UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

v. **Case No.: 8:19-cr-605-WFJ-CPT**

MICHAEL J. DACORTA.
_____/

MICHAEL DACORTA'S LEGAL ARGUMENT IN SUPPORT OF MOTION TO SUPPRESS STATEMENTS MADE AS A RESULT OF CUSTODIAL INTERROGATION ON APRIL 18, 2019

Comes now, Mr. Michael J. DaCorta, by and through undersigned counsel and submits this written argument in support of *Michael DaCorta's Motion to Suppress Statements Made as a Result of Custodial Interrogation on April 18, 2019* (Doc. 43). The below argument contains facts elicited at the hearing held on June 15, 2021. We urge this Court to find that on April 18, 2019, the interrogation by Agents Batsch and Volp was a violation of Mr. DaCorta's Fifth and Sixth Amendment Rights to the United States Constitution.

I. Factual Evidence in Support of Defense Argument

In the early morning hours of April 18, 2019, in their home at 13318 Lost Key Place, Lakewood Ranch, Florida, Mr. DaCorta, his wife Carolyn, and their daughter Crystal were awoken by loud banging and screaming outside their front door. (June 15, 2021 Evidentiary Hearing Transcript ("Doc. 62"), at 14:20-15:3, 190:17-191:15,

and 237:23-238:6; Gov't Exhs. 2 and 3). Because the master bedroom was adjacent to the front door, Mr. DaCorta and his wife immediately responded to the startling noise; however, because they had just been asleep, they were dressed in sleepwear- - boxer shorts and a tank top for Mr. DaCorta and a shirt and underwear for his wife. (Doc. 62 at 17:24-18:1, 142:14-24, 190:22-191:6; Gov't. Exhs. 2- 3). Once Mr. DaCorta opened the front door, the couple were shocked to find eight to ten armed police officers with guns drawn and pointed at them. (Doc. 62 at 9:22-10:22, 142:2-13, 160:24-161:1, 191:23-192:5, 194:1-6). An estimated six to eight officers of these officers made up the "breach team," who wore police insignia and carried a battering ram—which would be used to forcibly enter the residence if necessary; this team was a visible display of "police presence" and a "show of authority." (Doc. 62 at 9:10-10:22, 82:5-9, 179:25-180:23, 191:23-192:5). It is estimated that there were over 11 officers there, and the log in sheet reflects eleven total officers. (Doc. 62 at 96:9-16, 158:13-159:6, 176:24-177:16; *see* Def. Exh. 11, Gov't. Exh. 6). Less than a half hour later, Mr. DaCorta was secluded from his family—in a 10 x 10 room with only one door—for interrogation by two, armed federal agents. (Doc. 62 at 147:25-148:2). Prior to the questioning, Mr. DaCorta was not advised of his *Miranda* rights, nor was he advised that he was free to leave. (Doc. 62 at 163:22-23). The statements made that day by Mr. DaCorta are the statements the Defense seeks to suppress.

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On the scene that day were officers from five state and federal agencies. (Doc. 62 at 8:2-15, 158:5-159:6). Specifically, the armed team consisted of members of the Federal Bureau of Investigation (FBI), the Internal Revenue Service (IRS), the Manatee County Sheriff's Office, the Sarasota County Sherriff's Office, and the Sarasota Police Department. (Doc. 62 at 8:2-15; 158:5-159:6; *see also* Gov't Exhs. 2-3). The federal and state law enforcement agents came to the DaCorta residence pursuant to a federal search warrant issued for a joint FBI and IRS investigation (ongoing since Fall of 2018) into the activities of Mr. DaCorta, Joseph Anile, Frank Duran, and others affiliated with several companies referred to collectively as "Oasis." (Doc. 62 at 7:19-8:15, 13:16-25, 52:19-24, 141:6-12; see *also see* April 16, 2019, *Affidavit In Support of Application for Search Warrants* attached hereto as Exhibit A). Agent Shawn Batsch was the lead IRS agent on the investigation; Agent Richard Volp was the lead FBI agent. (Doc. 62 at 19:11-20, 140:22-141:12, 177:10-16). The investigation concerned suspected wire fraud, money laundering, and tax fraud related to an alleged Foreign Exchange Currency (FOREX) *Ponzi* scheme perpetrated by Oasis and its principles and employees. (Doc. 62 at 13:18-25, 52:12-53:12).

Prior to obtaining the search warrant, federal agents had extensively investigated Oasis and its principles, including but not limited to Mr. DaCorta, Joseph Anile, and Frank Duran. (Doc. 62 at 52:19-24, 162:8-13; *see also* Exhibit A

attached hereto). As part of the joint federal investigation, alleged victims were interviewed, bank records were reviewed, and an undercover operation was conducted. (Doc. 62 at 53:3-12, 162:14-163:2). A Commodities and Future Trading Commission (CFTC) civil investigation and complaint lodged against Oasis and its principles ran parallel to this federal investigation. (Doc. 62 at 101:12-102:12, 163:3-5). Two representatives from the CFTC and a court-appointed receiver (appointed to take possession of the DaCorta family home and other Oasis assets and property) were present at the DaCorta residence on April 18, 2019. (Doc. 62 at 34:25-35:11, 101:4-22, 105:19-106:3, 114:15-19). Though not the subject of this motion, at least one of these individuals questioned Mr. DaCorta on April 18th as well. (Doc. 62 at 116:24-117:25).

The federal case agents' (Batsch and Volp) primary goal was to interview Mr. DaCorta and gather additional evidence that he committed the alleged crimes of wire fraud, money laundering, and tax evasion. (Doc. 62 at 19:11-20:11, 72:5-12, 79:14-80:2, 141:6-142:1, 162:8-13). While an indictment or criminal complaint had not yet been obtained, federal charges against Mr. DaCorta and others were expected. (Doc. 62 at 164:6-16). Law enforcement planned the search and interview in order to identify financial documents, tax documents, customer information, electronic evidence, and communications between Mr. DaCorta and his alleged coconspirators. (Doc. 62 at 13:18-25, 162:5-13).

Law enforcement held two or three pre-operational briefings before the execution of the search warrant. (Doc. 62 at 36:13-21, 64:20-24, 159:9-11, 162:1-4). During at least one of these briefings, while consulting with the United States Attorney's Office, two explicit decisions were made: 1) Mr. DaCorta would not be read his *Miranda* rights, and 2) the interview would not be recorded. (Doc. 62 at 36:13-21, 60:3-14). When Agents Batsch and Volp arrived at the DaCorta family home—intending to obtain a non-*Mirandized*, uncounseled, and unrecorded statement from Mr. DaCorta—they did so without warning to either Mr. DaCorta or Oasis' attorney and principle, Joseph Anile. (Doc. 62 at 49:4-13, 170:2-172:8).

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The day began for Mr. DaCorta and his family at 7:00 a.m., when police pounded on his front door and shouted multiple times: "POLICE! SEARCH WARRANT!" (Doc. 62 at 14:10-12, 16:3-17:14, 191:7-9; *see also* Gov't. Exhs. 2-3). Mr. DaCorta opened his front door, half dressed, to find eight to ten law enforcement officers with guns and bulletproof vests prominently displaying the word "POLICE." (Doc. 62 at 9:22-10:22, 14:10-18:2, 192:1-3; *see also* Gov't. Exhs. 2-3). In the home security video surveillance, it is clear that both Agents Volp and Batsch had their firearms drawn and pointed at the door. (*See also*, Doc. 62 at 10:5-6, 81:18-82:2, 142:2-6). These are the **exact same agents** who would, not long after, interrogate Mr. DaCorta in a small, closed room. Mr. DaCorta was commanded to

put his hands up and directed, at gunpoint, to exit the residence. (Doc. 62 at 144:11-25). In response to the armed show of authority, Mr. DaCorta complied. *Id.* This large display of force was deemed necessary at seven a.m., on an otherwise-quiet Wednesday morning, for an alleged financial crime, committed by an individual with no prior criminal history, who lived in the small, gated community of Lakewood Ranch.

Mr. DaCorta's wife, seeing the police presence, hid behind the dividing wall in the foyer, and then attempted to retreat to her bedroom to get properly dressed. (Doc. 62 at 191:23-192:5; *see also* Gov't Exhs. 2-3). As she headed to her bedroom, she was quickly pursued by an armed officer who commanded her to immediately exit the bedroom and her home. (Doc. 62 at 192:6-24; *see also* Gov't Exhs. 2-3). Once law enforcement gained control of Mrs. DaCorta and subsequently realized that she was not appropriately dressed, she was escorted by an armed officer into her bedroom, followed into her small master closet, and directed to get dressed while an agent watched. (Doc. 62 at 193:6-21, 225:14-17). After dressing, she was escorted outside where she found her husband guarded by at least two armed agents and multiple other agents around the driveway and entering and exiting her home. (Doc. 62 at 194:7-195:16).

Crystal, asleep in her upstairs bedroom, also was awoken by the screaming and pounding at the front door. (Doc. 62 at 83:14-84:2, 237:23-238:6). Startled from

her sleep, she looked out her bedroom window and saw cars and people moving around her driveway. (Doc. 62 at 238:7-19). She had no idea what was happening. Upon exiting her bedroom, barefoot and dressed only in a shirt and pajama shorts, she descended the stairs towards the front door with her arms raised and was confronted by armed law enforcement screaming her name and directing her to exit the home. (Doc. 62 at 18:3-23, 238:20-240:15, 242:2-9). Upon exiting the home, she found her father sitting on the front step surrounded by multiple armed law enforcement officers. (Doc. 62 at 240:16-24).

After commanding the DaCorta family at gunpoint to leave their house, law enforcement conducted an armed protective sweep inside the home for eight to ten minutes, while the DaCorta family waited outside, under the constant, watchful eye of armed law enforcement. (Doc. 62 at 19:2-10, 79:19-21, 83:7-10, 143:19-25, 195:17-23, 241:20-23). The DaCorta family was commanded to stay outside while law enforcement cleared their home; they could not have walked inside during this sweep. (Doc. 62 19:2-10, 143:19-25, 195:17-23, 241:20-23). Agents never told the DaCorta family told what was going on and why law enforcement was there. (Doc. 62 at 195:9-16). The family *was* told, however, that **all** of their vehicles would be seized that day. (Doc. 62 at 14:1-5, 172:12-14, 194:24-195:2, 200:13-22). Something that was reiterated to Mr. DaCorta while he was in the room being questioned by Agents. (Doc. 62 at 85:4-5).

While agents where still seizing control of the interior of the DaCorta family home, Agents Batsch and Volp, still visibly armed, exited the home and advised Mr. DaCorta that they had a search warrant for the home. (Doc. 62, pp. 20, 84, 144. They did not provide Mr. DaCorta a copy of this warrant nor give him the details behind the warrant; they did, however, suggest that he could learn the purpose of the search *if* he agreed to talk with them privately. (Doc. 62 at 19:25-20:6, 41:18-42:1, 165:5-15). In response, Mr. DaCorta acquiesced and agreed to meet with agents. (Doc. 62 at 20:7-11, 144:15-16).

Armed federal agents took position on each side of Mr. DaCorta. (Doc. 62 at 20:12-21, 85:12-17, 165:19-21; 200:1-5). They then walked Mr. DaCorta to a secluded 10 x 10 room in the rear of the home—the room identified as Room L or the "Pool Room." (Doc. 62 at 20:15-21, 85:12-17, 86:21-22, 145:21-146:21; Gov't Exh. 5). While Mr. DaCorta was being led to the back of the home, his daughter and wife were ushered, by three armed officers, to the living room and told to sit on the sofa and chair located there. (Doc. 62 at 196:11-198:6, 200:16-22, 242:16-24; Def. Exh. 6). There was so much police presence that Mrs. DaCorta did not believe that she could stop her husband or even talk to him while he was being walked to the back room. (Doc. 62 at 200:13-22).

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The back room was chosen by law enforcement specifically because it was "secluded" and had a door which could close off the room, limiting the DaCorta family's access to Mr. DaCorta and the questioning. (Doc. 62 at 20:15-21, 40:4-41:17, 145:21-146:21, 152:7-14; Gov't Exh. 5). There were other rooms that could have been used for the interview. (Doc. 62 at 153:17-19). Once Mr. DaCorta was escorted into the room, the door was closed; it remained closed for the entire law-enforcement-driven questioning of Mr. DaCorta. (Doc. 62 at 27:5-14). Once inside the closed room Agents Volp and Batsch positioned themselves between Mr. DaCorta and the only door in and out of the room. (Doc. 62 at 22:11-24:19, 47:4-22, 145:21-146:21; Govt. Ex. 5). For Mr. DaCorta to exit the room, he would have had to either traverse over the large pool table or walk through the armed federal agents. (Doc. 62 at 47:4-22, 166:19-167:11). The agents, still armed with their guns visibly on their sides, sat within at least two to three feet of Mr. DaCorta during questioning.[1] (Doc. 62 at 28:16-19, 47:4-11, 86:23-87:4, 1451-146:21). The questioning focused on Oasis and Mr. DaCorta's involvement in what law enforcement has described as a FOREX trading *Ponzi* scheme. (Doc. 62 at 32:16-33:1, 90:21-91:12, 149:3-6).

[1] Photos taken that day were entered into evidence. Notably, though, Agents stated that the chairs that day were closer together than they appear in the photos. (Doc. 62 at 25:24-26:6, 47:4-11).

Before conducting the questioning, Mr. DaCorta was advised that he did not have to speak with the agents, but he was never advised that he was free to leave or had the right to an attorney. (Doc, 62 at 27:21-22, 75:1-17, 170:4-8). He was not read his *Miranda* warnings, nor was he read the IRS Standard Operating Procedure warnings to be given during non-custodial interrogations. (Doc. 62 at 27:21-22, 72:13-74:7, 163:13-23).[2] Had Mr. DaCorta asked to speak to Joseph Anile, the individual known to be Oasis' attorney, Mr. DaCorta's request would have been denied because agents considered Anile a "co-conspirator." (Doc. 62 at 171:2-21). While Mr. DaCorta was permitted to get dressed before questioning, he was kept under the watchful eye of law enforcement while getting dressed. (Doc. 62 at 24:20-25:1, 85:23-86:7). During questioning, he did not have access to his cell phone, laptop, identification, or car keys. (Doc. 62 at 86:8-20, 172:6-14). Like a police station interrogation room, the secluded room at the back of the residence had only one door in and out, was small, had only two or three chairs, and individuals let in and out of the room were limited. (Doc. 62 at 49:22-50:12).

[2] Sect. 9.4.5.11.3.1.1 proscribes the rights as follows: "In connection with my investigation of your tax liability (or other matter), I would like to ask you some questions. However, first I advise you that under the Fifth Amendment to the Constitution of the United States, I cannot compel you to answer any questions or to submit any information if such answers or information might tend to incriminate you in any way. I also advise you that anything which you say and any documents which you submit may be used against you in any criminal proceeding which may be undertaken. I advise you further that you may, if you wish, seek the assistance of an attorney before responding. Do you understand these rights?" *See also* Def. Exh. 10.

