

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08 - _____
	:	
v.	:	DATE FILED: _____
	:	
JOCELYN KIRSCH	:	VIOLATIONS:
EDWARD K. ANDERTON	:	18 U.S.C. § 371 (conspiracy - 1 count)
	:	18 U.S.C. § 1028A(a)(1), (c)(4), (c)(5)
	:	(aggravated identity theft – 2 counts)
	:	18 U.S.C. §§ 1029(a)(2), (b)(1) (access
	:	device fraud – 1 count)
	:	18 U.S.C. § 1344 (bank fraud - 1 count)
	:	18 U.S.C. § 1956(a)(1)(A)(i), (B)(i) (money
	:	laundering - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. At all times material to this information, the following were organizations that operated in interstate commerce and whose activities affected interstate commerce:

- a. American Express
- b. Bank of America
- c. Capital One
- d. Chase Bank
- e. Citi Bank
- f. Commerce Bank

- g. Discover
- h. eBay
- i. First Premier Bank
- j. HSBC Bank
- k. PayPal
- l. PNC Bank
- m. Public Storage
- n. Wachovia Bank

THE CONSPIRACY

2. From in or about November 2006 through on or about November 30 2007, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

conspired and agreed together to commit the following offenses against the United States:

a. Aggravated Identity Theft – to knowingly and without lawful authority possess and use a means of identification of another person during and in relation to access device fraud, in violation of 18 U.S.C. § 1029(a)(2), and bank fraud, in violation of 18 U.S.C. § 1344, in violation of 18 U.S.C. §§ 1028A(a)(1), (c)(4), (c)(5);

b. Access Device Fraud – to knowingly and with intent to defraud use one or more unauthorized access devices during a one-year period, and by such conduct to obtain and attempt to obtain anything of value aggregating \$1,000 or more, that is, at least \$232,000, during a one-year period, and to thereby affect interstate commerce, in violation of 18 U.S.C.

§ 1029(a)(2);

c. Bank Fraud – to knowingly execute and attempt to execute a scheme to defraud a financial institution and to obtain monies owned by and under the care, custody, and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of 18 U.S.C. § 1344;

d. Uttering Forged Securities – to knowingly utter forged securities of organizations that operate in, and the activities of which affect, interstate commerce, with the intent to deceive persons and organizations, in violation of 18 U.S.C. § 513(a);

e. Money Laundering – to knowingly conduct financial transactions affecting interstate commerce, knowing that the property involved in those financial transactions represented the proceeds of some form of unlawful activity, and knowing that the transactions were designed, in whole and in part, to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the specified unlawful activity, and with intent to promote the carrying on of specified unlawful activity, in violation of 18 U.S.C.

§§ 1956(a)(1)(A)(i), (B)(i).

MANNER AND MEANS

3. It was part of the conspiracy that defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole identity information, credit cards, and credit card account information from numerous victims, including friends, co-workers, neighbors, fellow students, bar patrons, and others, in the Eastern District of Pennsylvania and elsewhere, and used those stolen materials extensively to buy merchandise and obtain cash.

It was further part of the conspiracy that:

4. In late 2006, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON developed a romantic relationship and soon thereafter began to engage together in extensive identity theft and fraud activity. As described below, engaging in this type of criminal activity became a way of life for defendants KIRSCH and ANDERTON.

5. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole credit cards and identity information from numerous individuals identified here as D.C., T.D., S.H., D.M., and P.S. by regularly visiting a bar in Philadelphia, Pennsylvania late at night and snatching purses that were left unattended. Defendants KIRSCH and ANDERTON used those credit cards to purchase and attempt to purchase merchandise from various retail stores.

6. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON employed tactics to attempt to increase the time they had to make purchases with the stolen credit cards before the victims cancelled the cards. In those instances, defendants KIRSCH and ANDERTON used a victim's cellular telephone or information they had stolen from the victim's purse to call the victim and concoct a story that would lull the victim into a false sense of security that the purse would be returned with the credit cards intact. In at least one instance, defendant ANDERTON telephoned a victim and said that he was a police officer who had recovered her purse and that it would be returned to her the next morning.

7. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON also stole credit cards and identity information from a number of their personal friends, including individuals identified here as S.C., E.M., C.Z., and L.B. Defendants KIRSCH and ANDERTON stole the identity information both by burglarizing the home of two of their friends, S.C. and E.M., and by surreptitiously taking the information when they were guests in the homes of S.C.

and E.M. and the homes of other friends. The identity information that defendants KIRSCH and ANDERTON stole included personal checks, utility bills, credit card statements, and other personal documents to be used for fraud and theft activity.

8. Defendant EDWARD K. ANDERTON stole credit card account information from co-workers at the Philadelphia real estate equity firm where defendant ANDERTON worked, and defendant JOCELYN KIRSCH stole such information from an international corporation where defendant KIRSCH was an intern. Defendants KIRSCH and ANDERTON stole this information when their co-workers, identified here as T.G. and S.S., gave them access to the credit cards for legitimate company business. To increase the fraud potential, in at least one instance, defendants KIRSCH and ANDERTON attempted to obtain further identity information from a victim by telephoning her and posing as a human resources representative who needed additional personal information for company records.

9. While working at the real estate equity firm, defendant EDWARD K. ANDERTON also stole identity information from an individual identified here as B.S., who had applied for a position with defendant ANDERTON's employer and who had provided his personal information as part of his application.

10. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole and attempted to steal identity information from individuals whose basic identity information was posted on Internet web sites. Defendants KIRSCH and ANDERTON then used that information to telephone such victims, and through a ruse, attempt to elicit from them additional identity information to be used for fraud and theft activity. One of those victims was an individual identified here as M.Gr.

11. Defendant EDWARD K. ANDERTON burglarized a number of lockers in the men's locker room in his office building's fitness center and stole credit card and identity information from the lockers. The victims of this theft activity are identified here as D.G., M.Go., and D.S.

12. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole and duplicated numerous apartment and mailbox keys from the apartment complex where defendants KIRSCH and ANDERTON lived. Defendants KIRSCH and ANDERTON used the apartment keys to burglarize the apartments of at least two individuals identified here as C.D. and R.K. Defendants KIRSCH and ANDERTON stole identity documents, including personal checks, passport information, utility bills, credit card statements, and other personal documents, from the victims' apartments, and stole mail from the victims' mailboxes.

13. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the identity information of the numerous victims identified in the paragraphs above, including names, addresses, dates of birth, social security numbers, drivers' license numbers, and other information, to manufacture false photographic identification cards. These false identification cards, which included false State of Georgia drivers' licenses, were made in the names of the victims, including C.D. and M.Gr., with the photograph of defendant KIRSCH.

14. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the identity information of the victims described above to apply for and obtain numerous credit cards over the Internet. To attempt to conceal their activities from authorities, defendants KIRSCH and ANDERTON had the fraudulent credit cards delivered to United Parcel Service ("UPS") mailboxes that the defendants opened in the victims' names with the victims' stolen identity

information.

15. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON then used the fraudulent credit cards to purchase thousands of dollars in merchandise, including jewelry, clothing, computers, identity making equipment, and other electronic equipment. To conceal their activities from authorities, defendants KIRSCH and ANDERTON had the merchandise delivered to the United Parcel Service mailboxes that the defendants had opened in the victims' names.

16. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON also used the fraudulent credit cards and stolen identity information to negotiate and attempt to negotiate thousands of dollars in convenience checks issued by the financial institutions on the fraudulent credit card accounts.

17. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of the victims identified above, including T.D., M.Gr., B.S., and C.Z., to open accounts in the victims' names on eBay, an Internet auction site. Defendants KIRSCH and ANDERTON also opened accounts in the victims' names with PayPal, an online banking and payment service, to allow for the transfer of funds for their eBay sales activity. Defendants KIRSCH and ANDERTON then used eBay to sell thousands of dollars in merchandise, including lap top computers and ipods, that they had obtained through their fraud scheme. By purchasing merchandise in the name of one victim and selling it in the name of another victim, defendants KIRSCH and ANDERTON concealed and disguised their fraud activity from authorities.

18. To further conceal and disguise the fraud activity and further the scheme, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the victims' stolen

identity information to open bank accounts in the names of the victims. Defendants KIRSCH and ANDERTON then used those accounts to deposit fraud proceeds that they had generated, often in the name of a different victim. Similar to the eBay activity described above, defendants KIRSCH and ANDERTON deposited forged checks drawn on credit card accounts that they had opened in one victim's name into accounts that they had opened in other victims' names. Defendants KIRSCH and ANDERTON likewise transferred fraud proceeds within their various PayPal accounts and bank accounts that they had opened in numerous victims' names to create layers of transactions that further distanced themselves from the fraud and made the transactions appear legitimate.

19. To generate additional fraud proceeds from this scheme, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON defrauded and attempted to defraud eBay and PayPal customers, including individuals identified here as A.C., A.H., L.H., R.L., R.S., and C.W., by using their fraudulent accounts to offer for sale dozens of additional lap top computers and ipods that the defendants did not possess. Unwary buyers then successfully bid on, and paid for, such merchandise which they never received.

20. After generating and concealing the fraud proceeds in the names of various victims, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON then used ATM machines and bank tellers to withdraw the funds in the names of the victims. Defendants KIRSCH and ANDERTON wore disguises, such as masks, wigs, and dark glasses to attempt to conceal their identities from bank and ATM cameras and witnesses. When necessary, defendant KIRSCH presented a false photographic identification card that she and defendant ANDERTON had created for this fraud activity.

21. Through this fraud activity, using the identities and credit card accounts of more than 16 victims in numerous illegal transactions, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON obtained at least \$119,381 in cash and merchandise and made failed attempts to obtain at least \$112,621 in additional cash and merchandise.

22. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the proceeds of their fraud scheme to help fund their lavish lifestyle both in Philadelphia and in the many locations to which they traveled, including Florida, Paris, Hawaii, Montreal, and the Turks and Caicos Islands in the Caribbean.

OVERT ACTS

In furtherance of the conspiracy, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about December 6, 2006, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used identity information that they had stolen from their friend, E.M., while they were guests in his and S.C.'s home, to apply for two Bank of America credit cards in the name of E.M.

2. In or about late December 2006, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON burglarized the home of S.C. and E.M. and stole identity information for their fraud scheme.

3. On or about January 13, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole the purse of D.C. at a Philadelphia bar to obtain credit card account information and identity information for their fraud scheme.

4. On or about January 29, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON purchased computer equipment from Apple Online Stores for \$2,673.93 using an American Express corporate credit card account number (#22260) issued to T.G. that defendant ANDERTON had stolen from T.G. at their place of employment.

5. On or about February 4, 2007, defendant JOCELYN KIRSCH telephoned T.G. posing as a human resources official from T.G.'s employer. In this telephone call, defendant KIRSCH attempted to obtain personal identity information from T.G., including her home address, date of birth, and social security number, in order to engage in further identity theft activity.

6. On or about February 15, 2007, defendant EDWARD K. ANDERTON burglarized the locker of M.Go. in the men's locker room of a fitness center, in the building where defendant ANDERTON worked, and stole M.Go's Bank of America Visa credit card account information (#3208). Defendants KIRSCH and ANDERTON used that account information to purchase clothing, electronic equipment, and other items for \$4,058.58.

7. On or about February 16, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of T.D. to open a checking account (#5729) at Wachovia Bank in the name of T.D., which defendants KIRSCH and ANDERTON used to receive, conceal, disguise, and distribute the proceeds of other identity fraud and theft activity.

