JAY CLAYTON
United States Attorney for the
Southern District of New York
By: Connie Dang
Assistant United States Attorney
26 Federal Plaza, 38th Floor
New York, New York 10278
Tel: (212) 637-2543

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v. -

$540,964.57 IN UNITED STATES CURRENCY FORMERLY ON DEPOSIT IN REGIONS BANK ACCOUNT NUMBER 0339845141 HELD IN THE NAME OF ATA ABRISHAMI, DVM INC.;

$92,278.67 IN UNITED STATES CURRENCY ON DEPOSIT IN REGIONS BANK ACCOUNT NUMBER 0334791248 HELD IN THE NAME OF CARLA S. JOHNSTON; AND

$19,617.99 IN UNITED STATES CURRENCY ON DEPOSIT IN REGIONS BANK ACCOUNT NUMBER 0320739923 HELD IN THE NAME OF MASONDE TRAORE,.

Defendants-*in-rem*.

VERIFIED CIVIL COMPLAINT FOR FORFEITURE

26 Civ. 3014

Plaintiff United States of America, by its attorney, Jay Clayton, United States Attorney for the Southern District of New York, for its verified civil complaint, alleges, upon information and belief, as follows:

I. JURISDICTION AND VENUE

1. This is a civil action *in rem* commenced by the United States of America pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 984 seeking the forfeiture of the following:

a. $540,964.57 in United States currency formerly on deposit in Regions Bank account number 0339845141, held in the name of Ata Abrishami, Dvm, Inc. (the "Subject Account-1");

b. $92,278.67 in United States currency formerly on deposit in Regions Bank account number 0334791248, held in the name of Carla S. Johnston (the "Subject Account-2"); and

c. $19,617.99 in United States currency formerly on deposit in Regions Bank account number 0320739923, held in the name of Masonde Traore (the "Subject Account-3")

(a. through c., collectively, the "Defendants-*in-rem*").

2. This Court has original jurisdiction over this forfeiture action pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper pursuant to Title 28, United States Code, Section 1395 because the Defendants-*in-rem* is currently held in the Seized Asset Deposit Fund Account of the United States Marshals Service (the "USMS") located within the judicial district for the Southern District of New York. Venue is also proper pursuant to Title 28, United States Code, Section 1355 (b)(1)(A) because the acts and omissions giving rise to the forfeiture took place in the Southern District of New York.

4. As set forth below, the Defendants-*in-rem* are subject to forfeiture pursuant to (i) Title 18, United States Code, 981(a)(1)(C) and 984, as property constituting or derived from proceeds traceable to wire fraud and conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1343 and 1349.

II. BASIS FOR FORFEITURE

5. This action arises out of an investigation conducted by the Federal Bureau of Investigation ("FBI") into a fraud scheme involving targets that had fraudulently obtained advances from a finance company ("Victim") that provided funding to businesses that were eligible for the Internal Revenue Service ("IRS") Employee Retention Credit ("ERC"). ERC is a refundable tax credit for certain eligible businesses and tax-exempt organizations that were operating during the COVID-19 pandemic and paying employees but were affected by the pandemic. Specifically, the tax credit was available to eligible employers that paid qualified wages to some or all employees after March 12, 2020 and before January 1, 2022. The Victim provided businesses eligible for ERC tax credits immediate funding to maintain and operate their businesses while awaiting IRS refunds from ERC tax credits. Once Victim's customers receive their refund checks from the IRS, the Victim would be repaid with the proceeds of those checks.

Fraudulent Application-1

6. As a result of the investigation, the Government learned the following:

a. On or about February 7, 2023, one or more fraudsters impersonated the owner ("Individual-1") of a company ("Company-1"), by using Company-1's name and Individual-1's personally identifiable information and a photograph of Individual-1's driver's license, and sent Victim an application and supporting documentation ("Application-1") on behalf of Company-1 seeking an advance on refunds from ERC tax credits totaling approximately $1.29 million. In Application-1, the fraudsters impersonating Individual-1 indicated that Company-1 was eligible for ERC tax credits because Company-1 had been impacted by a government shutdown and had filed for over $1.8 million in ERC tax credits. Application-1 also included a screenshot of

a webpage indicating that Company-1 had filed with the IRS an application for ERC tax credits and was approved to receive over $1.8 million in ERC tax credits.