The agents seized and searched the DaCorta residence for approximately five hours. (Doc. 62 at 77:5-9; *see also,* Def. Ex. 7 (showing agents entering the home at 7:05 a.m. and exit photos taken at 12:00- 12:30 p.m.)). For that entire time—from the moment Mr. DaCorta opened the door to find eight to ten armed officers with their guns drawn, until the search team left his residence five hours later – neither Mr. DaCorta nor his family were ever free to move around their home or yard without seeking permission from armed law enforcement agents and, subsequently, being escorted and watched by law enforcement, if permission was granted. (Doc. 62 at 77:5-9, 210:18-211:17). During the multi-hour questioning, Mr. DaCorta could not leave the 10 x 10 interview room alone. (Doc. 62 at 207:7-208:25). When his dogs barked during the questioning, he was told that agents would handle it. (Doc. 62 at 149:13-17, 173:20-174:1). When agents wanted Mr. DaCorta to show them where gold and silver was located in his home, he was led closely by Agent Bastch to and from the master bedroom closet. (Doc. 62 at 33:10-23, 37:12-19). If Mr. DaCorta had tried to leave the interview room by himself, he would have been escorted by law enforcement. (Doc. 62 at 37:12-19, 167:15-168:11). It is clear that during the five-hour, armed law enforcement control of his residence, Mr. DaCorta was never left alone and never moved freely throughout his home. (Doc. 62, at 37:12-19, 167:15-168:11, 179:4-180:23, 207:7-208:25, 252:8-13).

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Mr. DaCorta's family, Carolyn and Crystal, experienced the same law enforcement control over them and the residence as Mr. DaCorta. (Doc. 62 at 196:2-22, 223:12-15, 242:16-243:8). They, too, were initially called to exit the house by armed police; then, once the home was cleared, they were taken inside the home by armed officers. (Doc. 62 at 191:13-194:23, 195:17-196:22). Like their husband and father, Carolyn and Crystal were told where to sit and were not allowed to move without direct law enforcement permission. (Doc. 62 at 199:19-25). Carolyn DaCorta attempted to move from her assigned seat in the living room approximately six times during the prolonged law enforcement occupation of her home. (Doc. 62 at 198:7-204:15). Every single time she had to ask for permission—even to use the restroom—and every single time she was then guarded by an armed officer. *Id.*

For example, in one instance, an agent exited the interrogation of Mr. DaCorta and asked Carolyn DaCorta to get coffee for her husband. (Doc. 62 at 201:20-202:24). Before going to the kitchen and getting coffee, Carolyn had to ask the officer guarding her for permission. *Id.* Once she got the beverages, she was prohibited from going into the room to bring it to her husband. *Id*. Instead, the agent retrieved the beverages and brought them into the room, shutting the interrogation room door behind him. (Doc. 62 at 201:20-202:24). Carolyn DaCorta was never allowed into the room to see her husband. *Id.*

In another instance, Mrs. DaCorta's son called her cell phone while the police occupied the home. (Doc. 62 at 204:19-205:8, 251:6-16). Carolyn was specifically told that she could *only* answer the phone if she put it on speakerphone. *Id*. In further evidence of complete police domination of the residence, private trips to the bathroom or bedroom were never permitted. (Doc. 62 at 203:2-7, 205:19-206:10).

Likewise, Crystal DaCorta's freedom of movement within and outside her home was similarly restricted. (Doc. 62 at 242:2-244:25, 252:25-253:12). She too could not go to her bedroom, the bathroom, her vehicle, or any other place in the home or backyard without first obtaining permission from law enforcement, and, then, being watched. (Doc. 62 at 242:19-243:8, 243:16-246:16, 247:18-248:5). She was told that if she left the home, she would not be allowed to return. (Doc. 62 at 259:7-12). When she went to tend to the dogs, she did not have the freedom to move without observation and control of armed agents. (Doc. 62 at 203:18-204:2).

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The DaCorta family home was occupied and controlled by at least eleven armed law enforcement officers from 7:05 a.m. until at least 12:20 p.m. (Doc. 62 at 77:5-10, 96:9-16, Def. Exhs. 6 and 11). It was during this show of armed police authority and occupation that Mr. DaCorta, who was strategically placed in a 10 x

10 room with only one door in and out, was questioned for at least two hours[3] by two experienced, armed federal agents—who, a short time earlier, had greeted him at his front door with their guns drawn and pointed at him and his family. (Doc. 62 at 86:8-22, 180:25-181:23; Gov't Exhs. 2-3). During this closed-door questioning, Mr. DaCorta did not have access to his family, his cell phone, his car keys, or his company's attorney; he was never told that he could leave, nor was he read his *Miranda* rights. (Doc. 62 at 27:21-22, 86:8-12, 166:3-7, 166:19-167:6, 172:6-14). In response to police-driven questioning Mr. DaCorta provided non-*Mirandized* statements which the Government now seeks to introduce at his trial. (Doc. 62 at 32:16-34:9, 149:3-6).

II. Legal Argument

Miranda warnings are required before any statement may be admitted into evidence at trial which was elicited from a person in custody through interrogation. *See U.S. v. Henley*, 2017 WL 2952821 at 7 (N.D. Ga. May 19, 2017) (citing to *U.S. v. Alim*, 256 Fed.App'x. 236, 239 (11th Cir. 2007) (quoting *U.S. v. Jones*, 475 F.2d 723, 730 (5th Cir. 1973). When law enforcement officers conduct a custodial interrogation without providing *Miranda* warnings, there is a presumption that the

[3] To be clear, Def. Exh. 7 shows that agents first entered the home at 7:05 am and that the last photos of the home from the search occurred between 1200 and 1230 pm. The MOI itself has a start time of 7:20 am but no end time denoted. (Doc. 62 at 87:9-15). Mrs. DaCorta recalls that Mr. DaCorta was in the room, being questioned, for five hours. (Doc. 62 at 235:8-14).

suspect's statements are compelled. *See Waldrip v. Humphrey*, 532 Fed.App'x. 878 (11th Cir. 2013) (citing to *Arizona v. Robinson*, 486 U.S. 675, 681 (1988). The key question here, in determining if Mr. DaCorta was "in custody" for purposes of *Miranda* is whether a reasonable person in Mr. DaCorta's position would have believed he/she was in custody. *Yarborough v. Alvarado*, 541 U.S. 652 (2004); *Berkemer v. McCarty*, 468 U.S. 420 (1984); *United States v. Long*, 866 F.2d 402, 405 (11th Cir. 1989) ("A suspect is considered in custody if a reasonable person would believe that he were not free to leave, for example if the officers brandished weapons, touched the suspect, or used language or a tone that indicated that compliance with the officers could be compelled.").

As was noted in the Defendant's original Motion to Suppress, there are two oft-cited Eleventh Circuit opinions the Government cites when asking the Court to deny a suppression motion such as this one. These cases are distinguishable from the instant case. First, *United States v. Luna-Encinas*, 603 F.3d 876 (11th Cir. 2010), found that a suspect questioned, briefly, while outside of his house, was not in custody for *Miranda* purposes. That suspect, unlike Mr. DaCorta, was only briefly detained by law enforcement officers and questioned. Here, Mr. DaCorta was kept in the closed-off room, separated from his family, had his cars seized, and questioned by armed federal agents—all while his family was guarded by similarly armed officers. Second, in *United States v. Brown*, 441 F.3d 1330 (11th Cir. 2006), the

Court found that the defendant was not in custody during the execution of a search warrant on his girlfriend's home, where he sometimes stayed. The facts of that case, also, are distinguishable. The defendant Brown was permitted to move freely about the home (though escorted by law enforcement) and the officers who questioned the defendant were not armed. Again, in contrast, Mr. DaCorta was never allowed to independently leave the "interrogation room," he was never told he was free to leave, he was constantly guarded by armed officers, and he was interrogated for hours about a criminal matter that law enforcement had all but indicted him in.

While not binding precedent on this court, the case of *United States v. Giovanni*, 313 F. Supp. 3d 1278 (N.D. Fla., June 2, 2018) demonstrates the extensive analysis the Court must engage in to make the determination of custody. Here, there are factors that weigh for and against the designation of custody. For the Government's part, Mr. DaCorta was never handcuffed; agents were polite in questioning him; and Mr. DaCorta was in his home during the questioning and not taken to a police station. For the Defense's part, though, there are many more facts that point towards Mr. DaCorta being in custody. We will not reiterate the extensive factual scenario that came to light during the hearing and that is recited above. However, suffice it to say that an analysis of the facts here demonstrate that Mr. DaCorta was in custody and should have been read his *Miranda* rights.

During the hearing, there was much made of the fact that the guarding of Mrs. DaCorta, their daughter, and Michael DaCorta was all necessary to preserve officer safety and preserve the integrity of the crime scene. Even if there was a justification for the guarding – which defense does not concede given the absolute other indicators that there was a safety concern – this matters not. The analysis turns only on whether a reasonable person would have felt free to leave in the same circumstances. What is instructive in this determination is how both Crystal and Carolyn felt about their ability to leave. Again, while the Court's analysis should hinge on a "reasonable person" determination, the two other individuals who were present give this Court a good idea as to how this "reasonable person" would have viewed the constraints. For the same reason, it is irrelevant that Mr. DaCorta was "cooperative" when he spoke to Agents Batsch and Volp. A suspect need not be combative to illustrate that the conditions of the interrogation were, indeed, indicative of custody.

III. Conclusion

Because Mr. DaCorta was in custody at the time of his interrogation and was not provided any *Miranda* warnings prior to questioning, his statements were not freely and voluntarily given. As such, this Court must suppress the statements made in response to the questioning conducted by Agents Volp and Batsch on April 18, 2019.

DATED this 19th day of July 2021.

Respectfully submitted,

A. FITZGERALD HALL,
FEDERAL DEFENDER

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July 2021, a true and correct copy of the foregoing was furnished by using the CM/ECF system with the Clerk of the Court, which will send notice of the electronic filing to the following:

Rachelle Bedke, AUSA
David WA Chee, AUSA
Francis D Murray, AUSA
Suzanne C Nebesky, AUSA

/s/ Jessica Casciola
Jessica Casciola
Assistant Federal Defender

AFFIDAVIT IN SUPPORT OF APPLICATIONS FOR SEARCH WARRANTS

I, Richard Volp, being duly sworn, depose and state the following:

AFFIANT'S BACKGROUND

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since September 2017. I am currently assigned to the Tampa Division, Sarasota Resident Agency. I have been a sworn law enforcement officer continuously since January 2007. I obtained my Masters of Science degree in Criminal Justice from the University of Cincinnati in 2013 (including courses specific to white collar criminal behavior) and have received specialized criminal investigation training, including, but not limited to, the Drug Enforcement Administration's Basic Narcotics Investigation School, Baltimore Medical Examiner's Office Homicide Investigation Seminar, and the Secret Service's Basic Cellular Telephone Forensics Examination course. I have also received training from the FBI on the use of electronic mail (email) correspondence in furtherance of illicit activity and the investigation of same. During my career as a detective and supervisor, I conducted thousands of investigations with varying degrees of complexity which resulted in the criminal prosecution of hundreds of subjects on both the federal and state levels. I have served as a principal investigator of a variety of criminal violations resulting in successful prosecutions to include: embezzlement, public corruption, wire fraud, murder,

kidnapping, armed robbery, illegal firearms trafficking, cocaine and heroin trafficking, among others. I have conducted and participated in physical surveillance including court-authorized wire and electronic interceptions, executions of search warrants, debriefings of informants, and reviews of taped conversations and narcotics/business records, ledgers, and other written correspondence.

2. I have personally participated in this investigation and have witnessed many of the facts and circumstances described herein. I have also received information from other law enforcement officers relating to this investigation. The information set forth in this affidavit is based on my own observations and review of documents, or reliable information provided to me by other witnesses and law enforcement personnel. Unless otherwise indicated, all written oral statements referred to herein are set forth in substance and in part, rather than verbatim. I am setting forth only those facts and circumstances believed to be necessary to establish probable cause for the requested warrants. This affidavit does not contain every fact known to investigators at this time.

PURPOSE OF AFFIDAVIT

3. I make this affidavit in support of applications for warrants to search five (5) premises: (1) 13318 Lost Key Place, Lakewood Ranch, FL 34202; (2) 6922 LaCantera Circle, Lakewood Ranch, FL 34202; (3) 7312 Desert Ridge Glen, Lakewood Ranch, FL 34202; (4) 4064 Founders Club

Drive, Sarasota, FL 34240; (5) 444 Gulf of Mexico Drive, Longboat Key, FL 34228.

4. The locations are further described in the following paragraphs and in the Attachment A that corresponds with each particular application. Based upon the facts set forth below, your affiant submits that there is probable cause to believe that the locations contain fruits, instrumentalities, and evidence of violations of the following federal statutes:

a. Wire Fraud and Conspiracy to Commit Wire Fraud in violation of 18 U.S.C. §§1343 and 1349;

b. Mail Fraud in violation of 18 U.S.C. §1341;

c. Money Laundering Conspiracy and Money Laundering in violation of 18 U.S.C. §§1956(h) and 1957;

d. Filing False Federal Income Tax Returns in violation of 26 U.S.C. §7206(1).

5. As a consequence, there is probable cause to search the premises described in each Attachment A for evidence of these crimes as described in each corresponding Attachment B.

SUMMARY OVERVIEW

6. In 2011, Michael DaCorta (DACORTA) and Joseph Anile II (ANILE) created a company, which they used to solicit investors' money, called Oasis International Group (OIG or "OASIS" referring to various other shell companies operated by DACORTA and/or ANILE containing the Oasis

name). Within months of the creation of OASIS, Raymond Montie (MONTIE) invested a large sum of money. DACORTA almost immediately started using a portion of this money to pay personal expenses.

