

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

VICTOR JUNG,

Defendant.

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SEALED

INDICTMENT

07 Cr.

COUNT ONE
(Wire Fraud)

The Grand Jury charges:

Background

1. At all times relevant to this Indictment, NBC Universal, Inc. ("NBC Universal") was a global media and entertainment company with its headquarters at 30 Rockefeller Plaza, New York, New York, and offices throughout the world.

2. At all times relevant to this Indictment, General Electric Capital Corporation ("GE") was the parent company of NBC Universal. GE maintained corporate bank accounts at a branch of Deutsche Bank located in Stamford, Connecticut.

3. At all times relevant to this Indictment, VICTOR JUNG, the defendant, was employed as Treasurer of NBC Universal, and worked out of NBC Universal's offices at 30 Rockefeller Plaza. In his capacity as Treasurer, JUNG was responsible, for, among other things, (1) collection efforts related to NBC Universal's business; (2) cash management functions, including oversight of bank accounts; and (3) conducting financial analyses

and reporting on financial performance to GE.

The Fraudulent Scheme

4. From in or about November 2005 through in or about May 2006, VICTOR JUNG, the defendant, engaged in a fraudulent scheme (1) to steal more than \$800,000 in total from his employer, NBC Universal, and its parent company, GE; (2) to wire transfer that money to bank accounts held by a dummy company that JUNG set up and that had no affiliation with NBC Universal or GE; and (3) and to use the stolen money for his personal benefit.

5. As part of the fraudulent scheme, on or about November 28, 2005, VICTOR JUNG, the defendant, caused a Certificate of Formation to be filed with the Delaware Secretary of State for a limited liability company called NBCU Media Productions, LLC (the "LLC"). JUNG was listed as the Manager of the LLC. At no time did NBC Universal or GE authorize the formation of the LLC, and at no time was the LLC part of NBC Universal or GE's portfolio of companies and subsidiary companies.

6. As a further part of the fraudulent scheme, on or about January 2, 2006, VICTOR JUNG, the defendant, opened two bank accounts at a branch of Commerce Bank, N.A., located at 1350 Avenue of the Americas, in New York, New York (the "Branch"). Both accounts were opened in the name of the LLC, and the account opening documents for both accounts listed JUNG as the owner of

the LLC. One account was a checking account (the "LLC's Checking Account"), and the other was a business money market account (the "LLC's Money Market Account"). JUNG was the sole authorized signatory on the LLC's Checking Account and the LLC's Money Market Account.

7. As a further part of the fraudulent scheme, on or about January 19, 2006, VICTOR JUNG, the defendant, opened a third bank account at the Branch in the name of the LLC, with JUNG listed as the owner of the LLC. This account was a commercial savings account (the "LLC's Savings Account"). JUNG was the sole authorized signatory on the LLC's Savings Account.

The \$575,000 Wire Transfer

8. As a further part of the fraudulent scheme, on or about January 19, 2006, VICTOR JUNG, the defendant, caused approximately \$575,000 to be wire transferred from GE's account at Deutsche Bank to the LLC's Money Market Account. That same day, JUNG caused this and other money to be transferred to the LLC's Savings Account.

9. As a further part of the fraudulent scheme, on or about January 20, 2006, VICTOR JUNG, the defendant, caused approximately \$387,189 to be wire transferred from the LLC's Savings Account to Marquis Jet Partners ("Marquis"), a company that leases space on private jets. Over the next several months, JUNG, along with other individuals, on multiple occasions took

trips on private jets that JUNG leased through Marquis with the money from this approximately \$387,189 wire transfer. Among the destinations JUNG and others flew to were Miami, Florida, Antigua, and the Turks and Caicos Islands. These flights were catered, and JUNG and his fellow passengers consumed, among other things, shrimp cocktail, Veuve Cliquot champagne, Grey Goose vodka and Mondavi wine.

10. As a further part of the fraudulent scheme, on or about March 31, 2006, VICTOR JUNG, the defendant, caused approximately \$56,000 to be wire transferred from the LLC's Savings Account to an individual who owns a home in Southampton, New York. JUNG then used this money for the summer rental of that home.

The \$238,450 Wire Transfer

11. As a further part of the fraudulent scheme, on or about April 21, 2006, VICTOR JUNG, the defendant, caused approximately \$238,450 to be wire transferred from GE's account at Deutsche Bank to the LLC's Checking Account. That same day, JUNG caused approximately \$235,000 to be transferred from the LLC's Checking Account to the LLC's Savings Account.

12. As a further part of the fraudulent scheme, on or about April 24, 2006, VICTOR JUNG, the defendant, caused approximately \$50,000 to be wire transferred from the LLC's Savings Account to an account at Citibank in the name of JUNG.

13. As a further part of the fraudulent scheme, on or about May 1, 2006 and May 19, 2006, VICTOR JUNG, the defendant, caused a total of approximately \$145,000 to be transferred from the LLC's Savings Account to the LLC's Checking Account. Thereafter, on or about May 22, 2006 and May 24, 2006, JUNG caused electronic payments to be made from the LLC's Checking Account to his American Express ("Amex") card in the total amount of approximately \$87,416.

Statutory Allegation

14. On or about January 19, 2006, in the Southern District of New York and elsewhere, VICTOR JUNG, the defendant, 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, to wit, a scheme to defraud NBC Universal and GE, 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, JUNG caused a wire transfer in the amount of approximately \$575,000 to be sent from an account held by GE in Stamford, Connecticut to an account held by the LLC in New York, New York that JUNG controlled, and thereafter used that money for, among other things, flights on a private jet and

the rental of a summer home in Southampton, New York.

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

COUNT TWO
(Wire Fraud)

The Grand Jury further charges:

15. The allegations contained in paragraphs 1 through 13 are hereby repeated, realleged and incorporated by reference as if fully set forth herein.

16. On or about April 21, 2006, in the Southern District of New York and elsewhere, VICTOR JUNG, the defendant, 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, to wit, a scheme to defraud NBC Universal and GE, 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, JUNG caused a wire transfer in the amount of approximately \$238,450 to be sent from an account held by GE in Stamford, Connecticut to an account held by the LLC in New York, New York that JUNG controlled, and thereafter used that money to, among other things, make payments on his personal Amex card.

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

FORFEITURE ALLEGATION

17. As the result of committing the foregoing wire fraud offenses, in violation of Title 18, United States Code, Section 1343, as alleged in Counts One and Two of this Indictment, VICTOR JUNG, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission the offense, including, but not limited to, a sum of money equal to at least \$813,450 in United States currency, representing the amount of proceeds obtained as a result of the offenses.

Substitute Asset Provision

18. If any of the above-described forfeitable property, as a result of any act or omission of the defendant, VICTOR JUNG:

(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 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981, Title 28, United States Code, Section 2461, and Title 18, United States Code, Section 1343).

FOREPERSON

MICHAEL J. GARCIA
United States Attorney