

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	<u>SEALED SUPERSEDING</u>
- v. -	:	<u>INFORMATION</u>
	:	
CAROLINE ELLISON,	:	S2 22 Cr. 673 (RA)
	:	
Defendant.	:	
	:	
- - - - -	x	

COUNT ONE
(Conspiracy to Commit Wire Fraud on Customers)

The United States Attorney charges:

1. From at least in or about 2019, up to and including in or about November 2022, in the Southern District of New York, and elsewhere, CAROLINE ELLISON, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.
2. It was a part and object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of

executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, ELLISON agreed with others to defraud customers of FTX.com by misappropriating customers' deposits and using those deposits to pay expenses and debts of Alameda Research, a proprietary crypto hedge fund owned by Samuel Bankman-Fried, and to make investments on behalf of Bankman-Fried and others.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Wire Fraud on Customers)

The United States Attorney further charges:

3. From at least in or about 2019, up to and including in or about November 2022, in the Southern District of New York and elsewhere, CAROLINE ELLISON, the defendant, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, ELLISON, along with others, engaged in a scheme to defraud customers of FTX.com by misappropriating customers' deposits and using those deposits to pay expenses and debts of Alameda Research, a proprietary crypto

hedge fund owned by Samuel Bankman-Fried, and to make investments on behalf of Bankman-Fried and others.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE
(Conspiracy to Commit Wire Fraud on Lenders)

The United States Attorney further charges:

4. From at least in or about June 2022, up to and including in or about November 2022, in the Southern District of New York, and elsewhere, CAROLINE ELLISON, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Sections 1343.

5. It was a part and object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, ELLISON agreed with others to defraud lenders to Alameda Research, a proprietary crypto hedge fund owned by Samuel Bankman-Fried, by providing false and

misleading information to those lenders regarding Alameda Research's financial condition.

(Title 18, United States Code, Section 1349.)

COUNT FOUR
(Wire Fraud on Lenders)

The United States Attorney further charges:

6. From at least in or about 2019, up to and including in or about November 2022, in the Southern District of New York and elsewhere, CAROLINE ELLISON, the defendant, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, ELLISON, along with others, engaged in a scheme to defraud lenders to Alameda Research, a proprietary crypto hedge fund owned by Samuel Bankman-Fried, by providing false and misleading information to those lenders regarding Alameda Research's financial condition.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FIVE
(Conspiracy to Commit Commodities Fraud)

The United States Attorney further charges:

7. From at least in or about 2019, up to and including in or about November 2022, in the Southern District of New York, and elsewhere, CAROLINE ELLISON, the defendant, and others known and

unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, commodities fraud, in violation of Title 7, United States Code, Sections 9(1) and 13(a)(5), and Title 17, Code of Federal Regulations, Section 180.1.

8. It was a part and an object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, willfully and knowingly, would and did, directly and indirectly, use and employ, and attempt to use and employ, in connection with a swap, a contract of sale of a commodity in interstate commerce, and for future delivery on and subject to the rules of a registered entity, a manipulative and deceptive device and contrivance, in contravention of Title 17, Code of Federal Regulations, Section 180.1, by: (a) using and employing, and attempting to use and employ, a manipulative device, scheme, and artifice to defraud; (b) making, and attempting to make, an untrue and misleading statement of a material fact and omitting to state a material fact necessary in order to make the statements made not untrue and misleading; and (c) engaging, and attempting to engage in an act, practice, and course of business, which operated and would operate as a fraud and deceit upon a person, in violation of Title 7, United States Code, Sections 9(1) and 13(a)(5), to wit, ELLISON agreed with others to defraud customers of FTX.com trading or intending to trade swaps by misappropriating customers' deposits

and using those deposits to pay expenses and debts of Alameda Research, a proprietary crypto hedge fund owned by Samuel Bankman-Fried, and to make investments on behalf of Bankman-Fried and others.

9. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere: in or about June 2022, CAROLINE ELLISON, the defendant, and others misappropriated FTX.com customer deposits in order to, among other things, satisfy loan obligations owed by Alameda Research.

(Title 18, United States Code, Section 371.)

COUNT SIX
(Conspiracy to Commit Securities Fraud)

The United States Attorney further charges:

10. From at least in or about May 2022, up to and including in or about November 2022, in the Southern District of New York, and elsewhere, CAROLINE ELLISON, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, securities fraud in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5.

11. It was a part and an object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, willfully and knowingly would and did, directly and indirectly, by use of a means and instrumentality of interstate commerce and of the mails, and of a facility of a national securities exchange, use and employ, in connection with the purchase and sale of a security registered on a national securities exchange and any security not so registered, a manipulative and deceptive device and contrivance, in violation of Title 17, Code of Federal Regulations, Section 240.10b-5, by: (a) employing a device, scheme, and artifice to defraud; (b) making an untrue statement of material fact and omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; and (c) engaging in an act, practice, and course of business which operated and would operate as a fraud and deceit upon a person, in violation of Title 15, United States Code, Sections 78j(b) and 78ff, to wit, ELLISON agreed with others to engage in a scheme to defraud investors in FTX.com by providing false and misleading information to those investors regarding FTX.com's financial condition.

12. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere: on or about September 18, 2022, after CAROLINE ELLISON, the defendant,

and others misappropriated FTX.com customer deposits in order to, among other things, satisfy loan obligations owed by Alameda Research, a coconspirator caused an email to be sent to an FTX investor in New York, New York that contained materially false information about FTX.com's financial condition.

(Title 18, United States Code, Section 371.)

COUNT SEVEN
(Conspiracy to Commit Money Laundering)

The United States Attorney further charges:

13. From at least in or about 2020, up to and including in or about November 2022, in the Southern District of New York, and elsewhere, CAROLINE ELLISON, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1957(a).

14. It was a part and an object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, in an offense in and affecting interstate and foreign commerce, knowing that the property involved in a financial transaction, to wit, one or more monetary transfers, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such a financial transaction, which in fact involved the proceeds of specified unlawful activity, to wit, the wire fraud

alleged in Count Two of this Information, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

15. It was a further part and an object of the conspiracy that CAROLINE ELLISON, the defendant, and others known and unknown, within the United States, would and did knowingly engage and attempt to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and that was derived from specified unlawful activity, to wit, the wire fraud alleged in Count Two of this Information, in violation of Title 18, United States Code, Section 1957(a).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATIONS

16. As a result of committing the offenses alleged in Counts One, Two, Three, and Four of this Information, CAROLINE ELLISON, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing

the amount of proceeds traceable to the commission of said offenses.

17. As a result of committing the offense alleged in Count Seven of this Information, CAROLINE ELLISON, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

18. If any of the above-described forfeitable property, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third person; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the

defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



DAMIAN WILLIAMS

United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CAROLINE ELLISON,

Defendant.

SEALED SUPERSEDING INFORMATION

S2 22 Cr. 673 (RA)

(Title 7, United States Code, Sections 9(1) and 13(a)(5); Title 17, Code of Federal Regulations, Section 180.1; Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5; Title 18, United States Code, Sections 371, 1343, 1349, 1956, 1957, and 2.)

DAMIAN WILLIAMS

United States Attorney