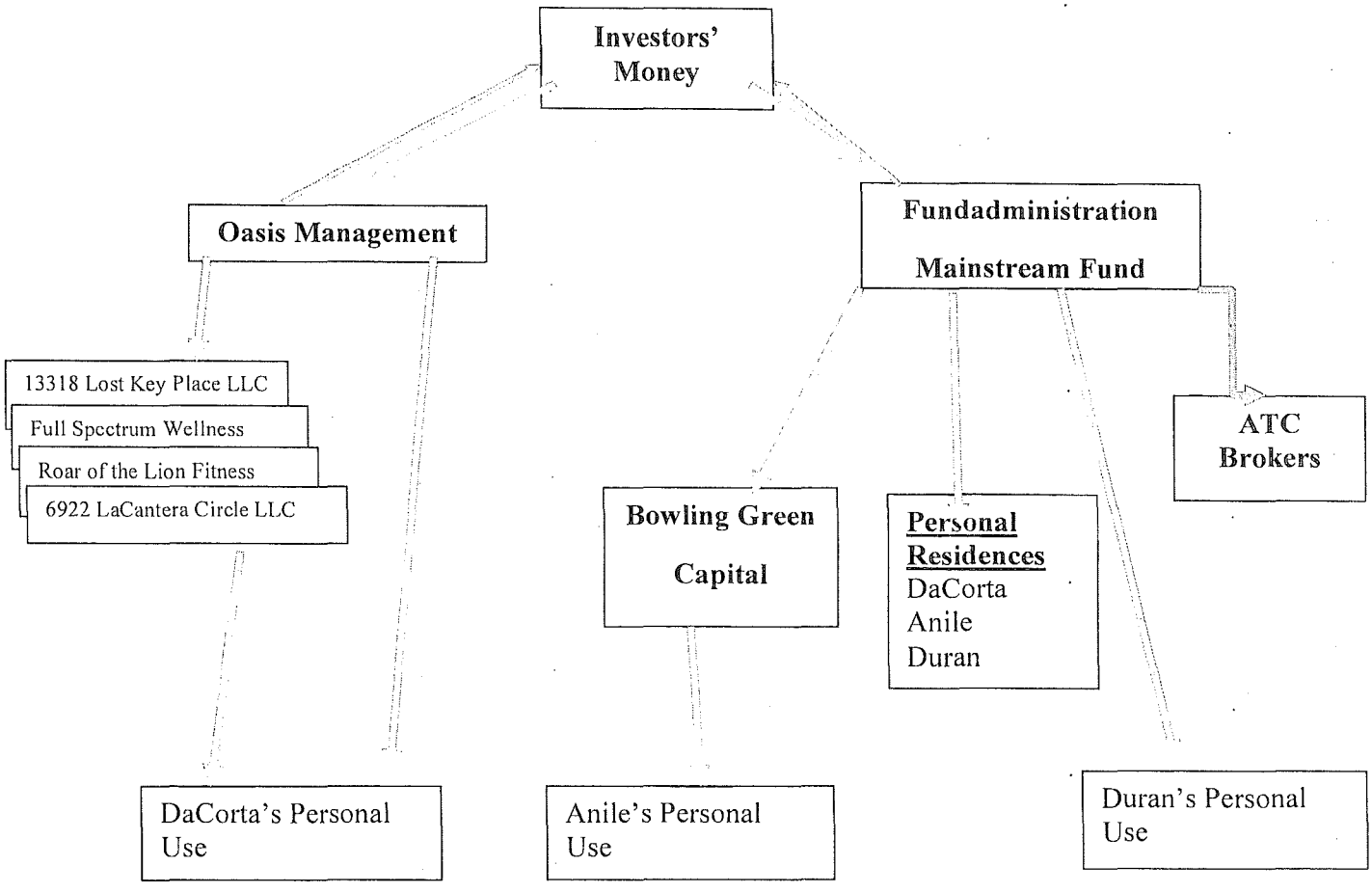
7. From 2011 through the present, OASIS has been used to solicit money from more than 500 investors. Bank records from 2015 until January 2019 show that OASIS has taken in more than $65 million in investors' money. Of this amount, approximately one-third was sent offshore and lost in foreign currency (FOREX) trading, approximately one-third was used to make Ponzi payments to investors to create the false and fraudulent appearance of investment gains, and approximately one-third was misappropriated by DACORTA, ANILE, and another principal OASIS employee named Francisco Duran (DURAN) to purchase large personal residences, multiple luxury vehicles such as a Porsche and Ferrari, and otherwise maintain a lavish lifestyle. As of January 2019, bank records show OASIS only has a small amount of the money remaining and would not be able to repay even the investors' principal investments.

8. OASIS has had no source of income other than new investors' money, giving rise to a Ponzi scheme in which older investors are paid using newer investors' money. The very basis of this scheme is fraudulent in that it is impossible for OASIS to continue paying investors' money with no other revenue source.

9. During this time, DACORTA and ANILE created a network of people to help recruit new investors. The investors were promised a guaranteed minimum 12% per year return on their investments, plus an additional percentage interest in the earnings of any new investors, typically close friends and family members of the victim-investors, whom they recruited to OASIS. New investors were misled about OASIS's purported record of success, and OASIS's losses and inability to repay the current victim-investors was never disclosed.

10. To keep the scheme going, the conspirators went to great lengths in lying to investors and providing fraudulent information regarding their success at FOREX trading. Specifically, they created an OASIS website where victims could log on each day to check their investment balances and see money that appeared to be in their accounts but which had been lost on trading or extravagant living costs. DURAN, DACORTA, and other recruiters repeatedly told new investors they were extremely successful at FOREX trading and, due to their sophisticated method of trading, had never experienced a month in which they did not make money. They also told new investors that their investments were guaranteed when they could not back up that claim. The reality was they were losing millions of dollars every year without telling investors but still providing fraudulent declarations to the contrary.

SUMMARY - OASIS Management Money Flow



STATEMENT OF PROBABLE CAUSE

BACKGROUND OF THE INVESTIGATION

11. This investigation involves allegations that from at least January 1, 2015 and continuing to the present day, unregistered entities and/or individuals are fraudulently soliciting U.S. individuals to pool their funds for foreign exchange (FOREX) trading as well as misappropriating those investments for use by the principals of the company. The entities implicated in the fraud include, but may not be limited to: Oasis International Group, Ltd. (OASIS), an entity incorporated in the Cayman Islands, and Oasis Management, LLC, a Florida-based entity registered in Wyoming. The individuals implicated in the fraud include, but may not be limited to: Michael DaCorta (DACORTA), Joseph Anile II (ANILE), Francisco Duran (DURAN), and others. Many of the subjects of this investigation, as well as real property purchased with fraud proceeds, are located in the Middle District of Florida.

12. This investigation was referred to the FBI by the United States Commodity Futures Trading Commission (CFTC). According to the CFTF, none of the aforementioned subjects, or any employees of OASIS, are licensed to trade FOREX investments in the United States. Notwithstanding this fact, CFTC staff located investors with OASIS who live in the United States of America. CFTC staff have further determined that some customers residing in the United States have been solicited by other investors and invited to

participate in conference calls with DACORTA (and possibly other OASIS employees), during which time they were told that their funds would be used for foreign currency trading (FOREX) and were promised a minimum 12% annual return. The CFTC stated that none of the identified subjects associated with OASIS are licensed to deal with retail FOREX in an individual or pooled capacity. This is in direct violation of various civil investment regulations.

13. DACORTA's involvement in soliciting U.S. customers for FOREX trading is particularly concerning because U.S. regulatory agencies have received complaints about his mishandling of customer accounts in the past. From 2006-2010, DACORTA owned and operated a company called International Currency Traders, Ltd (ICT). DACORTA operated this company in a manner similar to the way Oasis operates.

14. In 2010, DACORTA entered into a settlement with the National Futures Association (NFA) in which he agreed to withdraw from NFA membership and not re-apply to avoid formal disciplinary action against him. The NFA audit had noted multiple violations by DACORTA and ICT that closely parallel the OASIS scheme to include: promising a 12% return on loans investors made to ICT; repaying money owed to earlier investors with loans from later investors; maintaining FOREX trading accounts managed by ICT; making misrepresentations to solicit investors; and failing to adequately warn potential investors about the risks of the investment. DACORTA initially contested the NFA's findings but withdrew as a member of the NFA

and personally filed bankruptcy. DaCorta opened OASIS in 2011, one year after filing for bankruptcy.

15. Furthermore, CFTC investigators have obtained bank records for several of the entities involved in the alleged fraud and have provided information and financial documents that show DACORTA, ANILE, and DURAN appear to be operating a Ponzi scheme and misappropriating investors' funds for their own personal use.

16. DACORTA's background: Operated ICT from 2006 until 2009. Filed for Bankruptcy in 2010. Started OASIS in 2011 and immediately began taking investors' money for personal use. The OASIS website stated the following information: "Mr. DaCorta is a co-founder, Director, Chief Executive Officer, and Chief Investment Officer of the Company with responsibilities for all investment decisions, trading execution, services, sales, clearing, and operations. Mr. DaCorta has thirty-one years' experience trading numerous products, including equities, options, commodities, and currencies."

17. ANILE's background: Joseph Anile II is a licensed attorney in the State of New York. It is not believed he is a practicing attorney. According to the OASIS website, it states the following about ANILE: "Mr. Anile is a co-founder, Director, and President of the Company with responsibilities for forming, staffing, guiding and managing its vision, mission, strategic plan, and overall direction. Mr. Anile is highly regarded as a leading attorney in

international finance and banking; he has significant experience in the areas of business law, banking law, corporate finance, compliance, regulatory, and government affairs."

BANK ACCOUNTS USED BY SUBJECTS

Oasis Management, LLC, Wells Fargo Bank account 9302

18. On November 22, 2011, DACORTA opened a business bank account at Wells Fargo Bank in the name of Oasis Management, LLC (account ending in 9302). DACORTA used the address, 15 Pac Drive, Poughkeepsie, NY when opening the account. The address was later corrected to 5 Pat Drive, Poughkeepsie, NY, which was DACORTA's home address at the time. DACORTA is the only signor on the bank account. On November 25, 2011, deposits were made to the account with references to "investments" on the checks. Within the first six months of opening the account, Oasis Management, LLC received approximately $1,000,000 in deposits of investors' funds. The account was funded solely by investors' deposits as there were no business revenues or investment earnings deposited to the account. The money in the account was being used for groceries, restaurants, gas, travel, ATM or cash withdrawals, checks to himself (DACORTA), as well as smaller payments back to the same individuals (investors) who funded the account. Some of the checks issued to the investors contained notes in the memo lines such as "profit", "jan profit", "feb. profit", "profit sharing", "march profit", etc. The "profit" checks paid to

investors were funded by later investors' deposits, as in a classic Ponzi scheme.

19. The Ponzi-type activity began in 2011, and it continues through the present. Due to the age of the transactions in the years 2011, 2012, 2013, and 2014, this affidavit will focus primarily on more recent activity starting in January 2015 through the present.

20. The Wells Fargo Account 9302 shows the following typical activity:

a. This is the main bank account into which investors' funds have been deposited. It is also the main account used to make interest payments and principal payments (back) to the investors (Ponzi payments);

b. Funds were used to make interest and principal payments (back) to investors (Ponzi Payments);

c. Funds were moved to Fundadministration accounts held at Bank of America;

d. Funds were moved to Mainstream Fund Services accounts held at Citibank;

e. Funds were used for DACORTA's personal expenses to include dining, shopping, travel, gas, entertainment, and asset purchases;

f. Funds were moved to the property LLCs (described in further detail in the asset purchases section) to purchase and make payments on mortgages as well as for home improvements and maintenance;

g. Funds were moved to DACORTA's personal bank account at Wells Fargo Bank; and

h. Funds were moved to DACORTA-associated business ventures, "Roar of the Lion Fitness" and "Full Spectrum Wellness". Both of these businesses are believed to be his son's business ventures.

i. Starting in January 2019, funds were used to purchase gold and silver from Sarasota Rare Coin Gallery.

21. In 2017, Oasis Management, LLC started accepting IRA transfers from Third Party IRA administrators such as Equity Trust and Millennium Trust. The Oasis Management, LLC Wells Fargo Bank account records show large wire transfers deposited to the Oasis Management account from these Third Party IRA administrators. The client records show the individuals who requested the transfers of their IRA funds to Oasis Management signed Promissory Notes with Oasis Management. Financial records show many current investors have invested their retirement savings in this scheme and are currently at risk of losing it.

22. The method in which the investors' funds are deposited to the account are: 1) bank wire transfers from the investors' bank accounts directly to the Oasis Management, LLC or Fundadministration (described later) bank accounts; and 2) checks are physically deposited into the Oasis Management, LLC bank account at Wells Fargo Bank branches around Lakewood Ranch, FL. Because most of the investors are out-of-state investors, the checks appear

to have been mailed to DACORTA or ANILE in Florida. A mail cover placed on DACORTA's personal residence revealed a piece of mail addressed to Oasis International Group. The item of mail was from an individual with the initials G.D. and an address in New York. The mail was delivered to DACORTA's residence around December 18, 2018. A review of the bank records indicate two checks were deposited to the Oasis Management, LLC bank account at a branch in Lakewood Ranch, FL from G.D. around the same date.

Fundadministration Bank of America account 8346

23. In approximately October 2013, Oasis Management began using fund administration services through a company called Fundadministration, Inc. By way of background, fund administration services are used by fund managers and hedge fund managers for net asset value calculations, independent pricing, fund valuation, corporate actions, cash and asset reconciliation, fund accounting, financial statements, and audit support. Essentially a hedge fund administrator is a bookkeeper who reconciles the hedge fund's accounts and often issues investor statements monthly. (In my opinion, the actual FOREX broker OASIS was using, ATC Brokers, preferred dealing with and receiving large wire transfers from fund administrators as opposed to business bank accounts like Oasis Management, LLC.)

24. The Fundadministration Escrow Account at Bank of America ending in 8346 was used by DACORTA and ANILE from October 2013

through March 2017. The account was funded by investors' deposits, transfers from the Oasis Management, LLC business bank account ending in 9302, and transfers from other Fundadministation bank accounts. There was no business income or investment revenues deposited into this account. The following is a description of the use of the funds:

a. Funds were used to make interest and principal payments (Ponzi payments) to investors;

b. Funds were used to transfer money to DACORTA's business venture, Full Spectrum Wellness;

c. Funds were used to transfer money to ANILE's business bank account, Bowling Green Capital, LLC, at Capital One Bank;

d. Funds were used to transfer money to the property LLCs and to make mortgage payments, and pay for home improvements and home maintenance expenses at DACORTA's and ANILE's personal residences;

e. Funds were used to make the initial payment on DACORTA's personal residence; and

f. Funds were transferred to another Fundadministration bank account.

Fundadministration Bank of America account 9550

25. The Fundadministration account at Bank of America ending in 9550 was used by DACORTA and ANILE during the time period January 2017 to April 2017. This account was funded by wire transfers from the

Fundadministration Bank of America account ending in 9631 (discussed below) and the Fundadministration Bank of America account ending in 8346. There was no business income or investment earnings deposited into this bank account. The funds were then wire transferred to ATC Brokers for FOREX Trading (explained in further detail later in this affidavit). Approximately $1.7 million was deposited into this account, and approximately $1.7 million was transferred into ATC Brokers for FOREX Trading.

Fundadministration Bank of America account 9631

26. The Fundadministration account at Bank of America ending in 9631 was used by DACORTA and ANILE during the time period January 2017 to April 2017. This account was funded by investors' deposits as well as transfers from other Fundadministration bank accounts (9550 and 8346). There was no business income or investment earnings deposited to this account. The funds were used to make payments to investors as well as to transfer funds to other Fundadministration bank accounts.