8. On or about February 25, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of C.Z. to obtain an American Express credit card (#91001) in the name of C.Z. Defendants KIRSCH and ANDERTON used

this credit card over the next two months to purchase furniture, clothing, and other items for \$7,570.27.

9. On or about February 25, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of C.Z. to obtain a PNC Bank Platinum Visa credit card (#5557) in the name of C.Z. Defendants KIRSCH and ANDERTON used this credit card over the next month to purchase equipment and materials for manufacturing false identification cards, as well as furniture, electronics, and other items for \$6,766.02.

10. On or about June 23, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used an account on eBay that they had established in the name of C.Z. to sell for \$2,030 an Apple lap top computer that they had obtained as part of their identity fraud scheme. On the same date, defendants KIRSCH and ANDERTON transferred the proceeds of the sale to a PayPal account (#9466) that they had established in the name of T.D. Defendants KIRSCH and ANDERTON immediately transferred the funds to a Wachovia account that they had established in the name of T.D., and quickly withdrew the funds from the account before their fraud was detected.

11. On or about June 25, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON caused PayPal to wire \$1,910 to a fraudulent Wachovia Bank checking account (#5729) that defendants KIRSCH and ANDERTON had opened in the name of T.D. The funds represented the sale proceeds of a computer that defendants KIRSCH and ANDERTON had obtained as part of their identity fraud scheme and sold on eBay.

12. On or about June 29, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the Wachovia Bank checking account (#5729) in the

name of T.D. a forged and fraudulent check made payable to T.D. for \$6,450.00. The check was drawn on a legitimate Bank of America credit card account (#5049) of L.B.

13. On or about July 1, 2007, defendant EDWARD K. ANDERTON stole the identity information of M.Gr., a former college student, by telephoning her and posing as a college administrator in the finance department. Defendant ANDERTON told M.Gr. that he needed certain identity information to issue her a refund check to which defendant ANDERTON said she was entitled.

14. On or about July 7, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of D.C. to open a United Parcel Service mailbox at 1735 Market Street in Philadelphia, Pennsylvania, which defendants KIRSCH and ANDERTON used to receive fraudulent credit cards in other victims' names and to receive merchandise that they purchased over the Internet with their stolen and fraudulent credit cards.

15. On or about July 15, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of M.Gr. to open a fraudulent checking account (#1611) at Wachovia Bank in the name of M.Gr., which defendants KIRSCH and ANDERTON used to receive, conceal, disguise, and distribute the proceeds of other identity fraud and theft activity.

16. On or about July 16, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of B.S. to open a checking account (#3583) at Wachovia Bank in the name of B.S., which defendants KIRSCH and ANDERTON used to receive, conceal, disguise, and distribute the proceeds of other identity fraud and theft activity.

17. On or about September 7, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identify information of M.Gr. to obtain a Chase Visa credit card (#7761) in the name of M.Gr., which defendants KIRSCH and ANDERTON used to make various purchases and negotiate forged and fraudulent checks that they deposited into other fraudulent accounts.

18. On or about September 7, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identify information of M.Gr. to obtain a Bank of America credit card (#6731) in the name of M.Gr., which defendants KIRSCH and ANDERTON used to purchase computers and other electronic equipment for \$8,744.53.

19. On or about October 4, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON made fraudulent purchases of electronic equipment with a corporate credit card account number that defendant KIRSCH had stolen from S.S.

20. On or about October 19, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the fraudulent Wachovia bank account (#1611) in the name of M.Gr. a fraudulent check for \$2,400 that was drawn on the Chase Visa credit card account (#7761) in the name of M.Gr.

21. In or about mid October 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON burglarized the apartment of C.D. in the complex where defendants KIRSCH and ANDERTON lived. Defendants KIRSCH and ANDERTON stole identity documents, including passport information, utility bills, credit card statements, and other personal documents, from C.D.'s apartment to further their fraud scheme.

