

The Honorable Johanna Bender
Noted for Hearing: August 17, 2021
Without Oral Argument

**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Plaintiff,

v.

\$610,132.76 OF FUNDS HELD IN
143 ACCOUNTS AT TD BANK,

Defendants *in rem*.

NO. 21-2-10271-5 SEA

DECLARATION OF
GREGORY A. COLEMAN IN SUPPORT
OF STATE OF WASHINGTON'S
MOTION FOR ISSUANCE OF
PROCESS FOR SEIZURE OF
PROCEEDS OF PANDEMIC-RELATED
UNEMPLOYMENT BENEFITS FRAUD
IN 143 ACCOUNTS AT TD BANK

I, GREGORY A. COLEMAN, declare as follows:

1. I am over the age of 18 and am competent to testify to the matters set forth herein based on my personal knowledge.

2. I have been retained by the Washington State Attorney General's Office to assist in investigations and cases involving the enforcement of laws within the purview of the Attorney General. I am working with lawyers and staff members at the Attorney General's Office on an investigation of the loss of unemployment benefits funds during the COVID-19 pandemic in connection with massive identity theft.

3. I am the principal at Coleman Worldwide Advisors, LLC, a consulting firm that advises financial institutions and government agencies. In that capacity, among other functions, I conduct anti-money laundering program reviews for compliance with all applicable laws and

1 regulations. In addition, I conduct Suspicious Activity Report (SAR) program reviews and make
2 recommendations to improve efficiency, accuracy, and effectiveness of SAR investigations and
3 the SAR filing process. I also provide on-going training to ensure that personnel are
4 knowledgeable regarding current financial crime trends.

5 4. I was a Special Agent with the Federal Bureau of Investigation (FBI) for over
6 25 years. From 1989 to 2015, I was a Special Agent in the FBI's New York Field Office.
7 Through my work as a Special Agent, I have participated in numerous financial fraud
8 investigations relating to the laundering of the proceeds of illegal activity, including wire fraud.
9 During my time as a Special Agent, I also conducted numerous investigations in which the
10 investigative subjects have used aliases and fraudulent identity documents to further their
11 fraudulent and/or money laundering activities.

12 5. From 1989 to 1992, I investigated general fraud schemes under the mail fraud
13 and wire fraud statutes.

14 6. From 1992 to 2008, I conducted securities fraud, commodities fraud, and money
15 laundering investigations involving the proceeds of those frauds. I specialized in complex market
16 manipulation and international money laundering investigations, with a special emphasis on
17 frauds where the illicit proceeds were laundered using offshore companies and bank accounts. I
18 was responsible for the overall direction of all investigative activities including the tracing of
19 illicit funds, witness interviews, confidential source development, and record analysis. I was the
20 case agent responsible for all aspects of the Wolf of Wall Street investigation. Additionally, in
21 2002, I received the United States Attorney's Director's Award for Outstanding Contributions
22 in Law Enforcement.

23 7. From 2008 to 2015, I managed and conducted money laundering investigations
24 across all criminal investigative programs. I also was involved in locating and seizing assets
25 subject to forfeiture for other case agents, including serving as the Asset Forfeiture Agent in the
26 Bernard Madoff investigation.

1 8. I have conducted in excess of 30 criminal investigations, almost all of which
2 involved multiple defendants. I have interviewed hundreds of witnesses; served as the affiant on
3 arrest warrants and search warrants; and acted as deponent on verified complaints seeking the
4 forfeiture of assets.

5 9. I am familiar with the facts and circumstances set forth herein based upon my
6 personal knowledge derived from my participation in this investigation, my experience and
7 background as a Special Agent of the FBI, conversations with relevant investigators, attorneys,
8 and professional staff of the Office of the Attorney General and the Employment Security
9 Department, and others, and my review of documents, including bank records.

10 10. In the course of my work for the Attorney General's Office, I have reviewed a
11 significant amount of data collected by the Washington Employment Security Department (ESD)
12 and analyzed documents prepared by or for ESD related to the loss of pandemic-related
13 unemployment benefits funds. I am generally familiar with the manner in which individuals
14 submitted claims for unemployment benefits to ESD during the COVID-19 pandemic, the
15 process by which claims were paid by ESD, the funds returned by financial institutions to ESD
16 following discovery of the fraud, and the process by which ESD investigates the legitimacy of
17 unemployment benefits claims.