Mainstream Fund Services Citibank account 0764

27. In 2016, it was announced that Mainstream Fund Services bought Fundadministration, Inc. and the companies were to merge. In April 2017, the funds in the Fundadministration accounts at Bank of America were transferred to a Mainstream Fund Services business bank account ending in 0764 at Citibank. The account was opened in February 2017 and is currently being used in this scheme. The account has been, and continues to be, funded

by wire transfers from the Oasis Management, LLC Wells Fargo Bank account as well as investors' funds, directly. There has been no business income or investment earnings deposited into this account. The following is a description of the use of the majority of the funds:

a. Funds were used to make interest and principal payments (Ponzi payments) to investors;

b. Funds were used to wire transfer money to ATC Brokers for FOREX trading. Approximately $16,900,000 was transferred to ATC Brokers during the time period of the account opening until October 2018;

c. Funds were used to transfer money to the property LLCs for property payments, home improvements, and home maintenance on DACORTA and ANILE's personal residences;

d. Funds were used to transfer money to ANILE's business bank account, Bowling Green Capital, LLC, at Capital One Bank;

e. Funds were used to make payments to Francisco DURAN;

f. Funds were used to make property purchases (described in detail later in this affidavit);

g. Funds were used to transfer money to DACORTA's business venture, "Full Spectrum Wellness"; and

h. Starting in February 2019, funds were used to purchase gold and silver from Sarasota Rare Coin Gallery.

BANK ACCOUNT SUMMARY

28. Because there are several bank accounts used in this scheme and to provide an overall financial picture of the activity conducted by DACORTA, ANILE and others, the following chart has been created. It provides key figures when the five business accounts described above are combined and the bank transfers going back and forth in between accounts are eliminated:

29. From the time period January 1, 2015 through January 31, 2019:

Amount of investors' funds deposited:	$66,400,000
Amount paid back to investors:	($21,974,000)[1]
Amount transferred for FOREX trading:	($19,625,000)
Amount left over/diverted/used by subjects:	$24,801,000

SOLICITATION/ REPRESENTATIONS BY OASIS REPRESENTATIVES

30. During the course of the investigation, various investors were interviewed, some in a covert manner. The following is a summary of what some of the investors or potential investors were told about investing money with OASIS:

Interview with H.N.

31. On or about May 8, 2018, CFTC investigators spoke with H.N. regarding concerns she/he had relating to OASIS. H.N. became aware of

[1] This figure represents interest payments back to investors as well as payments to investors who requested that their principal investments be returned.

OASIS through a family member who had invested. H.N. participated in a conference call with OASIS representatives in which they (OASIS) attempted to recruit investors.

32. HN stated that a couple of the principals of OASIS were on the conference call promising a 12% return on money that investors "loaned" to OASIS. The names of these subjects were not provided to your affiant. The principals told potential investors that if OASIS made more money trading, they would pay a higher rate of interest than the promised 12%.

33. OASIS representatives reported they used investor funds to trade [FOREX] currencies "at a high rate of speed… making a phenomenal number of trades per day." H.N. was concerned about the legitimacy of OASIS in part because she/he noticed on the OASIS website that it said they did not make transactions in America. H.N. ultimately elected not to invest any money with OASIS.

Oasis Holiday Party 12-1-2018

34. OASIS bank records revealed large transactions with the Ritz-Carlton in Sarasota, FL associated with an OASIS holiday party in 2017. The records also provided information on an upcoming OASIS holiday party in December 2018.

35. On December 1, 2018, a covert FBI Agent (UCE) and another FBI Special Agent acting in an undercover capacity (UCA) were located inside of the Sarasota Ritz-Carlton hotel. At approximately 6:00 p.m., UCE

observed the holiday party taking place in one of the ballrooms. From approximately 6:00 p.m. to 7:30 p.m., attendees of the holiday party gathered outside of the ballroom area for a cocktail party. At approximately 7:30 p.m., the attendees entered the ballroom for a formal meal, and the invitees were seated at various tables in the ballroom. There were approximately 200 individuals attending the party and dinner.

36. UCE and UCA observed numerous individuals throughout the evening and engaged in conversations as set forth below:

37. KC advised that he was friends with "Joe" who is known to agents as Joseph Salvatore Anile, II, Esquire (ANILE). KC stated he has known ANILE for many years from New York. KC was familiar with OASIS but was not an investor. KC informed agents that he had pending litigation over his business and was not in a position to invest at the moment. KC stated he may invest in the future but cautioned one agent to "not to put all [his/her] eggs in one basket."

38. Agents met LB and CB who are married, from Maine, but have a second home in North Port, Florida. They both stated they are in their 70s. Agents learned that both are investors in OASIS. The couple attended the OASIS holiday party in 2017 held at the Ritz-Carlton but did so as invited guests. CB stated he really didn't understand the investment with OASIS.

39. LB was introduced to OASIS through her affiliation with Ambit Energy. According to LB, her son introduced her to Ambit Energy which is

an investment opportunity wherein the investor receives a return for each person who is recruited. Ambit Energy is not a target of this investigation. Later, LB was introduced to Raymond MONTIE. In turn, MONTIE informed her of the investment opportunity in OASIS. LB pointed out MONTIE in the crowd and said he (MONTIE) is also involved in OASIS.

40. Subsequent to the introduction to MONTIE, the couple invested in OASIS. LB stated she invested $15,000 and her husband, CB, invested $13,000. LB advised that they both withdraw the monthly interest that is earned and use it as a form of retirement income. LB informed the agents they invested earlier in 2018. LB admitted she didn't know how to handle the withdrawal amount for tax purposes, and no one has provided guidance. LB provided the UCE with her contact information.

41. Agents met MH, who identified herself as an investor. MH stated that she and her husband, IH, invested $1,000,000 earlier in 2018. MH advised they have received approximately 15% return this year. However, MH was cautious with continuing to receive future returns and that her husband was not one-hundred percent certain about investing with OASIS. MH was introduced to DACORTA through her neighbor. After meeting DACORTA, MH and IH decided to invest in OASIS. Note that MH's criminal history shows that she was charged with making fraudulent statements related to a public office for which she was running.

42. UCE met two individuals from Southern Illinois who invested in OASIS. One of the individuals was introduced to Ambit Energy through his boss who was in attendance. After becoming involved with Ambit Energy, the same individual then invested in OASIS earlier this year.

Phone call with LB 1-11-2019

43. On January 11, 2019, UCE called LB to speak with her about investing with OASIS. LB, in turn, called MONTIE and placed them on a conference call together. This conversation was recorded.

44. MONTIE spoke with UCE about investing in Ambit Energy. MONTIE then told UCE about another investment opportunity called OASIS. MONTIE advised he started OASIS with DACORTA and "had done real well with our investors" and last year they "turned" just over 20% and the year before 22% [interest]. MONTIE agreed to set up a meeting with UCE at their (OASIS) headquarters building in Longboat Key, Florida.

45. MONTIE then exited the conference call, and UCE continued to speak with LB. LB stated that she is guaranteed at least 12% return on her investment each year, but last year her return was 22%. In addition, LB receives 25% of the return of anyone whom she brought into OASIS. LB advised that each month she can receive a check for her interest, but investors have to wait 90 days before withdrawing the principal investment. LB described the investment as an investment in FOREX trading. When asked who was responsible for the trades, LB advised it was "Mike" [DACORTA]

who had been an investor on Wall Street. LB stated "Mike" DACORTA, MONTIE, and a lawyer Joe [ANILE] who had worked with DACORTA before. The lawyer [ANILE] reportedly told DACORTA and MONTIE he could set up the paperwork for their company but that he really wanted to be a partner. LB also knew of other employees such as John Haas (HAAS) whose job was to take care of all of the IRA accounts.

46. During the past year LB has been invested with OASIS, she has made money every month. Each night LB logs onto her OASIS account (via website) and checks to see how much money they made that day. If she ever wanted to withdraw money, she would email Joe (believed to be Joseph ANILE based on the context of the conversation) or HASS depending on what account it was in. LB stated she communicates with ANILE via their OASIS email account or by texting ANILE's personal cellphone number.

47. LB stated there is a minimum investment amount of $25,000 or $75,000 for IRAs. LB stated she initially invested $15,000 but received an email from OASIS saying they raised the minimum up to $25,000 for new investors. LB forwarded the email to UCE. The email was dated January 11, 2019 and was from DACORTA. The email also states all new "loans" should be initiated through this link, https://www.oasisigltd.com. The email contains DACORTA's contact information at the bottom: Michael DaCorta, CEO & Chief Investment Officer, Cell 941-807-9933, Email mdacorta@oasisig.com.

Meeting with LB on 1-24-2019

48. On January 24, 2019, UCE and another FBI Special Agent met with LB and her husband, CB, in Sarasota, Florida under the pretext they were looking at obtaining investment information from the couple regarding Ambit Energy and OASIS. The conversation was recorded. The following is a synopsis of that meeting:

49. LB told the agents she met MONTIE through an Ambit Energy investment opportunity. LB made money each month based on the principal she invested as well as referral money from other investors she brought in.

50. LB stated the only time that money has ever been lost in OASIS was during the very first month OASIS was open and that the money was MONTIE's. When asked how she knew this, LB stated that MONTIE told her the information.

51. LB stated she is relying on money from her investments, to include OASIS, because she is 71 years old and had to work as a waitress six days a week to make ends meet prior to investing with Ambit and OASIS.

52. LB started investing with OASIS through MONTIE, who had an OASIS employee, John HAAS, call her and set up the investment. LB further stated MONTIE gave her a referral bonus for someone who had invested $900,000 but had not been referred by another investor. This bonus was 25% of whatever that investor was earning.

53. When asked what the investment was in, LB stated the only thing she could understand is that it was in currency overseas. LB further stated her understanding was that her money is put into a bank and it provides OASIS buying power to keep turning the money over and over again with their [OASIS's] money. LB stated that she does not believe her money is "out there" being risked but rather was sitting in a bank and being used as collateral.

54. LB's understanding is that DACORTA is doing the trading for OASIS.

55. LB said Gil Wilson [known to be an OASIS employee] helped LB fill out all of the paperwork to get started. OIG was the "big stuff" and Oasis Management took care of the "smaller stuff" until they combined them 6-7 months ago so it was under the same umbrella. Under OASIS Management, LB would have received only a 10% referral, but since they combined it with OASIS International Group, all of the referrals are 25%.

56. Last year LB received almost 22% interest on her investment.

57. LB then showed UCE the OASIS website which showed how much money OASIS had in her investment account. It is LB's understanding that ANILE is in charge of the website.

58. LB was given a user name and password so she is able to view her personal account. In that account, UCE saw multiple rows of numbers showing how much interest LB had earned each day during the current

trading month (due to each day the amount earned fluctuated). There were additional categories for the daily interest earned from referral investors and information on the money earned the previous month. Investigators know this to be fraudulent in that OASIS had been losing money each month at an alarming rate.

59. LB pointed out to UCE one instance in which she withdrew $5,000 from her account. In order to do that, LB stated the procedure was to email "Joe" (believed to be Joseph ANILE based on the context of the conversation) on his OASIS email account and request the withdrawal. ANILE then called LB and spoke with her on the telephone to confirm she wanted to proceed with the request.

Meeting with Frank Duran 1-30-19

60. On January 30, 2019, UCE met with DURAN and other OASIS employees at their headquarters building located at 444 Gulf of Mexico Drive, Longboat Key, Florida. The following is a synopsis of that meeting:

61. DURAN told UCE he met DACORTA and after speaking with him about FOREX trading, DURAN told DACORTA he wanted to work with him and OASIS managing their "platform" and daily operations. DACORTA is said to be the person "who manages all of the traders" and "is the lead trader." ANILE was said to be DACORTA's "partner" and a "high level" attorney. Another partner is Ray MONTIE.

62. DURAN said DACORTA went into Wall Street right out of college and by the age of 28 had his own firm. DURAN stated that following the 2008 "meltdown", DACORTA "looked his investors in the eye" and said that he couldn't make the same kind of money so he "pulled back" and "refunded them all of their money."

63. After the market began to stabilize, DACORTA began trading his family's wealth and assets at which time MONTIE approached him to trade MONTIE's money. DURAN said that MONTIE kept bringing DACORTA more and more investors at which time DACORTA advised MONTIE they should do things properly. ANILE then set up the license through the Cayman Islands while the money goes through the United Kingdom.

64. DURAN stated DACORTA is buying currency in volume at wholesale prices. DURAN stated that, typically, OASIS never holds currency for more than seconds. DURAN further stated that every day he can go onto his account and check to see how much money they made that day.

65. DURAN described the way the investment works is that the investor lends money to OASIS and, in return, gets a 90-day perpetual note. DURAN gave an example of an investor from Chicago who invested $7 million with OASIS but needed a portion of the money for a closing on a real estate deal. The investor was able to take a portion of his investment principal out of OASIS for closing costs and then reinvest it with OASIS after the deal

was done. DURAN stated it typically takes about three days to take someone's money out of the investment because it takes time for the money to come back from the foreign accounts and into the OASIS accounts.

66. DURAN stated that every day at 7:30PM, investors can look to see how much money is in their accounts (via website). (Investigators believe OASIS is committing wire fraud each time it posts or causes to be posted another update because what the website reflects in investors' accounts is a false representation of what is held by OASIS. Furthermore, the impression given that OASIS is making money each day is not supported by trading records, which show OASIS has lost millions of dollars in FOREX trading.)

67. DURAN stated OASIS is trading from 5PM on Sunday until 5PM Friday each week. DURAN later stated they have two other traders, one located in New York and the other in Tampa. According to DURAN, the three traders are said to work in shifts so that OASIS is trading FOREX 24 hours a day every day.

68. At the end of the month, OASIS gives investors different options with the money they earned. The investor can keep the interest invested or withdraw a portion. DURAN guaranteed a minimum of 1% return each month and if OASIS wasn't able to do that with trading, they "make up the difference, which happens temporarily." DURAN added that there are months that slow down but in 2018 they "closed out" at almost 21%.

69. DURAN stated that on any given day OASIS trades between $1.1 billion to $1.5 billion. DURAN further said that OASIS puts most of the profits they generate each month back into the platform. DURAN stated that investors receive up to 25% of the profit OASIS makes while OASIS keeps the other 75% of the profit to pay all of the expenses such as payroll, referral fees, and real estate costs. (Note that trading records and bank records reveal OASIS does not make any profits.)

70. DURAN stated that by being positioned offshore, if there is an issue with the United States currency, DACORTA can switch to a more favorable currency "within nanoseconds." When asked to explain what he meant, DURAN stated that OASIS makes money by buying large quantities of foreign currency, as much as $50 million at a time, and then setting the selling price at fractions of a penny over what OASIS paid thus making a profit. DURAN stated OASIS is managing approximately $100 million and turns that money over 10-12 times a day (thus reaching over a billion dollars in trades each day). DURAN stated last year they traded as much as $6 billion in a single day and "two months ago we did $12.5 billion in one day."