22. On or about October 20, 2007, defendants JOCELYN KIRSCH and

EDWARD K. ANDERTON used the stolen identity information of C.D. to obtain a Discover credit card (#6972) in the name of C.D., which defendants KIRSCH and ANDERTON used for approximately one month to purchase clothes, computer equipment, and jewelry for \$6,076.13.

23. On or about October 22, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of C.D. to open a checking account (#2841) at Wachovia Bank in the name of C.D., which defendants KIRSCH and ANDERTON used to deposit fraudulent checks totaling approximately \$20,000 from credit card accounts that defendants KIRSCH and ANDERTON had fraudulently opened in C.D.'s name.

24. On or about October 23, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used an account on eBay that they had established in the name of B.S. to sell for \$2,325 an Apple lap top computer that they had obtained as part of this fraud scheme. Defendants KIRSCH and ANDERTON caused the proceeds from this sale to be deposited in a PayPal account in the name of B.S., which they later transferred to a Wachovia account (#3583) in the name of B.S.

25. From on or about October 23, 2007 through on or about November 1, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used ATM machines to withdraw from the Wachovia bank account (#3583) in the name of B.S., \$5,800 in fraud proceeds. Defendants KIRSCH and ANDERTON generated these fraud proceeds from sales of computers on eBay.

26. On or about October 24, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used the stolen identity information of C.D. to obtain a PNC Bank Platinum Visa credit card (#9109) in the name of C.D. which defendants KIRSCH and

ANDERTON used for approximately one month on purchases totaling \$8,814 and to pass a fraudulent check for \$10,000. The purchases included sophisticated devices for manufacturing false identification cards to further the identity fraud activity of defendants KIRSCH and ANDERTON.

27. On or about October 25, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the Wachovia bank account (#1611) in the name of M.Gr. a fraudulent check for \$4,850. The check was drawn on the American Express credit card account (#82007) that defendants KIRSCH and ANDERTON had previously opened in the name of M.Gr.

28. From on or about October 25, 2007 through October 31, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used ATM machines to withdraw from the Wachovia bank account (#1611) in the name of M.Gr., \$3,700 in fraud proceeds that were generated from convenience checks drawn on fraudulent credit card accounts.

29. On or about October 29, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON attempted to make purchases totaling \$2,307.50 using the fraudulent Capital One Visa credit card (#3206) in the name of C.D.

30. On or about November 2, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the Wachovia Bank checking account (#3583) in the name of B.S. a forged and fraudulent check made payable to B.S. for \$4,840.00 and drawn on the fraudulent American Express credit card account (#82007) in the name of M.Gr.

31. On or about November 12, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the Wachovia Bank checking account (#2841) that

they had opened in the name of C.D., a fraudulent check for \$10,000, drawn on a fraudulent PNC Bank Visa credit card account in the name of C.D. (#9109), and an insurance check for \$39.33, stolen from the apartment mailbox of C.D.

32. On or about November 16, 2007, defendant JOCELYN KIRSCH fraudulently withdrew \$600 from an ATM using a bank card that she had stolen from S.C.

33. On or about November 27, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used an account on eBay that they had established in the name of B.S. to purport to sell for \$2,376 an Apple lap top computer that they did not possess and could not provide to the winning bidder. Defendants KIRSCH and ANDERTON caused the winning bidder, R.L., to send \$2,376 to a PayPal account (#2503) in the name of B.S. that the defendants controlled.

34. On or about November 27, 2007, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used a fraudulent Citi Bank Platinum Mastercard (#9324) in the name of C.D. to make a \$500 deposit for hair extensions for defendant KIRSCH at Giovanni & Pileggi Salon in Philadelphia, Pennsylvania.

35. On or about November 29, 2007, to pay for the hair extensions, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON used two fraudulent checks drawn on the Wachovia Bank checking account (#1611) in the name of M.Gr. The checks were for \$1,774 for the procedure and \$250 for the hair stylist's tip.