18 11. I am aware that in 2020, ESD received a large number of claims for
19 unemployment benefits under the Coronavirus Aid, Relief, and Economic Security Act (CARES
20 Act) and state law. Since the crisis began in March 2020, ESD has paid out more than \$20 billion
21 in federal and state unemployment assistance benefits to over 1.1 million individuals. There have
22 been numerous fraudulent claims for unemployment benefits, including claims where imposters
23 used stolen identity data for Washington residents to obtain unemployment benefits.

24 12. I am aware that ESD maintains an Office of Special Investigations that conducts
25 ongoing, systematic processes to identify claims for unemployment assistance based on fraud.
26 Before the pandemic, ESD had automated queries in place to prevent imposter fraud. When ESD

1 detected a surge in imposter fraud claims, it coordinated with local, state, and federal law
2 enforcement agencies and financial institutions, and developed additional evidence-based
3 indicators of potential fraud and enhanced its queries. ESD investigators analyze evidence of
4 fraudulent claims, using supporting information provided by employers, claimants, and its own
5 investigation.

6 13. I am aware that, as of June 18, 2021, ESD has paid out approximately 96,000
7 known or probable fraudulent claims totaling over \$640 million. ESD recovered a substantial
8 portion of the fraudulently paid funds through negotiations with and voluntary action by financial
9 institutions. However, as of June 18, 2021, approximately \$315 million in stolen funds had yet
10 to be recovered.

11 14. On or about and between February 10, 2021 and July 10, 2021, the
12 Attorney General's Office obtained from ESD, inter alia, supporting data for every
13 unemployment insurance benefit payment that was made by ESD to TD Bank (for further credit
14 to an individual account) during the pandemic that had been categorized by ESD as the product
15 of a known or probable fraud. The determination that a payment was the product of a known or
16 probable fraud was made on the basis of multiple factors including, but not limited to: fraud
17 complaints received from victims of identity theft, or their employers, upon learning that benefits
18 has been applied for in their name; information obtained through ESD anti-fraud systems and
19 staff member efforts; information obtained by the Office of Special Investigations, a unit of ESD
20 that investigates fraud and suspicious activity involving unemployment insurance benefit
21 payments; and as a result of information provided by financial institutions resulting from their
22 screening of transactions as part of their anti-fraud and anti-money laundering obligations.
23 Additional bases for known or probable fraud include, but are not limited to, instances where
24 employers notified ESD that claimants were still employed and had not experienced
25 unemployment during the pandemic; where financial institutions reported that claimants' names
26 did not match any customer records; and where financial institutions received funds for multiple

1 purported claimants in a single account. From this data, I am aware that ESD's Office of Special
2 Investigations has identified thousands of unemployment benefits claims filed during the
3 pandemic as the product of known or probable fraud.

4 15. The data provided by ESD can be classified into three categories; claimant
5 (victim) information such as claimant's full name, date of birth and Social Security Number;
6 financial institution information such as the financial institution's name and routing number, and
7 the bank account number to which payments were sent; and the dollar amount of fraudulent
8 payments including funds, if any, that have been recovered by ESD. All of the claimant (victim)
9 data and financial institution data were provided to ESD during the application process by the
10 individual(s) perpetrating the fraud.

11 16. From the universe of accounts that received payments categorized by ESD as the
12 product of known or probable fraud, our team at the Attorney General's Office identified 432
13 accounts that each had outstanding payments from ESD totaling \$1,000 or more.¹

14 17. On April 12, 2021, the Attorney General's Office served TD Bank with a Civil
15 Investigative Demand (CID) that requested the production of information and records related to
16 432 accounts. Specifically, the Attorney General's Office requested the current balance of each
17 account, the total value of unemployment insurance benefit payments from Washington State as
18 compared to other state programs in each account, and the Personal Identifiable Information
19 (PII) associated with each account. Some examples of PII include a person's full name, Social
20 Security number, driver's license number, passport number, or email address. Most PII is
21 collected by financial institutions at the time of account opening as part of the identity
22 verification process.

23 18. Beginning on April 26, 2021, TD Bank produced responsive information to the
24 Attorney General's Office. The account balance information provided by TD Bank and reviewed

25 ¹ The outstanding payment total was determined by taking the total funds paid per account minus recovered
26 funds per account. The Attorney General's Office is also working with TD Bank to identify additional accounts that
contain the proceeds of fraud of which ESD may be unaware.