71. DURAN stated OASIS is a dealer broker and licensed through the Cayman Islands and Belize, and OASIS goes through the UK (for trading). He further stated all of their trades are cleared through a third party platform so that there is no chance for fraud or mismanaging the money. DURAN stated DACORTA is a workaholic and loves to stay late at night.

72. DURAN stated one of the things OASIS does when they raise capital is purchase real estate such as their office building. When asked further, DURAN told UCE that OASIS buys very little real estate and "only what we [OASIS] are using." DURAN further stated OASIS purchased the houses that DACORTA, ANILE, and he live in. According to DURAN, OASIS is only buying distressed properties such as ones that are foreclosed, but that OASIS is not going to buy a lot of properties because they could never get the return on their investment OASIS can with FOREX trading. Real estate records show that the majority of properties purchased by OASIS were neither distressed nor in foreclosure and number approximately nine (9) locations, one of them being a condo which DACORTA's son lists as his residence.

Interview of EL 2-8-2019

73. EL was interviewed via telephone on February 8, 2019 about a tip he submitted regarding a suspected investment fraud. EL provided the following information:

74. EL submitted an online tip to the FBI's National Threat Operation Center (NTOC) to report OASIS as being involved with potential fraud or a Ponzi scheme. EL advised that a colleague of his, identified as DS, brought an investment opportunity to the attention of EL and asked for some professional advice. DS explained that his client had a friend who invested with OASIS and was guaranteed a rate of return of 12% based on a

promissory note. Moreover, OASIS was making money by cutting the bid/ask price and that is how OASIS was making a profit and never losing any money. EL was skeptical that any brokerage could make money using this method since other, large brokers would already do it if feasible. EL heard OASIS was offering up to a 25% rate of return of whatever their strategy made trading in the foreign exchange market place.

Interview with PJ

75. The Securities and Exchange Commission (SEC) received information from PJ who was a potential investor with OASIS. PJ said he attended a conference for his employment in January 2019, and one of his co-workers approached him about investing with OASIS. PJ was provided some information about the company and was later invited to attend a conference call with OASIS and other potential investors. PJ provided the conference call number and PIN. The phone number for the conference call is assigned to FreeConferenceCall.com, which is a free conference call service.

76. PJ called in for the conference call. PJ believed there were several other potential investors on the call. There were also representatives of OASIS on the call. An individual named Michael DACORTA did most of the talking on the call. DACORTA talked about how he used to trade stocks for 16 years and was tired of trading stocks and moved into FOREX trading. DACORTA said last year OASIS made 21% for the investors. DACORTA talked about how the investors could log into a portal to check their

investments every day. DACORTA said that the only way this would be a bad investment is if the world banks all closed, then he would switch over to trading gold.

Email from DURAN Containing Promissory Note 2-2-2019

77. On February 20, 2019, UCE received an email from fduran@oasisig.com [DURAN] which contained instructions on where to wire transfer investment money as well as a second email containing a sample promissory note.

78. In the instructions, DURAN wrote to wire any investment money to the following bank account:

a. Mainstream Fund Services, Inc.
4175 Veterans Memorial Hwy., Ste. 204
Ronkonkoma, NY 11779

b. Citibank Account: 6780060764

c. Bank ABA #: 021000089

d. Reference: fbo Oasis International Group, Ltd.

79. In the sample loan agreement, the loan agreement is between Oasis International Group, Ltd. and CM & WM (other investors' names were not erased from the note). The note states the interest rate earned would be the greater of twelve percent (12%) per annum, or twenty-five percent (25%) of the Transaction Fees. The note appears to be a basic Promissory Note. The note is signed by DACORTA and lists him as the Chief Executive Officer.

Agreement and Risk Disclosures

80. Shortly after UCE had a second in-person meeting with DURAN and DACORTA, DURAN sent UCE directions to sign up for an account on the OASIS website (Oasisigltd.com). UCE registered for the website and noticed a box to check to indicate an agreement had been read. The UCE opened the agreement link and obtained a document called "Agreement and Risk Disclosures." The document starts off by saying "This agreement sets forth the terms and conditions governing your Loan Account ("Account") at Oasis International Group, Ltd ("Oasis"), and all agreements and any transactions in this account with Oasis…" The document is nine (9) pages long and contains a paragraph titled "Use of Funds." This paragraph states "At any time, in Oasis' sole discretion and without prior demand or notice, Oasis may use any or all money loaned by Lender, including any interest thereon, for any purpose whatsoever including without limitation any investment; the purchase or sale of foreign exchange products, securities or commodities, exchange or off-exchange productions; the purchase or sale of any businesses assets or liabilities, the purchase or sale of any real estate' or for any other purpose, including general company use or payment, any company payment or loans to any company affiliate, officer, or employee, or third party, any company indebtedness or other company obligations."

81. To date, it is unclear if any of the investors received and/or read this document. It is clear, though, from the investors who were contacted

about their investments with OASIS that an investment with the company will be used, in some capacity, for FOREX trading. It is further believed by the investors who were contacted that OASIS is successful at FOREX trading. Based on my training and experience, it is highly unlikely that investors would have handed their own personal funds or retirement funds over to OASIS so DACORTA, ANILE, and others could purchase and live in million-dollar houses, drive luxury vehicles, pay their children's college tuition and student loans, fund their children's businesses, purchase their children vehicles and condominiums, and live an extravagant lifestyle.

Phone Call with Frank DURAN 3-22-2019

82. On March 22, 2019, UCE spoke with DURAN via telephone. During that conversation, UCE told DURAN that he had some questions pertaining to the loan agreement paperwork he had received from OASIS. DURAN assured UCE that "when you click [to accept the terms]… you're not agreeing to the terms, you are only acknowledging that you read it. Nothing is binding you to anything and that it is just saying that you read the disclosure."

83. DURAN told UCE if he has additional specific questions, UCE can email them to DURAN and he will forward them to OASIS' in-house counsel [believed to be ANILE]. DURAN also told UCE that he can get "Mike" [DACORTA] or "Joe" [ANILE] on the phone to answer any other questions.

84. UCE stated that the language in the agreement appeared to suggest OASIS was using the investment money to purchase real properties. DURAN stated, "You are not being paid for profits or transactions on real estate." DURAN explained that, as a company, OASIS buys real estate, silver, and gold in order to shore up their position. DURAN added that the note is guaranteed by the parent company, and the parent company is the owner of all of the assets. DURAN's statements to the UCE are belied by the evidence, which shows that many of the properties and vehicles have been purchased in the names of various shell corporations and LLCs other than OASIS.

85. DURAN explained that they [OASIS] can make more than 12% because they are trading in foreign currency rather than relying on real estate. He stated, "You are lending the platform money as a hard money lender. So to use your money to buy and sell currency we are guaranteeing you a floor of one percent (1%)." DURAN added, "Last month we did something like .89% but everyone got the 1%." He also stated that last year OASIS "closed at almost 21%," suggesting that they made a substantial profit trading FOREX instead of suffering the substantial losses financial records reflect.

86. DURAN explained, "We also buy silver and gold and we have possession of it which is also to shore up our strength. If something were to happen to the US currency we have enough gold in possession that no one in the platform will miss a beat because, let's say the dollar devalues to 80%...

what would happen of course would be gold and silver would go up like twenty fold. We have a formula for what we have on hand in cash and what we need in gold to hit to exceed that number in case the dollar devaluates."

87. DURAN further stated that he did not know of another investment firm who backed up the investment this way and that it gave them the ability to switch to another currency that at the time might be more safe [sic] until the dollar stabilizes."

88. During the telephone conversation, DURAN also made the following misrepresentations to UCE regarding the purchases of gold and silver:

a. "The lender money is used specifically and strictly for trading. That's what the money is used for."

b. "The idea is that you are generating a return on your money without having your money at a high risk or exposure. "

c. "All of the expenses to operate this platform come from the house side. Real estate expenses, payroll expenses, sending wires, legal costs, administration, all of that comes from our 75[%]."

d. "If we have a month that we fall short, like we did this month, we will make up the difference so you will always make your guarantee. "

e. "You will never have a depreciation of your capital. Your capital always appreciates, and there is never a scenario where your capital depreciates.

89. DURAN also told UCE that he brought on a lot of other people he knew and "everyone is doing phenomenal." He explained that these people want to put the money someplace that it is relatively safe and there is a low risk factor. In fact, as your affiant has learned, the reality is that FOREX trading is often times volatile and is highly speculative.

Phone Call with DURAN and DACORTA on April 5, 2019

90. On April 5, 2019, UCE received a telephone call from DURAN as previously arranged. At the time of the call, DURAN stated he had DACORTA on the other line, suggesting that the two were not co-located and that at least one of them was not at OASIS' headquarters. UCE stated he had a series of questions he wanted to ask DACORTA to make sure he had the information correct on his investment.

91. DACORTA explained that once UCE invested the money and it was received by OASIS, either Deb [Cheslow] or Joe [Paniagua] then goes in and switches the investor into a "live" status; the note with how much the investor deposited will automatically be in the "back office", and at that point the investor can log in [to the OASIS web site] and view his or her account. The approval to access the full account happens after the investor actually wired the funds to OASIS.

92. DACORTA further explained that once UCE wires the money, as soon as it hits they will get UCE activated. DACORTA stated that with the size of investment UCE was making, he will alert Joe ANILE who gets all of the wires, checks with the bank, and alerts Joe Paniagua that the money has come in.

93. DACORTA stated that typically the bank will notify Joe [ANILE] of any incoming wires at 9:00AM, and at 10:00AM each day ANILE will send an email to DACORTA and Paniagua about the incoming money. DACORTA further stated that upon receipt of a wire "of that size" [UCE had indicated he would invest $1 million], DACORTA would alert ANILE and Paniagua the same day he [UCE] sent it.

94. UCE then advised DACORTA that he read the "Agreement and Risk Disclosure" document. UCE stated he assumed they had a lawyer draft that document, to which DACORTA responded it was drafted by an attorney who would look at what OASIS does and include "every possible thing that could possibly go wrong in advance even though 99% of the stuff in there we don't do you still have to say it because technically they just make you say it."

95. DACORTA stated the reason they [OASIS] purchase real properties with their [OASIS] own funds is to have "hard assets" along with significant quantities of gold and silver. DACORTA stated that it provides assets versus just having cash sitting in various banks. DACORTA explained this was to hold assets should the US currency collapse. DACORTA stated

OASIS invests the majority of their proceeds back into "the platform" in order to build a larger "buffer" between OASIS' capital and any lender capital. DACORTA further stated that once enough money is built up, OASIS invests the money in real estate and physical gold and silver.

96. DURAN then stated the idea behind having gold and silver was in case there was a systemic meltdown beyond anyone's control they would be able to protect everyone's principal [investment]. DURAN further stated that with investing in OASIS, every month you would have a positive gain on your investment unlike typical investments.

97. UCE asked DACORTA if there was ever a month or year in which they lost money. DACORTA explained the way OASIS trades FOREX they will never end a day in a negative position.

98. UCE then asked DACORTA about the real estate investments and stated he did not want his investment going towards more real estate. DACORTA stated the real properties are meant to provide hard assets for OASIS. DACORTA said that OASIS trades FOREX for "hundredths of a penny" but that they deal in large volume to make money.

99. DACORTA then stated that the value of the real estate, gold, and silver purchased in addition to the cash on hand adds up to significantly more money than the money lent to OASIS by investors. This statement is false because the bank records show that the amount of money owed to investors is believed to be significantly greater than the total of all of OASIS'

assets. It is believed OASIS would be short more than $30 million if all the investors requested return of their principal investments.

100. UCE quoted to DACORTA a portion of the Agreement and Risk Disclosure which stated the following: "OASIS is compensated for services through the use of funds loaned by the lender." UCE then asked DACORTA if he was taking a salary or if any of the money he was lending was going to DACORTA. In response, DACORTA stated: "No we don't take any of the money but basically what we are doing is we're using your money to do the transactions and we're earning something off of those transactions." Again this is a misrepresentation because bank records show DACORTA, ANILE, and DURAN use large amounts of investors' funds for their personal benefit and there are no earnings or revenues.

ACTUAL TRADING RESULTS

FOREX Trading – ATC Brokers Ltd.

101. The Wells Fargo Bank records as well as the bank records for the Fundadministration/Mainstream Fund Services accounts identified the brokerage firm that Oasis used to trade FOREX. Wire transfers were made from the Fundadministration/Mainstream Fund Services accounts to ATC Brokers Ltd. at bank accounts in London. The CFTC made a request to the Financial Conduct Authority in London. In response to this request, the CFTC received OASIS trading records and account records from ATC Brokers.

102. ATC Brokers received a Corporate Application for a Foreign Exchange trading account in the name of Oasis Global FX Limited on April 13, 2015. The application was submitted by Joseph Anile II (ANILE) and lists Michael DACORTA as the CEO of the company. To support the application for a trading account, DACORTA and ANILE provided incorporation documents from New Zealand for Oasis Global FX Limited along with incorporation documents from the Cayman Islands for Oasis International Group Ltd. Included in the incorporation documents were copies of passports, driver's licenses and utility bills (for proof of residence) for DACORTA and ANILE as officers of the corporation. Both DACORTA and ANILE were communicating via email with representatives of ATC Brokers. DACORTA was using email address mdacorta@oasisig.com, and ANILE was using email address janile@oasisig.com.

103. After the application was made, transfers were made to ATC Brokers, and FOREX trading took place. The following is a summary of the Oasis Global FX Limited deposits and trading activity:

a. For 2015, $349,831 was deposited into the trading account. By year end the account balance was $352,102.

b. For 2016, the beginning balance was $352,102 and $1,300,000 was deposited into the account throughout the year. The ending balance in 2016 was -$1,986 (negative).

c. In summary, the entire amount of money that was transferred for FOREX trading was lost on the foreign currency exchange. None of the funds were withdrawn from the account; all of the funds were traded and lost.

104. On December 28, 2016, ANILE submitted another account application to ATC Brokers for another foreign exchange trading account in the name of Oasis Global FX, S.A., a company incorporated in Belize. The application included a Financial Institution Questionnaire that lists ANILE as the Director of the Belize corporation and DACORTA as the Chief Investment Officer. There is an Omnibus Agreement included that lists ANILE as the President of the company and DACORTA as the Trading Officer of the company. The account was opened and was funded with wire transfers from the Fundadministration/Mainstream Fund Services accounts. The following is a summary of the deposits and trading activity for Oasis Global FX, S.A:

a. For 2017, $7,225,000 was deposited into the trading account, and the ending balance in 2017 was $7,271,718.18.

b. For 2018 (until November 2018), the beginning balance in the trading account was $7,271,718.18, and $12,400,000 was deposited to the account, and the ending balance was $940,917.49. Nearly $18.2 million was lost in FOREX trading in 2018.

c. For 2019, another $500,000 was deposited to the trading account on March 5, 2019. The ending balance of the trading account was $2,045,921.65.