b. In or about April 2023, Victim approved Application-1, and the fraudsters impersonating Individual-1 provided an Automated Clearing House ("ACH")[1] form indicating that the advance on ERC tax credit refunds should be sent via ACH transfer to Subject Account-1.

c. On or about May 2, 2023, Victim sent the advance of approximately $959,968.89 in United States currency,[2] via ACH transfer to Subject Account-1.

d. On or about June 5, 2023, Victim-1 learned that the IRS had mailed Company-1's ERC refund check to Company-1 and attempted to contact Individual-1 to obtain repayment of the advance that Victim-1 provided to Company-1; Victim-1 received no response in connection with that outreach.

e. On or about the same day, Victim-1 learned that the real Individual-1, who owned the real Company-1, contacted the IRS on or about May 15, 2023 to report that he had received letters from the IRS indicating that Company-1's ERC refund check had been mailed to him but that he had not applied for the ERC tax credit and believed that Company-1 had been a victim of identity theft and fraud. Upon learning this, Victim-1 contacted the real Individual-1 and learned that Individual-1 had not submitted any application to Victim-1 and that Individual-1 had not applied for an ERC tax credit.

7. Victim-1 conducted a review of Application-1, its supporting documentation, and the correspondence with the fraudsters impersonating Individual-1 and

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[1] ACH is an electronic network used by to transfer funds electronically between financial institutions.

[2] The advance amount reflects the loan amount sought by the fraudsters, with the deduction of various administrative fees imposed by Victim-1.

identified various indications of fraud. For example, as part of the loan process, Victim-1 conducted a video call with the fraudsters impersonating Individual-1 and the person who appeared on the video call did not match the appearance of Individual-1 as depicted on Individual-1's California stated driver's license, which was submitted with Application-1. Additionally, portions of Application-1 and certain of its supporting documentation appeared to be doctored and/or forged.

8. In or around April 2023, multiple corporate entities using the name of Company-1 were incorporated. One of those corporate entities was registered in Ohio by an individual using the name "Kevin James Wall."

9. The signer on Subject Account-1 was an individual using the name "Kevin James Wall." The email address listed as the contact email address for Subject Account-1 was a Google email account that used Company-1's name (the "Fake Company-1 Email Address") in the email address, and the address listed for Subject Account-1 was an address in Atlanta, Georgia.

10. The Fake Company-1 Email Address was created on or about April 20, 2023, by an individual using the name "Kevin Wall" and was associated with an IP address in Augusta, Georgia.

Fraudulent Application-2

11. On or about May 23, 2023, Victim-1 received a different application for an advance on ERC tax credits refunds ("Application-2") from fraudsters impersonating an individual ("Individual-2") who purported to be the owner of another company ("Company-2"), including by using Individual-2's personally identifiable information and a photograph of Individual-2's driver's license.

12. Victim-1 identified portions of Application-2 and its supporting documentation were forged and/or doctored.

13. When representatives of Victim-1 asked the fraudsters purporting to be Individual-2 to provide proof that COVID-19 impacted Company-2's business, the fraudsters provided a website using Company-2's name. That website was registered on or about June 1, 2023, approximately one week after fraudsters submitted Application-2 to Victim.

14. Additionally, an individual with the name "Ellen Damaso" registered a limited liability corporation using Company-2's name on or about May 18, 2023.

15. On or about July 5, 2023, the FBI, with Victim-1's consent, observed a representative of Victim-1 place a video call, which was audio recorded, from New York, New York to the fraudsters impersonating Individual-2. The FBI learned the following: (i) the voice of the fraudster(s) who had impersonated Individual-2 was similar to the voice of the fraudster(s) who had impersonated Individual-1, and; (ii) on the call, the fraudsters impersonating Individual-2 verified the bank account that would be used to receive the advance that is the subject of Application-2, among other things.