1 by the Attorney General's Office, revealed that 143 of the 432 accounts had a current balance
2 (as of April 6, 2021) of \$1,000 or more and that the accounts had been frozen or suspended in
3 such a way as to prevent further withdrawals. Those 143 accounts, and the portion of fraudulently
4 obtained balances contained within (hereinafter referred to as defendant accounts), are the focus
5 of this *in rem* action.

6 19. A thorough review and analysis was undertaken by our team at the Attorney
7 General's Office of all data provided by ESD and TD Bank associated with the defendant
8 accounts. The guidance published by the United States Secret Service and Department of Labor's
9 Office of Inspector General, as well as advisories published by FinCEN, concerning
10 unemployment insurance fraud and its related red flags, were used as a reference during the
11 review and analysis. The review and analysis found the following:

- 12 • Each and every payment sent by ESD to a defendant account was confirmed
13 to have been received by TD Bank and credited to the appropriate defendant
14 account.
- 15 • ESD received fraud reports from identity theft victims, or their employers, for
16 30 of the 143 defendant accounts (20.98%).²
- 17 • Each and every defendant account (143/143, 100%) was in the name of an
18 accountholder that did not match the name of the claimant(s) for
19 unemployment insurance benefits. This trait represents a red flag pursuant to
20 one or more of the referenced guidances and advisories.
- 21 • Each and every defendant account (143/143, 100%) contained a date of birth
22 that did not match the date of birth associated with the claimant(s) for
23 unemployment insurance benefits. This trait represents a red flag pursuant to
24 one or more of the referenced guidances and advisories.

25 ² Many individuals remain unaware that their personal information has been compromised and used in a
26 fraudulent manner.

- Each and every defendant account (143/143, 100%) contained a Social Security number that did not match the Social Security number associated with the claimant(s) for unemployment insurance benefits. This trait represents a red flag pursuant to one or more of the referenced guidances and advisories.
- Each and every defendant account (143/143, 100%) has an address in a state other than Washington State. This trait represents a red flag pursuant to one or more of the referenced guidances and advisories.
- 95 out of 143 defendant accounts (66.43%) received unemployment insurance payments from two or more states. This trait represents a red flag pursuant to one or more of the referenced guidances and advisories.
- 43 out of 143 defendant accounts (30.07%) received unemployment insurance benefits in the name of multiple claimants. This trait represents a red flag pursuant to one or more of the referenced guidances and advisories.

20. Based on this review, the proportional share of funds in each account that is eligible for seizure by the Attorney General's Office, consistent with the relevant federal guidance,³ totals \$610,132.76. The following table identifies the last four digits of such account numbers at TD Bank. The amount on an account-by-account basis is provided in the following chart along with a description of the red flags associated with each account, as well as the seizable amount in each account:

³ See U.S. Dep't of Labor Emp. & Training Admin., *UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 19-21* (May 4, 2021), https://wdr.doleta.gov/directives/attach/UIPL/UIPL_19-21.pdf.

| Account # (Last 4 digits) | Fraud Report Filed by Claimant or Employer | Account Name and Claimant Name Are Not The Same | Account DOB and Claimant DOB Are Not The Same | Account SSN and Claimant SSN Are Not the Same | Account Address Is Not In WA | Account Received Payments From Multiple States | Account Received Payments From Multiple Claimants | Seizable Amount (USD) ⁴ |
|------------------------------|---|---|---|---|---------------------------------------|---|--|--|
| | 30/143 | 143/143 | 143/143 | 143/143 | 143/143 | 95/143 | 43/143 | |
| | 20.98% | 100% | 100% | 100% | 100% | 66.43% | 30.07% | |
| xxxxxx5761 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 4,732.54 |
| xxxxxx5751 | | ✓ | ✓ | ✓ | ✓ | | | 7,190.49 |
| xxxxxx0335 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 1,011.18 |
| xxxxxx3659 | | ✓ | ✓ | ✓ | ✓ | | | 1,159.24 |
| xxxxxx4350 | | ✓ | ✓ | ✓ | ✓ | | | 4,043.59 |
| xxxxxx2600 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 4,223.89 |
| xxxxxx0147 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 10,710.0 |
| xxxxxx7193 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 470.30 |
| xxxxxx4344 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,138.07 |
| xxxxxx2948 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | 17,706.76 |
| xxxxxx6312 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 5,244.69 |
| xxxxxx5036 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 8,595.88 |
| xxxxxx9995 | | ✓ | ✓ | ✓ | ✓ | | | 2,412.82 |
| xxxxxx8602 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | 1,602.12 |
| xxxxxx7609 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,314.17 |
| xxxxxx4272 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3,806.47 |
| xxxxxx1170 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 2,867.04 |
| xxxxxx9221 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,060.70 |
| xxxxxx1619 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 375.28 |
| xxxxxx8776 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,030.50 |
| xxxxxx6101 | | ✓ | ✓ | ✓ | ✓ | | | 2,442.15 |
| xxxxxx1039 | | ✓ | ✓ | ✓ | ✓ | | | 6,159.00 |
| xxxxxx0241 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 4,840.00 |
| xxxxxx3973 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,673.00 |
| xxxxxx7161 | | ✓ | ✓ | ✓ | ✓ | | | 2,862.72 |
| xxxxxx9801 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | 10,769.12 |
| xxxxxx1913 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,132.87 |