105. In summary, nearly all of the funds that were transferred to ATC Brokers to trade FOREX have been lost. The nearly 100% loss that OASIS incurred has not been disclosed to the investors of OASIS and is not being disclosed to new investors. In fact, the opposite is being represented to investors, as referenced in the paragraph describing the undercover meeting with DURAN as well as a conference call that took place in January 2019 in which PJ participated. Moreover, LB and CB are led to believe OASIS is doing well as they can check their account balance with OASIS on a daily basis to see how much of a return on their investment is earned daily. Because they can see positive returns daily, LB and CB believe the FOREX trading is profitable.

Payments (Back) to Investors (Ponzi Payments)

106. A review of the Oasis Management and Fundadministration/Mainstream Fund Services accounts reveal Oasis did issue payments back to investors. It is believed approximately $21,974,000 was sent back to investors. The payments appear to be investment return payments as well as payments back to investors of their principal and partial principal. The only source of funds OASIS had in the bank accounts to make these payments is investors' funds. The bank records show that the existence

of any sort of business revenue stream or investment earnings does not exist. Therefore, the funds used to make payments (back) to investors is from other investors (Ponzi payments).

107. Based on a review of the deposits to the Oasis Management and Fundadministration/Mainstream Fund Services bank accounts, it is believed there are more than 500 investors in this scheme. Some of the investors have removed their entire principal balances from OASIS and have been made whole, while others are still invested with OASIS. It is believed that OASIS is currently paying the investors their promised returns and therefore none of the investors have reported investment losses. In reality, bank statements and trading records show OASIS would only have a fraction of the money needed to return to investors their principal investments. In fact, it is believed OASIS would be short over $30 million.

Funds Diverted for Personal Use

108. Bank records show DACORTA, ANILE and DURAN diverted investors' funds for their own personal use. (Larger asset purchases will be discussed further below.) The methods used to divert the funds differ for each of the subjects. Bank records show DACORTA is using funds from the Oasis Management, LLC bank account for himself by transferring funds directly to his personal bank account or credit cards as well as to DACORTA's LLC bank accounts held at Wells Fargo, including transfers to DACORTA's (or his son's) other business ventures, Full Spectrum Wellness and Roar of the Lion

Fitness. DACORTA is using the funds for gym memberships, travel, vacations, restaurants, groceries, shopping, college tuition for his daughter, Amazon purchases, art work, furniture, and other personal expenses.

109. The method ANILE uses to divert investors' funds for his own personal use involves transferring funds from the Fundadministration/Mainstream Fund Services accounts directly to his Bowling Green Capital, LLC business bank account at Capital One Bank. The Bowling Green Capital account located at Capital One Bank NA was opened on August, 11, 2009, and lists the signers as Joseph S. Anile II and MaryAnne E. Anile (ANILE's wife). Bank records show the account was funded primarily by the transfer of funds from the Fundadministration/Mainstream Fund Services accounts. ANILE uses these funds to make purchases/payments on vehicles, withdrawal money (cash) from ATMs, make payments on student loans, fund his son's collegiate sport career, and pay for moving expenses, restaurants, shopping, Amazon purchases, groceries, travel, home improvement items, and other personal expenses.

110. The method DURAN uses to divert investors' funds for his own personal use involves him receiving either wires or checks in various amounts from the Fundadministration/Mainstream Fund Services, Oasis Management, and 444 Gulf of Mexico LLC bank accounts directly into his two personal bank accounts located at JP Morgan Chase. The account that receives the

majority of the transfers is his Chase Plus Savings account. This account was opened on June 8, 2017, and lists DURAN as the sole signer. The account records show DURAN made car purchases and transferred the remaining funds to his checking account also located at JP Morgan Chase. DURAN uses the funds to make payments for rent, car loans, credit cards, education, restaurants, shopping, groceries, and other personal expenses.

Asset Purchases

111. The following is a summary of some of the larger asset purchases made by DACORTA, ANILE and DURAN. All of the purchases can be traced back to investors' funds as there is no other source of revenue or investment earnings deposited into the bank accounts. None of the investors who have spoken with investigators in either a covert or direct interview have disclosed they knew any portion of the money was being used for personal residences, luxury vehicles, or maintaining a lavish lifestyle. There is no indication of this being disclosed on any of the loan paperwork:

13318 Lost Key Place, Lakewood Ranch, FL

112. In March 2016, DACORTA opened a Florida Limited Liability Company (LLC) in the name of 13318 Lost Key Place, LLC to purchase the property located at 13318 Lost Key Place in Lakewood Ranch, FL for $1,000,000. This is DACORTA's personal residence. DACORTA transferred $341,161.70 of investors' funds from the Bank of America Fundadministration

account ending in 8346 for the property at closing and is currently making monthly payments to the sellers, Nathan and Heather Perry, with OASIS investors' funds. The Perrys issued a mortgage on the property that was signed by DACORTA, for $650,000 at the time of the sale. This property is a 5,000 square foot residence located in the gated community of Lakewood Ranch Country Club. In addition to the initial payment and monthly payments, bank records show DACORTA also used investors' funds for home maintenance and home improvements for this property.

6922 LaCantera Circle, Lakewood Ranch, FL

113. In September 2018, DACORTA opened an LLC to purchase a property located at 6922 LaCantera Circle, Lakewood Ranch, FL for $2,125,000. The property was purchased from Nathan and Heather Perry, the same sellers who sold DACORTA the 13318 Lost Key Place residence. DACORTA used investors' funds to wire $623,056 to the closing agent for the purchase. In October and November 2018, monthly payments were made to the Perrys in the amount of $6,250. In addition, home maintenance and home improvement payments were made for the residence. All of the funds used to purchase this property and make remodeling purchases are from investors' funds. Physical surveillance reveals no one is currently living at this property, but work trucks and various home improvement vendors and vans were parked in the driveway starting in December 2018 through the present. Physical surveillance has observed workers bringing in wood and flooring into

the residence. Cable billing statements indicate Carolyn DaCorta activated television and internet service at this residence in October 2018.

4064 Founders Club Drive, Sarasota, FL

114. Similar to the way DACORTA purchased the two residences referenced above, ANILE opened an LLC to purchase 4064 Founders Club Drive, Sarasota, FL on October 20, 2017 for $1,775,000 from Steven and Natalee Herrig. On the same date of the sale, a mortgage was issued from the sellers (the Herrigs) to the purchasing LLC in the amount of $1,065,000. ANILE signed the mortgage document at the time of the sale. This is ANILE's personal residence. The house is a 7,200 square foot residence in the gated community of The Founder's Club in Sarasota, FL. The initial down payment on the property was derived from investors' funds in the amount of $703,753 on the day of the closing.

7312 Desert Ridge Glen, Lakewood Ranch, FL

115. On November 3, 2017, DURAN's personal residence located at 7312 Desert Ridge Glen was purchased with an LLC for $575,000 from Centennial Bank. There is no mortgage recorded on this property, and it is believed to be paid in full. The residence was purchased with investors' funds from the Citibank Fundadministration account. This is a 3,800 square foot residence in the gated community of Lakewood Ranch Country Club. DURAN changed his residential address on his driver's license with the State of Florida to 7312 Desert Ridge Glen on November 13, 2017. In addition,

vehicle loan records as well as physical surveillance reveals DURAN is currently residing at this address.

444 Gulf of Mexico Drive, Longboat Key, FL

116. On December 20, 2017, DACORTA and ANILE purchased a commercial building located at 444 Gulf of Mexico Drive, Longboat Key, FL, for $1,750,000. Similar to the other property transactions, an LLC was used to purchase the property. At the time of the sale, a mortgage was recorded with Sarasota County in the amount of $500,000. The mortgage was signed by ANILE. The initial payment for this property was made using investors' funds from the Citibank Fundadministration bank account in the amount of $1,250,000. This property is a three-story office building on the bayside of Longboat Key with boat slips. This appears to be the office location of OASIS.

17006 Vardon Terrace #105, Lakewood Ranch, FL

117. On August 28, 2018, DACORTA purchased a condominium located at 17006 Vardon Terrace #105, Lakewood Ranch, FL from Lennar Homes, LLC for $182,500. DACORTA used an LLC to purchase this real property. The payment to purchase the property was a wire from the Oasis Management, LLC Wells Fargo Bank account, containing investors' funds, in the amount of $192,169.27.

16804 Vardon Terrace #108, Lakewood Ranch, FL

118. On February 12, 2018, DACORTA purchased a condominium located at 16804 Vardon Terrace #108, Lakewood Ranch, FL from Lennar

Homes, LLC for $190,000. This condominium is believed to be the residence of DACORTA's son, Steven DaCorta. DACORTA used an LLC to purchase this real property. The payment to purchase the property was a wire from the Oasis Management, LLC Wells Fargo Bank account, containing investors' funds, in the amount of $202,777.02. On August 20, 2018, DACORTA's son, Steven DaCorta, changed his Florida driver's license address to 16804 Vardon Terrace #108, Lakewood Ranch, FL.

16904 Vardon Terrace #106, Lakewood Ranch, FL

119. On July 13, 2018, DACORTA purchased a condominium located at 16904 Vardon Terrace #106, Lakewood Ranch, FL from Lennar Homes, LLC in the amount of $187,000. An LLC was used for the transaction. The condominium is located in the Lakewood National subdivision. The payment for this condominium was made using a wire from the Oasis Management, LLC Wells Fargo Bank account, containing investors' funds, in the amount of $195,922.20.

Vehicles Purchased with Investors' Funds

120. In addition to the real properties purchased by DACORTA, ANILE and DURAN, the subjects also purchased several high-end luxury automobiles with investors' funds. The following is a list of vehicles purchased by the subjects. The payments made to purchase the vehicles (purchases, down payments, and car loan payments) have been sourced back to investors' funds.

a. Michael DACORTA

1. 2015 Land Rover Range Rover
2. 2017 Maserati Ghibli
3. 2018 Land Rover Range Rover

b. Joseph ANILE II

4. 2015 Mercedes Benz Convertible (registered to his son Joseph Anile IV)
5. 2016 Mercedes Benz GLE 400
6. 2013 Maserati Grand Turismo
7. 2015 Ferrari California T Convertible

c. Francisco DURAN

8. 2018 Porsche 911 Targa
9. 2018 Mercedes Benz Convertible
10. 2017 Mercedes Benz Sedan
11. 2019 Land Rover Range Rover (Leased)

121. Whether there are compensation contracts or agreements for DACORTA, ANILE and DURAN with OASIS is currently unknown. The business does not have a source of revenue or investment earnings to compensate the officers of the corporation. Based on my experience, and that of other agents associated with this investigation, an investment business similar to OASIS would need to generate some sort of revenue or earnings to compensate the officers or employees of the corporation. Based on the

investigation to date, investors are being told their investments or funds transferred to OASIS are being used in the FOREX market. Investors are not being told their funds are being used for the personal benefit, including the large houses and luxury cars, of DACORTA, ANILE, DURAN and others.

122. In addition, Federal Individual Income Tax Return filings for the subjects do not support the lifestyles these individuals are currently leading. DACORTA files Federal Income Tax Returns, Forms 1040, each year. For the tax years 2014 through 2017, DACORTA had no taxable income in any of those years. In fact, DACORTA reported a negative Adjusted Gross Income (losses) in 2016 of $99,430 and $439,026 in 2017.

123. ANILE files Federal Individual Income Tax Returns, Forms 1040, each year as well. He reports some income from Bowling Green Capital as his only source of income. ANILE reported taxable income of $36,072 in 2014; $18,078 in 2015; $27,032 in 2016; and $53,489 in 2017.

124. DURAN last filed a Federal Individual Income Tax Return, Forms 1040, in tax year 2014 with his former wife. DURAN has not filed tax returns for tax years 2015, 2016, 2017, and 2018. In addition, DURAN owed the IRS over $190,000 for several years, and it was written off by the IRS as uncollectable in August 2018. When DURAN purchased the 2018 Porsche 911 Targa for $142,000 in February 2018, he stated on his car loan application that he made $480,000 a year from OASIS. DURAN made a down payment

of $60,000 on the Porsche and financed the remaining purchase price of the car.

Insurance for Properties and Vehicles

125. Insurance agent AM was interviewed concerning some of the properties and vehicles insured by the company by which the agent is employed. AM said she was contacted by a realtor who said he had a client, Joe ANILE, who was closing on some properties and needed insurance quickly. AM wrote a policy for the property and subsequently insured three other properties. AM was involved with insuring ANILE's residence at 4064 Founders Club Drive, the OASIS office location at 444 Gulf of Mexico Drive, and two other properties she could not recall at the time of the interview. AM recalls questioning ANILE about the ownership of the properties. She thought it was strange that all the properties were owned by LLCs and were connected to a Cayman Islands corporation. ANILE responded that he used to be an attorney and now does investments. ANILE further explained that because he was an attorney, he was knowledgeable about setting up the ownership of the properties. ANILE also said that he (ANILE) owns the properties. ANILE further stated he lives in one of the properties and the others are investment properties.

126. AM was also involved with insuring DURAN's vehicles. DURAN was referred to AM by ANILE. AM thought there was something suspicious about DURAN because he does not own a house (lives in a house

owned by an LLC) and he has lots of high-end automobiles. AM estimated that DURAN pays about $6,000 every six (6) months for car insurance for all of his cars.

Purchases of Gold and Silver

127. A review of the Mainstream Fund Services bank records revealed that a wire for $225,400 was sent to Sarasota Rare Coin Gallery, Inc. (SRCG) on February 20, 2019. In addition, in February and March 2019, six checks in the aggregate amount of $102,491, drawn on the Oasis Management, LLC bank account at Wells Fargo, were issued to SRCG.

128. On March 29, 2019, your affiant and another FBI special agent served a subpoena for records on SRCG. The agents spoke with SRCG President KG and employee DK. They immediately recognized the names of the subjects involved and stated that "Vinny" Raia picked up their most recent order just about an hour and a half prior to the agents' arrival at the business.

129. When agents showed DK known photographs of DACORTA, ANILE, DURAN, and Raia, DK was immediately able to identify all of the subjects except DURAN.

130. DK stated that he met DACORTA through social associates, that DACORTA began buying gold and silver from SRCG in January 2019, and that he was continuing to make purchases. According to DK, the purchases began as smaller cash transactions before evolving into large wire transactions.

131. DK met ANILE on one occasion when he came into SRCG with DACORTA and was introduced as DACORTA's business partner.

132. DK is familiar with Raia and knows him to be the person who regularly picks up the orders for gold and/or silver. DK told the agents that Raia drives a black Hyundai. DK added that he assisted in loading the merchandise into Raia's vehicle earlier that day. DK stated that OASIS has been purchasing precious metals approximately once a week from SRGC.

