelry to Sellers' residence. A detailed listing of the jewelry is provided above. Examples describing Sellers' personal use of investor funds to purchase jewelry are provided below. Based upon an extensive and continuing financial analysis, the examples below are consistent with the pattern of activity conducted by Sellers.

50. On February 17, 2009, a check for \$99,875 drawn on an investor's IRA account at the trust company was deposited into Selden's Commerce Bank account. On March 2, 2009, Sellers deposited a check for \$30,000 from another investor's Bank account into Selden Company's Commerce Bank Account. On March 16, 2009, Sellers transferred \$155,000 into the UBSS account from Selden's Commerce Bank account. On March 16, 2009, Sellers deposited check number 2093 written from the UBSS Commerce Bank

account Sellers' into his personal Commerce Bank account. On March 31, 2009, Sellers paid Tivol a check for \$151,826.34 drawn on Sellers' personal Commerce Bank account.

51. On March 9, 2009, Sellers deposited a check from an investor's IRA account for \$49,979.88 into Selden's Commerce Bank account. On May 4, 2009, Sellers deposited a check for \$25,000 drawn on Selden Company's Commerce Bank account into his personal bank account at Commerce Bank. On May 4, 2009, Sellers wrote a check to Tivol for approximately \$15,643.30 from his personal Commerce Bank account.

52. On September 18, 2008, Sellers deposited a check for \$89,127.87 drawn on an investor's IRA account into Selden's Commerce Bank account. The same day, Sellers transferred \$80,000 to Selden Company's money market account at Commerce Bank. On November 19, 2008, Sellers transferred \$55,000 from Selden Company's Commerce Bank account to the UBSS Commerce Bank account. On November 20, 2008, Sellers wrote a check to himself for \$45,000 and deposited into his personal bank account. On December 30, 2008, Sellers wrote a check to Tivol for \$18,895 from his personal Commerce Bank account.

53. On June 17, 2013, Sellers deposited an investor's IRA check for \$50,000 into Selden's Commerce Bank account. On June 24, 2013, Sellers deposited a \$40,000 check from Selden Company's Commerce Bank account into his personal Commerce Bank account. On July 3, 2013, Sellers wrote a check from his personal Commerce Bank account to Tivol for \$13,989.77.

54. On September 18, 2008, Sellers deposited a check for \$89,127.87 drawn on an investor's retirement account held at Sterling Trust into Selden's Commerce Bank account. The same day, Sellers transferred \$80,000 to Selden's money market account at Commerce Bank. On November 19,

2008, Sellers transferred \$55,000 to the UBSS Commerce Bank account. On November 24, 2008, Sellers transferred \$45,000 to Sellers' personal Commerce Bank account. On November 26, 2008, Sellers paid \$6,603.75 to Tivol from Sellers' personal Commerce Bank account.

55. On February 19, 2014, Selden's Commerce Bank account received a wire from the trust company for \$24,000 on behalf of an investor's IRA account. The same day, Sellers transferred the funds to the UBSS Commerce Bank account. On February 19, 2014, the same day, Sellers wrote a check for \$24,000 to Sellers' personal Commerce Bank account. Sellers expended all of the funds the following month to pay for living expenses, such as the mortgage, utilities, credit cards, legal fees, and vehicle loan payments.

56. On May 30, 2014, Sellers deposited a check from an investor for \$20,000 into Selden's Commerce Bank account. The memo on the check stated "Selden Investment." The same day, Sellers transferred \$19,750 to the UBSS account. On May 30, 2014, Sellers wrote check 2249 for \$19,800 from the UBSS account to Sellers' personal Commerce Bank account. Sellers expended all of the funds the following month to pay for living expenses such as the mortgage, utilities, credit cards, legal fees, and vehicle loan payments.

57. Sellers' primary source of income from 2008 through 2016 was investor funds he used for his own personal benefit. Sellers had an investment account at Merrill Lynch, and, in 2008, he transferred approximately \$936,692 to his personal Commerce Bank account. To date, at least \$300,000 of those funds have been traced to a payment from an investor in Selden. Once Sellers had used all of these investor funds, he began living from credit cards and soliciting additional funds from investors. During this time, Sellers began a credit card bust out scheme.

58. There is no evidence of Sellers receiving Social Security Administration payments or any pension payments from former employers. On July 22, 2016, a witness suggested to Sellers that he look into filing for Social Security benefits. The witness was an investor in Selden and knew Sellers' scheme was unraveling. The witness also reported that Sellers had been asking family members for money and asking them to cover bills for Sellers.

59. Sellers is not a registered Broker/Dealer with the Financial Industry Regulatory Authority (FINRA).

CLAIMS FOR RELIEF

Count One

60. The Plaintiff repeats and incorporates by reference the paragraphs above.

61. By the foregoing and other acts, the defendant properties constitute or are derived from proceeds traceable to a violation of Title 18 U.S.C. Section 1341, and therefore, are forfeitable to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C).

Count Two

62. The Plaintiff repeats and incorporates by reference the paragraphs above.

63. By the foregoing and other acts, the defendant properties constitute or are derived from proceeds traceable to a violation of Title 18 U.S.C. Section 1343, and therefore, are forfeitable to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C).

Count Three

64. The Plaintiff repeats and incorporates by reference the paragraphs above.

65. By the foregoing and other acts, the defendant properties constitute or are derived from proceeds traceable to a violation of Title 18 U.S.C. Section 1344, and therefore, are forfeitable to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C).

Count Four

66. The Plaintiff repeats and incorporates by reference the paragraphs above.

67. By the foregoing and other acts, the defendant properties were involved in transactions or attempted transactions in violation of Title 18 Sections 1956 or are properties traceable to such a transaction, and therefore, are forfeitable to the United States pursuant to Title 18 United States Code, Section 981(a)(1)(A).

Count Five

68. The Plaintiff repeats and incorporates by reference the paragraphs above.

69. By the foregoing and other acts, the defendant properties were involved in transactions or attempted transactions in violation of Title 18 Section 1957 or are properties traceable to such a transaction, and therefore, are forfeitable to the United States pursuant to Title 18 United States Code, Section 981(a)(1)(A).

WHEREFORE the United States prays that the defendant properties be forfeited to the United States, that the plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Respectfully submitted,

Thomas M. Larson
Acting United States Attorney

By: /s/ James Curt Bohling
James Curt Bohling, #54574
Chief, Monetary Penalties Unit
Assistant United States Attorney

400 E. 9th Street, Fifth Floor
Kansas City, Missouri 64106
Telephone: (816) 426-3122
E-mail: curt.bohling@usdoj.gov

VERIFICATION

I, Special Agent Kacie L. Laidacker, hereby verify and declare under penalty of perjury that I am a Special Agent with the Federal Bureau of Investigation, that I have read the foregoing Verified Complaint in Rem and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, or have been reported to me by other law enforcement agents and analysts, and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Federal Bureau of Investigation.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: April 12, 2017

/s/ Kacie L. Laidacker

Kacie L. Laidacker
Special Agent
Federal Bureau of Investigation