⁴ This column represents the lower amount between (1) the amount in ESD funds fraudulently obtained and deposited in the identified account and (2) the State's pro rata share of the remaining amount. In other words, the State is seeking to seize at a maximum the amount of funds it wrongfully paid out due to fraud for each account, and in any case no more than its share of the remainder of funds in the account, as compared with other states that may have also paid out unemployment funds to the same account due to fraud.

| Account # (Last 4 digits) | Fraud Report Filed by Claimant or Employer | Account Name and Claimant Name Are Not The Same | Account DOB and Claimant DOB Are Not The Same | Account SSN and Claimant SSN Are Not the Same | Account Address Is Not In WA | Account Received Payments From Multiple States | Account Received Payments From Multiple Claimants | Seizable Amount (USD) ⁴ |
|------------------------------|--|--|--|--|------------------------------------|--|---|--|
| xxxxxx4360 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,476.39 |
| xxxxxx8748 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,745.17 |
| xxxxxx6425 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 910.32 |
| xxxxxx1194 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 2,132.68 |
| xxxxxx7288 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,264.73 |
| xxxxxx6249 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 10,609.00 |
| xxxxxx1628 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,814.55 |
| xxxxxx8081 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,578.31 |
| xxxxxx0668 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 16,002.00 |
| xxxxxx5112 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 408.04 |
| xxxxxx8626 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 4,702.96 |
| xxxxxx5289 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,005.42 |
| xxxxxx4742 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 11,295.00 |
| xxxxxx6487 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 737.90 |
| xxxxxx1895 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,150.83 |
| xxxxxx2014 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,430.88 |
| xxxxxx7477 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 4,131.50 |
| xxxxxx9410 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 676.02 |
| xxxxxx8879 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 2,605.79 |
| xxxxxx1849 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,799.94 |
| xxxxxx4077 | | ✓ | ✓ | ✓ | ✓ | | | 8,123.80 |
| xxxxxx9740 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 7,312.92 |
| xxxxxx1571 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 10,710.00 |
| xxxxxx2578 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 9,597.32 |
| xxxxxx4918 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,610.28 |
| xxxxxx1994 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,208.35 |
| xxxxxx5276 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 869.42 |
| xxxxxx2887 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 7,120.00 |
| xxxxxx2895 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 24,549.00 |
| xxxxxx5856 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 6,031.98 |
| xxxxxx9392 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 236.06 |
| xxxxxx1259 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,469.03 |
| xxxxxx0608 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,969.00 |
| xxxxxx1747 | | ✓ | ✓ | ✓ | ✓ | | | 8,619.00 |

DECLARATION OF GREGORY A. COLEMAN IN
SUPPORT OF STATE OF WASHINGTON'S
MOTION FOR ISSUANCE OF PROCESS FOR
SEIZURE OF PROCEEDS OF PANDEMIC-
RELATED UNEMPLOYMENT BENEFITS FRAUD
IN 143 ACCOUNTS AT TD BANK