133. DK told the agents that DACORTA had stated that he was not interested in buying gold coins until he learned that he could later sell the gold coins in bulk without having to file a 1099B form with the government. The sale of over 1000 ounces of silver would require DACORTA to file such paperwork. Your affiant submits that DACORTA is attempting to launder money from OASIS' investors by converting it into precious metals and attempting to avoid future paperwork with the government that would help identify his assets.

134. DK stated that he believes DACORTA is operating his business, Oasis Management, LLC, out of his residence due to the address 13318 Lost Key Place, Lakewood Ranch, Florida 34202 being listed on the checks.

135. On April 2, 2019, DK contacted your affiant and reported that OASIS had just placed another order for precious metal. On the same date, the owners of SRCG confirmed that DACORTA had ordered a box of 500 silver Eagles for $9,075.

136. From January 2019 to the present, DACORTA has used OASIS investors' funds to purchase approximately $617,000 in gold and silver from SRGC.

137. On April 3, 2019, agents initiated surveillance at the SRCG located at 640 S. Washington Blvd., Sarasota, Florida. At approximately 12:40 p.m., Vincent Raia arrived at the location driving a black Hyundai Sonata bearing the Florida license plate number Z07IXB and entered the side door to the store. Raia exited the store carrying a box and placed it in his vehicle. Raia left the parking lot and drove to DACORTA's residence located at 13318 Lost Key Place, Lakewood Ranch, Florida, without stopping at any other location. Raia arrived at DACORTA's residence at approximately 1:15 p.m. and left the residence at 1:20 p.m. and drove to 6922 LaCantera Circle, Lakewood Ranch, Florida. Raia was observed inside the open garage door at the 6922 LaCantera Circle residence walking in and out of the residence and into the garage. Surveillance was concluded at approximately 1:55 p.m. while Raia was still at the LaCantera residence.

138. On April 5, 2019, the Honorable Magistrate Judge Anthony E. Porcelli of the Middle District of Florida approved an application for installation and use of a Global Positioning System (GPS) tracking device on Raia's vehicle.

139. On April 9, 2019, the GPS tracking device showed Raia's vehicle arriving at 7:55 a.m. at DACORTA's residence at 13318 Lost Key Place and

staying there for most of the day, but also driving to 6922 LaCantera Circle and then back to 13318 Lost Key Place.

140. On April 11, 2019, the GPS tracking device showed that Raia's vehicle left his (Raia's) residence and drove to 6922 LaCantera Circle at 7:45 a.m. At approximately 10:15 a.m., Raia left LaCantera Circle and drove to DACORTA's residence at 13318 Lost Key Place. Raia then drove to the OASIS office location at 444 Gulf of Mexico Drive. Raia then drove to Saraosta Rare Coin Gallery and was observed entering the business building and exiting with a box that was placed inside his trunk. Raia then drove directly to DACORTA's residence and was there for approximately three minutes before driving directly to 6922 LaCantera Circle.

SEARCH LOCATION: 4064 Founders Club Drive, Sarasota, FL

141. During the course of this investigation, investigators have learned that ANILE frequently uses a mail drop at a UPS Store as his address. In fact, this mail drop address is listed on ANILE's driver's license as well as the licenses of his family members. In January 2019, ANILE and DACORTA opened three new Florida LLCs: 4Oaks, LLC; 7Mile Partners, LLC; and Versatile Media Group, LLC. ANILE is listed as the Registered Agent and/or Officer of all three companies. The address ANILE uses for himself on these companies is his mail drop at the UPS Store located at 8374 Market Street, #421, Lakewood Ranch, FL.

142. On January 14, 2019, ANILE opened a business bank account at Wells Fargo in the name of 4Oaks, LLC. The signors on the account are ANILE and his wife, Mary Ann Anile. The mailing address listed on the signature card for 4Oaks, LLC is 4064 Founders Club Drive, Sarasota, FL. The Wells Fargo bank statements contain this address. This account was used to receive investors' funds from the Citibank Mainstream Fund Services account. This account was also used by ANILE to purchase the 2015 Ferrari California.

143. Another business bank account used to divert investors' funds, the 4064 Founders Club Drive, LLC bank account at Wells Fargo Bank ending in 3975, also uses ANILE's home address of 4064 Founders Club Drive, Sarasota, FL.

144. The business bank account for 444 Gulf of Mexico Drive, LLC at Wells Fargo Bank ending in 3967, which appears to be used for expenses related to the OASIS office location/building, uses ANILE's mail drop address of 8374 Market Street, #421, Lakewood Ranch, FL. This bank account was used to divert investors' funds, to make monthly payments for the loan on the office location, and for ANILE's personal use.

145. Amazon Web Services provided subscriber records for the OASIS website, Oasisigltd.com. The account was registered and opened on May 4, 2018. The account was paid with a credit card, and the billing

information was Joseph ANILE II with a mailing address of 8374 Market Street, #421, Lakewood Ranch, FL. The OASIS office location of 444 Gulf of Mexico Drive, Longboat Key, FL was not listed in the subscriber information.

146. Frontier Communications provides internet, cable, and "land line" phone service to 4064 Founders Club Drive, Sarasota, FL. A review of IP information reveals that ANILE's residence was assigned IP address 47.199.72.249 on September 28, 2018 and into January 2019. Login IP information obtained from Wells Fargo Bank for the business bank account in the name of 444 Gulf of Mexico Drive, LLC shows that the IP address assigned by Frontier to ANILE's residence almost exclusively accesses Wells Fargo Bank's online system to manage and execute transactions in this bank account. From September 28, 2018 to January 10, 2019, the IP address assigned to ANILE's residence accessed the bank account on 44 different days. The account was accessed nearly every couple days and was sometimes accessed multiple times a day.

147. Moreover, login IP information obtained from Wells Fargo Bank for the business bank account in the name of 4064 Founders Club Drive, LLC shows that the IP address assigned by Frontier to ANILE's residence almost exclusively accesses the online system to manage and execute transactions in this bank account. From September 28, 2018 to January 10, 2019, the IP address assigned to ANILE's residence accessed the bank account on 43

different days. The account was accessed nearly every couple days and was sometimes accessed multiple times a day.

148. As referenced above, in addition to cable and internet service, Frontier Communications also provides voice service ("land line" phone service) to ANILE's residence through phone number 941-341-0594. A review of DACORTA's AT&T Wireless cell phone toll records for cell phone number 941-807-9933 shows DACORTA called and/or received phone calls from ANILE's Frontier Communications land line on an almost daily basis and, on many dates, several times in one day. For example, between the dates of September 1, 2018 and December 11, 2018, ANILE's land line phone number received and/or called DACORTA's mobile phone number approximately 210 times. In my experience as an investigator, frequent calls to ANILE's Frontier Communications land line indicates that ANILE is conducting business from his home address. In addition, Frontier Communications toll records for ANILE's land line phone number indicates ANILE participated in a known conference call with other OASIS participants from his home phone number on December 12, 2018.

149. Surveillance during the months of January, February, March and April 2019 at the 444 Gulf of Mexico office location has not resulted in any observations of ANILE working at this location. UCE did not observe ANILE at the office location during undercover meetings. Further, investigators have

not identified any other office location from which ANILE works. Based on the toll records, surveillance, IP address banking activity, and addresses used on business bank accounts, it is believed ANILE is doing his part to operate the fraud at his residence.

150. ANILE uses the address 4046 Founder Club Drive on his U.S. Tax Returns for an S Corporation, Form 1120S for Bowling Green Capital, LLC. The 2017 Form 1120S for Bowling Green Capital was signed on September 17, 2018 and filed shortly after. Based on my training and experience and that of Internal Revenue Service, Criminal Investigation (IRS/CI) Special Agent Shawn Batsch, individuals normally keep their personal financial documents used to prepare their annual Federal Tax Returns at their residences rather than at business locations where others could gain access to them. In addition, individuals who own and operate their own businesses typically keep financial documents and documents related to their businesses at their business locations. Here, Bowling Green Capital is not known to have any business location. The business bank account for Bowling Green Capital is funded by investors' money, and the account is used for ANILE's personal expenses. Because ANILE uses this account to conceal the fraud proceeds used for his personal benefit, records related to Bowling Green Capital are likely to be stored at ANILE's personal residence.

SEARCH LOCATION: 13318 Lost Key Place, Lakewood Ranch, FL

151. The residence at 13318 Lost Key Place, Lakewood Ranch, FL is DACORTA's primary residence. Surveillance has observed all three of DACORTA's vehicles at this address. In addition, DACORTA has been observed in the driveway of this residence.

152. As stated earlier, bank records for the Oasis Wells Fargo Account 9302 revealed OASIS began accepting IRA transfers from Third Party IRA Administrators. Records received from the Third Party IRA Administrators, such as Midland IRA, Midland Trust Company, and Equity Trust, confirmed that the wire transfers to the OASIS bank account were the result of individuals directing their IRA funds as investments with OASIS. The client files were reviewed, and they reflected investments during 2017 and as late as November 2018. The investments were evidenced by Promissory Notes issued by OASIS. Many of the Promissory Notes begin with the words: "FOR VALUE RECEIVED, the undersigned, Oasis Management, LLC, a Wyoming state limited liability company having an office at 13318 Lost Key Place, Lakewood Ranch, Florida 34202 (the "Maker"), hereby promises to pay to...."

153. Frontier Communications provides cable, internet, and voice (phone) service to 13318 Lost Key Place, Lakewood Ranch, FL. The service is registered to Carolyn DaCorta (DACORTA's wife). The last known IP address assigned by Frontier to this residence is 47.202.87.253. For the time

period of October 2018 to January 2019, IP login information was reviewed for the Wells Fargo business bank account for 13318 Lost Key Place, LLC ending in 2850. The login information reveals this same IP address being used almost exclusively to log into the online Wells Fargo account. The account appears to have been accessed frequently (ranging from once a day to once every three to four days), and at times, multiple times per day. The IP information reveals that the account has also been accessed from the OASIS office location at 444 Gulf of Mexico Drive, Longboat Key, FL, but much less frequently than from 13318 Lost Key Place. As stated earlier in this affidavit, this bank account is one of the main bank accounts used by DACORTA to divert investors' funds for his personal use.

154. A review of the IP login information for the Wells Fargo Oasis Management, LLC bank account for the time period of October 2018 to January 2019, revealed that the IP address assigned by Frontier to 13318 Lost Key Place, Lakewood Ranch, FL was used almost exclusively to log into the bank account through the Wells Fargo online system. The bank account was accessed as frequently as every day to every three or four days. Many days, the online system was accessed multiple times a day. This bank account is one of the main bank accounts used to receive investors' funds and to issue checks (Ponzi payments) back to investors.

155. The bank records for the Oasis Wells Fargo Account 9302 reveal check deposits of investors' funds at Wells Fargo Bank branches near

DACORTA's residence in Lakewood Ranch, FL. Many of the checks are from individuals who live outside of the area and outside of Florida. It is believed the checks were mailed to DACORTA at his residence. In fact, a mail cover placed on DACORTA's personal residence revealed a piece of mail addressed to Oasis International Group. The piece of mail was from an individual with the initials GD and an address in New York. The mail was delivered to DACORTA's residence around December 18, 2018. A review of the bank records indicate two checks from GD were deposited to the Oasis Management, LLC bank account at a branch in Lakewood Ranch, FL around the same date.

156. Many of the investors' deposits into the Oasis Wells Fargo Account 9302 that were not wire transfers were made at a Wells Fargo Bank branch located at 8410 Market Street, Lakewood Ranch, FL, which is approximately 3.5 miles from DACORTA's residence. For example, on February 12, 2019 at 10:59 AM, a $25,000 deposit was made into the Oasis Management Wells Fargo account 9302. This deposit was made at the branch located on 8410 Market Street in Lakewood Ranch, FL. The check deposited was from AD with the address 29 Woodview Road in Poughkeepsie, NY 12603. The check memo reads: "Investment". Bank records also reveal deposits made at a Wells Fargo Bank branch located at 11135 State Road 70, Lakewood Ranch, FL, which is about 4.5 miles from DACORTA's residence. The Oasis office location at 444 Gulf of Mexico Drive, Longboat Key, FL is

approximately 20 miles from DACORTA's residence. The close proximity of the deposit locations to DACORTA's residence suggests the investors' checks were likely mailed to DACORTA's residence.

157. DACORTA's 16804 Vardon Terrace #108, LLC and 17006 Vardon Terrace #105, LLC use the mailing address of 13318 Lost Key Place, Lakewood Ranch, FL. The LLCs also list Oasis Management, LLC as the Authorized Title Member on the LLC with an address of 13318 Lost Key Place, Lakewood Ranch, FL.

158. In addition, the mailing address for the Oasis Wells Fargo Account 9302 is 13318 Lost Key Place, Lakewood Ranch, FL. Bank records show the Ponzi payments back to investors from this bank account are computer-generated checks that contain the Oasis Management, LLC business name along with an address of 13318 Lost Key Place, Lakewood Ranch, FL. Ponzi payment checks as late as March 2019 (latest bank records obtained) contain this information.

159. Surveillance during the months of December 2018 and January, February, and March 2019 indicate DACORTA does not work primarily from the Oasis International office located at 444 Gulf of Mexico Drive, Longboat Key, FL. Rather, DACORTA was observed at his residence during most of the days surveillance was conducted. At the times of the scheduled in-person UCE meetings with DURAN, DACORTA was observed at the business location. Notably, both meetings were pre-scheduled days in advance.

160. As stated earlier in this affidavit, on April 3, 2019, surveillance followed Vincent Raia after he picked up silver from Sarasota Rare Coin Gallery. Raia drove, without stopping, to DACORTA's residence at 13318 Lost Key Place. On April 9, 2019, an authorized GPS tracking device showed Raia's vehicle arriving at 7:55 a.m. at DACORTA's residence and staying there most of the day, but also driving to 6922 LaCantera Circle and then back to 13318 Lost Key Place. On April 11, 2019, the GPS tracking device showed that Raia's vehicle left his (Raia's) residence and drove to 6922 LaCantera Circle at 7:45 a.m. At approximately 10:15 a.m., Raia left LaCantera Circle and drove to DACORTA's residence at 13318 Lost Key Place. Raia then drove to the OASIS office location at 444 Gulf of Mexico Drive. Raia then drove to Sarasota Rare Coin Gallery and was observed entering the business building and exiting with a box that was placed inside his trunk. Raia then drove directly to DACORTA's residence and was there for approximately three minutes before driving directly to 6922 LaCantera Circle.

161. Based on my experience and the experience of others involved in this investigation, I know that individuals who own or operate businesses and work from their residences typically keep and store business records at their residences. Such business owners or operators also perform work on their home computers and/or personal mobile devices. In addition, individuals who report false and fraudulent information on their individual income tax returns

usually store their personal financial documents in their residences rather than at business locations where others might gain access to them.

