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15 UNITED STATES DISTRICT COURT
16 FOR THE CENTRAL DISTRICT OF CALIFORNIA
17 WESTERN DIVISION

18 UNITED STATES OF AMERICA,

19 Plaintiff,

20 v.

21 DEEPAK GUPTA, individually,

22 Defendant.

No.

COMPLAINT FOR PERMANENT
INJUNCTION

1 Plaintiff, the United States of America (“United States”), through its undersigned
2 counsel, hereby sues Defendant Deepak Gupta (“Defendant”) and alleges as follows:

3 **I. INTRODUCTION**

4 1. Starting as early as December 2016 and continuing to the present, Defendant has
5 assisted and facilitated a predatory wire fraud scheme that primarily victimizes senior
6 citizens of the United States. Defendant operates a phony or otherwise misrepresented
7 technical-support business that fraudulently induces U.S. consumers to pay for false or
8 unnecessary technical-support services related to computers and computer equipment.

9 2. The United States seeks to prevent continuing and substantial injury to consumers
10 victimized by this fraudulent scheme by bringing this action for a permanent injunction
11 and other equitable relief under 18 U.S.C. § 1345 to enjoin the ongoing commission of
12 wire fraud in violation of 18 U.S.C. § 1343.

13 **II. JURISDICTION AND VENUE**

14 3. The Court has subject matter jurisdiction over this action under 18 U.S.C. § 1345
15 and 28 U.S.C. §§ 1331 and 1345.

16 4. Venue is proper in this district under 28 U.S.C. § 1391(b)(3).

17 **III. PARTIES**

18 5. Plaintiff is the United States.

19 6. Defendant is a resident of Phoenix, Arizona. Defendant transacts or has transacted
20 business with consumers in the Central District of California. On information and belief,
21 Defendant knowingly has used a bank account to facilitate a fraudulent technical-support
22 scheme.

23 **IV. DEFENDANT’S ONGOING FRAUDULENT SCHEME**

24 7. Since at least as early as December 2016, Defendant has assisted and facilitated a
25 large-scale technical-support scheme by accepting consumer payments and forwarding
26 proceeds to perpetrators of the scheme. The scheme operates under the name GNI LLC
27 (GNI), and sometimes does business as “IT Care Guys.”
28

1 8. Telemarketers in India working for the scheme contact consumers by using pop-
2 up computer advertisements disguised as security alerts to direct the consumers to
3 immediately call a telephone number, which the telemarketers answer. Other times,
4 consumers contact the telemarketers after performing an internet search for a computer
5 repair business.

6 9. Regardless of the initial method of contacting a consumer, the schemes proceed
7 similarly once a telemarketer working for the scheme has the consumer on the phone.
8 Emphasizing the need for immediate action and often claiming to work for or be
9 affiliated with well-known technology companies, the telemarketer falsely claims that
10 the consumer's computer is at risk and that the telemarketer can assist the consumer but
11 first needs remote access to the consumer's computer. Once remotely connected, the
12 telemarketer purports to confirm the existence of a serious computer virus or other threat
13 to the consumer's computer, sometimes claiming that a hacker will soon be able to
14 access the consumer's personal information, including financial account numbers, social
15 security numbers, and passwords. Imparting a sense of urgency, the telemarketer then
16 claims that he will install expensive and high-quality network security software to
17 resolve the threat in exchange for a substantial sum of money.

18 10. Since at least December 2016, numerous consumers have been victimized by the
19 fraudulent technical-support scheme facilitated by Defendant. Defendant plays a critical
20 role in accepting fraudulently-induced payments initiated by the telemarketers.
21 Defendant deposits the payments and then forwards the funds from consumers to the
22 scheme perpetrators.

23 **V. DEFENDANT'S KNOWLEDGE OF FRAUD**

24 11. Upon information and belief, the United States alleges that Defendant has
25 knowledge that his conduct facilitates the fraudulent scheme involving the purported
26 offer of technical-support services in exchange for consumer payments.

27 ///

VI. HARM TO CONSUMERS

12. Consumers suffer financial losses from the wire fraud scheme facilitated by Defendant. Consumers victimized by the scheme reside throughout the United States, including in the Central District of California.

13. The scheme disproportionately affects elderly consumers.

14. Absent injunctive relief by this Court, Defendant's conduct will continue to cause injury to consumers.

VII. THE COURT'S POWER TO GRANT RELIEF

(18 U.S.C. § 1345 – Injunctive Relief)

15. The United States re-alleges and incorporates by reference Paragraphs 1 through 14 of this Complaint as though fully set forth herein.

16. By reason of the conduct described herein, Defendant violated, is violating, and is about to violate 18 U.S.C. § 1343 by executing a scheme and artifice to defraud for obtaining money or property by means of false or fraudulent representations with the intent to defraud, and, in so doing, using interstate or foreign wire communications.

17. Upon a showing that Defendant is committing or about to commit wire fraud, the United States is entitled, under 18 U.S.C. § 1345, to seek a permanent injunction restraining all future fraudulent conduct and any other action that this Court deems just to prevent a continuing and substantial injury to consumers.

18. As a result of the foregoing, the Court should enjoin Defendant's conduct under 18 U.S.C. § 1345.

VIII. PRAYER FOR RELIEF

WHEREFORE, the United States requests judgment against Defendant, as follows:

- a. A permanent injunction, pursuant to 18 U.S.C. § 1345, ordering that Defendant is restrained from engaging, participating, or assisting in any technical-support business or money transmitting business, and

b. Such further relief, including but not limited to equitable relief under the Court's inherent powers, as the Court deems just.

DATED: March 4, 2019

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

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