| Account # (Last 4 digits) | Fraud Report Filed by Claimant or Employer | Account Name and Claimant Name Are Not The Same | Account DOB and Claimant DOB Are Not The Same | Account SSN and Claimant SSN Are Not the Same | Account Address Is Not In WA | Account Received Payments From Multiple States | Account Received Payments From Multiple Claimants | Seizable Amount (USD) ⁴ |
|------------------------------|---|---|---|---|---------------------------------------|---|--|--|
| xxxxxx8326 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 9,040.09 |
| xxxxxx0933 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,256.60 |
| xxxxxx6585 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,505.86 |
| xxxxxx0034 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 806.89 |
| xxxxxx6178 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 25,930.00 |
| xxxxxx9732 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 627.48 |
| xxxxxx9758 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,899.07 |
| xxxxxx8045 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,764.24 |
| xxxxxx3258 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3,514.76 |
| xxxxxx6938 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 4,769.77 |
| xxxxxx4002 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 12,375.00 |
| xxxxxx4268 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3,185.17 |
| xxxxxx0130 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 10,580.76 |
| xxxxxx0403 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,633.85 |
| xxxxxx2102 | | ✓ | ✓ | ✓ | ✓ | | | 3,227.79 |
| xxxxxx4412 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,925.81 |
| xxxxxx4496 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,948.21 |
| xxxxxx4529 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 880.66 |
| xxxxxx6209 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,774.49 |
| xxxxxx6431 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,955.29 |
| xxxxxx6522 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,057.24 |
| xxxxxx7503 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,976.73 |
| xxxxxx7743 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 6,589.92 |
| xxxxxx0007 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 621.41 |
| xxxxxx5726 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,347.06 |
| xxxxxx1254 | ✓ | ✓ | ✓ | ✓ | ✓ | | | 10,343.00 |
| xxxxxx3378 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 2,425.14 |
| xxxxxx5325 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 841.11 |
| xxxxxx0837 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 8,392.48 |
| xxxxxx4834 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 4,732.30 |
| xxxxxx8511 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,793.88 |
| xxxxxx5800 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,946.96 |
| xxxxxx1616 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,437.86 |
| xxxxxx7997 | | ✓ | ✓ | ✓ | ✓ | | | 1,146.46 |

DECLARATION OF GREGORY A. COLEMAN IN
SUPPORT OF STATE OF WASHINGTON'S
MOTION FOR ISSUANCE OF PROCESS FOR
SEIZURE OF PROCEEDS OF PANDEMIC-
RELATED UNEMPLOYMENT BENEFITS FRAUD
IN 143 ACCOUNTS AT TD BANK

| Account # (Last 4 digits) | Fraud Report Filed by Claimant or Employer | Account Name and Claimant Name Are Not The Same | Account DOB and Claimant DOB Are Not The Same | Account SSN and Claimant SSN Are Not the Same | Account Address Is Not In WA | Account Received Payments From Multiple States | Account Received Payments From Multiple Claimants | Seizable Amount (USD) ⁴ |
|------------------------------|--|--|--|--|------------------------------------|--|---|--|
| xxxxxx5684 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 11,268.50 |
| xxxxxx6643 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,993.53 |
| xxxxxx1870 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 2,160.13 |
| xxxxxx3187 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,182.87 |
| xxxxxx6857 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,519.78 |
| xxxxxx4857 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3,856.96 |
| xxxxxx8720 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 240.55 |
| xxxxxx5016 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,688.00 |
| xxxxxx2072 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 281.19 |
| xxxxxx1180 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 748.29 |
| xxxxxx1510 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,152.38 |
| xxxxxx7965 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,335.76 |
| xxxxxx5773 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 10,051.03 |
| xxxxxx0239 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,896.33 |
| xxxxxx1028 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,223.14 |
| xxxxxx5224 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 705.55 |
| xxxxxx7919 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,721.66 |
| xxxxxx6131 | | ✓ | ✓ | ✓ | ✓ | | | 3,000.03 |
| xxxxxx4959 | | ✓ | ✓ | ✓ | ✓ | | | 1,419.28 |
| xxxxxx7078 | | ✓ | ✓ | ✓ | ✓ | | | 6,306.00 |
| xxxxxx5377 | | ✓ | ✓ | ✓ | ✓ | | | 9,621.88 |
| xxxxxx6599 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 1,493.17 |
| xxxxxx4896 | | ✓ | ✓ | ✓ | ✓ | | | 9,730.00 |
| xxxxxx3741 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 6,365.87 |
| xxxxxx1685 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 5,656.27 |
| xxxxxx1880 | | ✓ | ✓ | ✓ | ✓ | | | 1,013.02 |
| xxxxxx0575 | | ✓ | ✓ | ✓ | ✓ | | | 9,920.00 |
| xxxxxx6393 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 555.39 |
| xxxxxx2185 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,772.87 |
| xxxxxx9784 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 798.12 |
| xxxxxx0295 | | ✓ | ✓ | ✓ | ✓ | | | 8,928.00 |
| xxxxxx7400 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 49.62 |
| xxxxxx0988 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 785.72 |
| xxxxxx1407 | | ✓ | ✓ | ✓ | ✓ | | | 1,627.08 |