Financial Transactions

16. Prior to Subject Account-1 receiving the transfer of approximately $959,968.89 from Victim-1 as a result of the fraudulent application for an ERC tax credit refund advance purportedly submitted on behalf of Company-1, Subject Account-1 had a balance of approximately $18.80. After Subject Account-1 received approximately $959,968.89 from the Victim, a portion of the fraud proceeds were transferred out of Subject Account-1.

17. Between on or about May 9, 2023 and May 19, 2023, approximately $8,742.97 in withdrawals took place from Subject Account-1 and approximately $410,281 in

checks were written out of Subject Account-1. The checks written out of Subject Account-1 during that period included: (i) a check in the amount of $92,800 deposited on or about May 10, 2023 and a check in the amount of $92,200 deposited on or about May 11, 2023, each payable to "Carla S. Johnston" and deposited into Subject Account-2; and (ii) a check in the amount of $26,600, payable to "Masonde Traore," which was deposited on or about May 11, 2023 into Subject Account-3.

18. Prior to Subject Account-2 receiving the $92,800 check and the $92,200 check written out of Subject Account-1, Subject Account-2 had a balance of approximately $18.67.

19. Prior to Subject Account-3 receiving the $26,600 check written out of Subject Account-1, Subject Account-3 had a negative balance of approximately $208.22.

20. After Regions Bank was alerted to the suspected fraud, on or about May 15, 2023, a hold was placed on the remaining balances in Subject Account-1, Subject Account-2, and Subject Account-3 (collectively, the Defendants-*in-rem*).

21. On or about March 18, 2026, the Honorable Sarah L. Cave, United States Magistrate Judge for the Southern District of New York, issued a seizure warrant, 26 Mag. 898, authorizing the seizure for the Defendants-*in-rem*. A copy of the Seizure Warrant is attached as Exhibit A and incorporated by reference as set forth fully herein.

22. On or about March 19, 2026, the Government seized the Defendants-*in-rem*.

III. FIRST CLAIM FOR FORFEITURE

Forfeiture Under 18 U.S.C. § 981(a)(1)(C)
(Property Constituting or Derived from Proceeds Traceable to a Violation of 18 U.S.C. §§ 1343 and 1349, or Property Traceable to Such Property)

23. Paragraphs 1 through 22 of this Complaint are repeated and re-alleged as

if fully set forth herein.

24. Pursuant to Title 18, United States Code Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting "specified unlawful activity" as defined in Section 1956(c)(7) of this title, or a conspiracy to commit such offense, is subject to forfeiture to the United States. 18 U.S.C. § 981(a)(1)(C).

25. For purposes of Section 1956, "specified unlawful activity" includes "[a]ny act or activity constituting an offense listed in section 1961(1) of this title…" 18 U.S.C. § 1956(c)(7)(A). Section 1961(1) lists, among other things, wire fraud (Section 1343). In addition, Title 18, United States Code, Section 1349 provides:

> Any person who attempts or conspires to commit any offense under this chapter [including mail fraud or wire fraud] shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

26. By reason of the foregoing the Defendant-*in-rem* is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) as property constituting or derived from proceeds traceable to a violation of Title 18, United States Code, Sections 1343 and 1349, or as property traceable to such property.

IV. CONCLUSION

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendants-*in-rem* and that all persons having an interest in the Defendants-*in-rem* be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendants-*in-rem* to the United States of America for

disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
April 13, 2026

JAY CLAYTON
United States Attorney for the
Southern District of New York
Attorney for the Plaintiff
United States of America

By: _____

Connie L. Dang
Assistant United States Attorney
26 Federal Plaza
New York, New York 10278
Tel: (212) 637-2543

DECLARATION OF VERIFICATION

Melissa Baccari, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury that she is a Special Agent with the Federal Bureau of Investigation; that she has read the foregoing Verified Complaint and knows the contents thereof; that the same is true to the best of her knowledge, information and belief; and that the sources of her information and the grounds of her belief are her personal involvement in the investigation, and conversations with and documents prepared by law enforcement officers and others.

Executed on April 10, 2026

Melissa Baccari
Special Agent
Federal Bureau of Investigation