36. On or about November 30, 2007, defendant JOCELYN KIRSCH, while wearing a red wig and hat to disguise herself, appeared at a Wachovia Bank branch on 34th and Chestnut Streets in Philadelphia, Pennsylvania where she withdrew \$5,000 in cash from the

fraudulent Wachovia checking account (#2841) in the name of C.D.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 22 (Manner and Means) of Count One are incorporated here.

2. From in or about October 2007 through on or about November 30, 2007, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name, social security number, date of birth, and government passport number of an individual identified here as C.D., during and in relation to access device fraud and bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4), (c)(5), and 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 22 (Manner and Means) of Count One are incorporated here.

2. From in or about July 2007 through on or about November 30, 2007, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name, social security number, and date of birth of an individual identified here as M.Gr., during and in relation to access device fraud and bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4), (c)(5), and 2.

COUNT FOUR

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 22 (Manner and Means) of Count One are incorporated here.

2. From in or about November 2006 through on or about November 30, 2007, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

knowingly and with the intent to defraud used, and aided and abetted the use of, unauthorized access devices that is, numerous credit cards and ATM cards, in the names of numerous victims, including victims identified here as L.B., S.C., C.D., T.D., T.G., M.Go., M.Gr., D.G., S.H., E.M., D.P., S.S., B.S., D.S., and C.Z., to obtain and attempt to obtain things of value aggregating \$1,000 or more during a one-year period, that is, at least \$232,000, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2), (b)(1) and 2.

COUNT FIVE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 3 through 22 (Manner and Means) of Count One are incorporated here.
2. At all times material to this information, Wachovia Bank and PNC Bank were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate numbers 33869 and 7944-8, respectively.
3. On or about November 12, 2007, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

knowingly executed and attempted to execute, and aided and abetted the execution and attempted execution of, a scheme to defraud Wachovia Bank and PNC Bank, and to obtain monies owned by and under the care, custody, and control of Wachovia Bank and PNC Bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

4. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON stole identity information of an individual identified here as C.D. and used that information to open a Wachovia Bank checking account (#2841) and a PNC Bank Visa credit card account (#9109) in the name of C.D.
5. Defendants JOCELYN KIRSCH and EDWARD K. ANDERTON deposited into the Wachovia Bank checking account (#2841) a fraudulent check for \$10,000,

drawn on a fraudulently opened PNC Bank Visa credit card account (#9109).

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SIX

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 22 (Manner and Means) of Count One are incorporated here.

2. On or about November 2, 2007, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOCELYN KIRSCH and
EDWARD K. ANDERTON**

knowingly conducted, and aided and abetted the conducting of, the following financial transaction affecting interstate commerce: the deposit of a forged and fraudulent check for \$4,840, made payable to an individual identified here as B.S., into a Wachovia Bank checking account (#3583) in the name of B.S., which check was drawn on a fraudulent American Express credit card account (#82007) in the name of an individual identified here as M.Gr.

3. When conducting, and aiding and abetting the conducting of, the financial transaction described in paragraph 2 above, defendants JOCELYN KIRSCH and EDWARD K. ANDERTON knew that the property involved in that financial transaction represented the proceeds of some form of unlawful activity.

4. The financial transactions described in paragraph 2 above involved the proceeds of a specified unlawful activity, that is, uttering forged securities, in violation of 18 U.S.C. § 513, and access device fraud, in violation of 18 U.S.C. § 1029(a)(2), and defendants JOCELYN KIRSCH and EDWARD K. ANDERTON acted with the knowledge that the transaction was designed, in whole and in part, to conceal and disguise the nature, location,

source, ownership, and control of the proceeds of the specified unlawful activity, and with intent to promote the carrying on of specified unlawful activity.

In violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i), (B)(i), and

2.

PATRICK L. MEEHAN
United States Attorney