DECLARATION OF GREGORY A. COLEMAN IN
SUPPORT OF STATE OF WASHINGTON'S
MOTION FOR ISSUANCE OF PROCESS FOR
SEIZURE OF PROCEEDS OF PANDEMIC-
RELATED UNEMPLOYMENT BENEFITS FRAUD
IN 143 ACCOUNTS AT TD BANK

| Account # (Last 4 digits) | Fraud Report Filed by Claimant or Employer | Account Name and Claimant Name Are Not The Same | Account DOB and Claimant DOB Are Not The Same | Account SSN and Claimant SSN Are Not the Same | Account Address Is Not In WA | Account Received Payments From Multiple States | Account Received Payments From Multiple Claimants | Seizable Amount (USD) ⁴ |
|------------------------------|--|--|--|--|------------------------------------|--|---|--|
| xxxxxx6265 | | ✓ | ✓ | ✓ | ✓ | | | 1,413.00 |
| xxxxxx2620 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,497.64 |
| xxxxxx8216 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,767.75 |
| xxxxxx7794 | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | 2,869.64 |
| xxxxxx7723 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,321.59 |
| xxxxxx7772 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 5,179.56 |
| xxxxxx0013 | | ✓ | ✓ | ✓ | ✓ | | | 7,096.00 |
| xxxxxx0955 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,194.00 |
| xxxxxx8259 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 6,998.75 |
| xxxxxx4590 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | 3,353.77 |
| xxxxxx7711 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,492.60 |
| xxxxxx7719 | | ✓ | ✓ | ✓ | ✓ | ✓ | | 2,187.41 |
| xxxxxx7665 | | ✓ | ✓ | ✓ | ✓ | | ✓ | 2,627.89 |
| xxxxxx3501 | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 1,333.63 |

21. I am aware that RCW 9A.83.030 provides for the seizure and forfeiture of proceeds of money laundering and wire fraud.

22. I am aware that wire fraud is punishable under federal law by more than one year in prison, and in some cases up to 30 years in prison for individuals who commit wire fraud in connection with a national emergency or affecting a financial institution, as is the case here. 18 U.S.C. § 1343.

23. I am aware that under RCW 9A.83.020(1), proceeds traceable to or derived from specified unlawful activity or a violation of RCW 9A.83.020 are subject to seizure and forfeiture. The Attorney General is empowered to file a civil action for the forfeiture of such proceeds. Under RCW 9A.83.020, all right, title, and interest in the proceeds vests in the State of Washington upon commission of the act or omission giving rise to forfeiture. "Specified unlawful activity" means "an offense committed in this state that is a class A or B felony under Washington law or that is listed as 'criminal profiteering' in RCW 9A.82.010, or an offense

1 committed in any other state that is punishable under the laws of that state by
2 more than one year in prison, or an offense that is punishable under federal law by more than
3 one year in prison." RCW 9A.83.010.

4 24. I am aware that personal property subject to forfeiture under RCW 9A.83.020
5 may be seized by the Attorney General upon process issued by a superior court that has
6 jurisdiction over the property.

7 25. Based on the foregoing information, I believe that the above-identified funds in
8 the specified accounts are proceeds of wire fraud. Accordingly, based upon a preponderance of
9 evidence, I believe that the \$610,132.76 in funds identified above are subject to seizure and
10 forfeiture pursuant to RCW 9A.83.030.

11 I declare under penalty of perjury under the laws of the State of Washington that the
12 foregoing is true and correct.

13 DATED this 4th day of August, 2021.

14 
15 GREGORY A. COLEMAN
16 New York, NY

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

I certify that I served a copy of this document via electronic mail on the following party

Jacqueline M. Carle
Senior Counsel, Legal Department
TD Bank Group
1701 Route 70 East, Suite 400
Cherry Hill, NJ 08003
Jacqueline.Carle@td.com
(267) 575-0542

I certify, under penalty of perjury under the laws of the State of Washington, that the

DATED this 4th day of August 2021, at Seattle, Washington.

/s/ Jeffrey T. Sprung
JEFFREY T. SPRUNG, WSBA #23607
Assistant Attorney General