SEARCH LOCATION: 444 Gulf of Mexico Drive, Longboat Key, FL

162. This is the office location for OASIS. The building was purchased with investors' funds as described in the Asset Purchases section of this affidavit. There is a sign on the building that says "OIG", which stands for Oasis International Group. There are also designated parking signs in the parking lot for "OIG."

163. Surveillance at this location during the months of January, February, and March 2019 revealed individuals associated with OASIS parking at this location during parts of the day. Investigators who performed drive-bys observed and other surveillance showed the vehicles of DACORTA, DURAN, Raia, Gil Wilson, and Debra Cheslow parked there. Specifically, a combination of video and physical surveillance was conducted on February 4 through 8, 2019 (entire week). The surveillance showed Raia's vehicle at the location every day during this period. DACORTA and DURAN were at the location, along with Raia, on February 7, 2019. During the course of this investigation, Raia's vehicle has been seen most frequently at this location.

164. During the undercover meetings described earlier in this affidavit, UCE obtained business cards for DURAN and John Haas. Both business cards reflect the address of 444 Gulf of Mexico Drive, Longboat Key, FL as the business address for Oasis International Group. In addition, UCE was

asked to meet with DURAN at this office location. UCE has described the location as appearing to be newly-remodeled and containing several offices. UCE observed that the offices had some documents on the desks along with computers and computer monitors. UCE reported that there was not much furniture, filing cabinets, or files, but the office did appear to have computers. UCE met with DURAN inside DURAN's office and observed that DURAN had a computer monitor on his desk. During one of the meetings at the OASIS office location, UCE saw DACORTA inside one of the offices standing at a computer terminal that contained several monitors. DACORTA appeared to be working on the computer.

SEARCH LOCATION: 6922 LaCantera Circle, Lakewood Ranch, FL

165. This is a large 7,600 square foot residence purchased by DACORTA in September 2018. At present, the residence appears to be empty; however, work trucks have been observed at this residence frequently starting in December 2018 through the present. There appears to be extensive remodeling work being conducted at the residence. Bank records for the 6922 Lacantera Circle, LLC bank account confirm large home improvement expenditures. It is unclear whether DACORTA plans to move out of the 13318 Lost Key Place residence in order to occupy this residence at some point in the near future. Frontier Communication records reveal cable and internet service was initiated for this residence in October 2018. The service is in the name of Carolyn DaCorta.

166. A recent review of State of Florida Division of Corporations records reflects DACORTA changing the mailing address on multiple LLCs from 13318 Lost Key Place to 6922 LaCantera Circle. On March 20, 2019, DACORTA changed the mailing address to 6922 LaCantera Circle for Roar of the Lion Fitness, LLC; 16904 Vardon Terrace 106, LLC; and 16804 Vardon Terrace 307, LLC.

167. As described earlier in this affidavit, on April 3, 2019, surveillance observed Raia picking up silver from Sarasota Rare Coin Gallery and driving directly to 13318 Lost Key Place for approximately five minutes and then directly to 6922 LaCantera Circle. Raia was observed at 6922 Lacantera Circle going inside and back outside the residence via the garage. Raia was at this location for over 30 minutes.

168. A GPS tracking device showed that on April 9, 2019, Raia drove to DACORTA's residence at Lost Key Place, arrived at about 7:55 a.m., and stayed there most of the day. However, Raia's vehicle also drove to 6922 Lacantera Circle and then back to the residence at Lost Key Place. Raia drove back to his own residence at approximately 4:00 p.m.

169. On April 11, 2019, a GPS tracking device showed that Raia left his residence and drove to 6922 LaCantera Circle at 7:45 a.m. At about 10:15 a.m., Raia left the residence and drove to DACORTA's residence at 13318 Lost Key Place. Raia then drove to the OASIS office location at 444 Gulf of Mexico Drive. Raia then drove to Sarasota Rare Coin Gallery and was

observed entering the business building and exiting with a box that was placed inside his trunk. Raia then drove directly to DACORTA's residence and was there for approximately three minutes before driving directly to 6922 LaCantera Circle.

170. Based on my knowledge and experience, I know that many individuals who use fraud proceeds to purchase valuables like gold and silver need secure locations to store them. Because Raia picked up silver from Sarasota Rare Coin Gallery on April 3, 2019 and drove to DACORTA's residence for a brief stop and then onto 6922 LaCantera Circle, there is probable cause to believe the some or all of the gold and silver purchased with investors' funds is located at both of these locations. Raia's actions on April 11, 2019 tend to suggest the same.

SEARCH LOCATION: 7312 Desert Ridge Glen, Lakewood Ranch, FL

171. This is the residence of DURAN. DURAN uses this address to register his vehicles, apply for car loans, and for his bank accounts. Some of DURAN's vehicles have been observed parked outside the garage at this residence. This is the only known residence of DURAN. Along with applications for search warrants, applications for seizure warrants are also being made. Two of the vehicles that agents propose to seize are DURAN's 2018 Porsche 911 Targa and 2018 Mercedes-Benz Convertible. Both vehicles are registered to DURAN at this residence, and it is believed both vehicles are located inside the garage of this residence. Based on this information, there is

probable cause to believe the vehicles will be located at this residence at the time of the proposed seizures. It is also believed that the titles and records of ownership for these vehicles will be located at this residence.

COMPUTERS, ELECTRONIC STORAGE, AND FORENSIC ANALYSIS

172. As described above and in the particular Attachment B that corresponds with this application (Attachment B1, B2, B3, B4, or B5), this application seeks permission to search for records that might be found on the PREMISES, in whatever form they are found. One form in which the records might be found is data stored on a computer's hard drive or other storage media. Thus, the warrant applied for would authorize the seizure of electronic storage media or, potentially, the copying of electronically stored information, all under Rule 41(e)(2)(B).

173. I submit that if a computer or storage medium is found on the PREMISES, there is probable cause to believe those records will be stored on that computer or storage medium, for at least the following reasons:

a. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using forensic tools. This is so because

when a person "deletes" a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data.

b. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active file—for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file.

c. Wholly apart from user-generated files, computer storage media—in particular, computers' internal hard drives—contain electronic evidence of how a computer has been used, what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory "swap" or paging files. Computer users typically do not erase or delete this evidence, because special software is typically required for that task. However, it is technically possible to delete this information.

d. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or "cache."

e. Based on actual inspection of other evidence related to this investigation, I am aware that computer equipment was used to generate,

store, and print documents used in the Ponzi scheme. There is reason to believe that there is a computer system currently located on the premises.

174. As further described in the particular Attachment B that corresponds with this application (Attachment B1, B2, B3, B4, or B5), this application seeks permission to locate not only computer files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how computers were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence will be on any storage medium in the PREMISES because:

a. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the

dates files were created and the sequence in which they were created, although this information can later be falsified.

b. As explained herein, information stored within a computer and other electronic storage media may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, information stored within a computer or storage media (e.g., registry information, communications, images and movies, transactional information, records of session times and durations, internet history, and anti-virus, spyware, and malware detection programs) can indicate who has used or controlled the computer or storage media. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. The existence or absence of anti-virus, spyware, and malware detection programs may indicate whether the computer was remotely accessed, thus inculpating or exculpating the computer owner. Further, computer and storage media activity can indicate how and when the computer or storage media was accessed or used. For example, as described herein, computers typically contain information that log: computer user account session times and durations, computer activity associated with user accounts, electronic storage media that connected with the computer, and the IP addresses through which the computer accessed

networks and the internet. Such information allows investigators to understand the chronological context of computer or electronic storage media access, use, and events relating to the crime under investigation. Additionally, some information stored within a computer or electronic storage media may provide crucial evidence relating to the physical location of other evidence and the suspect. For example, images stored on a computer may both show a particular location and have geolocation information incorporated into its file data. Such file data typically also contains information indicating when the file or image was created. The existence of such image files, along with external device connection logs, may also indicate the presence of additional electronic storage media (e.g., a digital camera or cellular phone with an incorporated camera). The geographic and timeline information described herein may either inculpate or exculpate the computer user. Last, information stored within a computer may provide relevant insight into the computer user's state of mind as it relates to the offense under investigation. For example, information within the computer may indicate the owner's motive and intent to commit a crime (e.g., internet searches indicating criminal planning), or consciousness of guilt (e.g., running a "wiping" program to destroy evidence on the computer or password protecting/encrypting such evidence in an effort to conceal it from law enforcement).

c. A person with appropriate familiarity with how a computer works can, after examining this forensic evidence in its proper

context, draw conclusions about how computers were used, the purpose of their use, who used them, and when.

d. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, computer evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

e. Further, in finding evidence of how a computer was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium. For example, the presence or absence of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

175. *Necessity of seizing or copying entire computers or storage media.* In most cases, a thorough search of a premises for information that might be stored on storage media often requires the seizure of the physical storage media and later off-site review consistent with the warrant. In lieu of removing

storage media from the premises, it is sometimes possible to make an image copy of storage media. Generally speaking, imaging is the taking of a complete electronic picture of the computer's data, including all hidden sectors and deleted files. Either seizure or imaging is often necessary to ensure the accuracy and completeness of data recorded on the storage media, and to prevent the loss of the data either from accidental or intentional destruction. This is true because of the following:

a. The time required for an examination. As noted above, not all evidence takes the form of documents and files that can be easily viewed on site. Analyzing evidence of how a computer has been used, what it has been used for, and who has used it requires considerable time, and taking that much time on premises could be unreasonable. As explained above, because the warrant calls for forensic electronic evidence, it is exceedingly likely that it will be necessary to thoroughly examine storage media to obtain evidence. Storage media can store a large volume of information. Reviewing that information for things described in the warrant can take weeks or months, depending on the volume of data stored, and would be impractical and invasive to attempt on-site.

b. Technical requirements. Computers can be configured in several different ways, featuring a variety of different operating systems, application software, and configurations. Therefore, searching them sometimes requires tools or knowledge that might not be present on the search

site. The vast array of computer hardware and software available makes it difficult to know before a search what tools or knowledge will be required to analyze the system and its data on the Premises. However, taking the storage media off-site and reviewing it in a controlled environment will allow its examination with the proper tools and knowledge.

c. Variety of forms of electronic media. Records sought under this warrant could be stored in a variety of storage media formats that may require off-site reviewing with specialized forensic tools.

176. *Nature of examination.* Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit seizing, imaging, or otherwise copying storage media that reasonably appear to contain some or all of the evidence described in the warrant, and would authorize a later review of the media or information consistent with the warrant. The later review may require techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of a hard drive to human inspection in order to determine whether it is evidence described by the warrant.

177. Because several people share the PREMISES as a residence, it is possible that the PREMISES will contain storage media that are predominantly used, and perhaps owned, by persons who are not suspected of a crime. If it is nonetheless determined that that it is possible that the things

described in this warrant could be found on any of those computers or storage media, the warrant applied for would permit the seizure and review of those items as well.

MOBILE DEVICES AND FORENSIC ANALYSIS

178. As described in the particular Attachment B that corresponds with this application (Attachments B1, B2, B3, B4 or B5), this application seeks permission to search for records that might be found in the Target Locations identified in Attachments A1, A2, A3, A4, and A5 in whatever form they are found. As detailed above, I have probable cause to believe that DACORTA, ANILE, DURAN and other subjects involved in this conspiracy use their mobile and other electronic devices such as tablets and laptop computers (collectively referred herein to as "mobile devices") to obtain and track payments, keep ledgers, make payments, and communicate with one another about the fraud. One form in which the records might be found is data stored on a mobile device's hard drive. Thus, the warrant applied for would authorize the seizure of mobile devices or, potentially, the copying of electronically stored information, all under Rule 41(e)(2)(B).

179. I have had both training and experience in the investigation of crimes involving the use of mobile devices. Based on my training and experience, I know the following:

a. Mobile device users can transfer, for example, photographs, documents, videos, from one mobile device directly onto another mobile device.

b. Users may transfer files between and among mobile devices, to back up files (in case of corruption of a device) and to provide access to information across those devices. In many instances, users have devices set up to automatically back up to their computers or other devices, either upon being plugged into the device or over WiFi Internet connectivity.

c. Mobile devices and mobile device technology have further revolutionized the way in which individuals capture and store electronic data, including photographs, videos, documents, and sound recordings. Today's mobile devices are capable of not only storing data related to telephone numbers, past connected and missed calls, contact lists, addresses, voicemail, and text messages, but often, with both internal and removable digital memory, mobile devices are able to store images, videos, documents, sound recordings, and programs (often referred to on cellular telephones as "applications") in much the same way a desktop or laptop computer does. In addition, today's mobile devices often include cameras that can capture photographs and videos at very high resolution.

d. Today's mobile devices also often have the ability to access the internet through both wireless data plans and through WiFi internet connections. This allows mobile device users to perform many internet

functions on their phones, for example: downloading and uploading data such as images and videos from or onto the internet, sending and receiving emails (including emails with attached files), accessing web pages, browsing the internet, using messaging services (such as WhatsApp) to exchange text, audio, and/or image messages, and conducting live video chat (such as through FaceTime). In addition, today's mobile devices often include Global Positioning System (GPS) capabilities, which allows users to identify the location of their mobile devices for mapping and other location-based functions.

e. Today's mobile devices also allow the user to "tether" another electronic device to the mobile device, which means that the mobile device (or any device that is connected to the internet) can serve as a modem for another device, usually a laptop or a WiFi-only tablet. This means that the user can have mobile internet access, and also obviates the need for home WiFi.

f. Today's mobile devices have a large capacity for internal digital memory storage capacity, up to approximately 128 gigabytes in size or more, with additional removable memory storage capacity up to approximately 128 gigabytes or more. As a result, mobile devices can store thousands of files, including high-resolution images as well as videos. Mobile devices also have the ability to be synced with, or connected to, other mobile devices and desktop or laptop computers, allowing the mobile device user to

transfer files to and from such mobile devices. Thus, persons involved in fraud may maintain old devices for storage purposes even where the person no longer uses the mobile device for texting or phone calls.

g. A mobile device that operates on a mobile device provider's network is typically assigned a telephone number that is used when placing or receiving calls. It is possible for a user to change the telephone number assigned to a particular mobile device without changing the mobile device. Conversely, it is possible for a user to move telephone numbers from mobile device to mobile device.

h. As is the case with most digital technology, data can be stored on a mobile device in a number of ways. Storing information can be intentional, i.e., by saving an image as a file on the mobile device or saving the location of one's favorite websites in, for example, "bookmarked" files. Digital information can also be retained unintentionally, e.g., phone records or traces of files may be automatically stored in many places (e.g., temporary files or phone logs, among others). In addition to electronic communications, a mobile devices user's Internet activities generally leave traces or "footprints" and history files of the browser used. A forensic examiner often can recover evidence suggesting whether a mobile device contains wireless software, was used for instant messaging, and when certain files under investigation were uploaded or downloaded. Such information is often maintained indefinitely until overwritten by other data.

i. Images taken on mobile devices often contain Exchangeable Image File Format ("EXIF") data containing information related to the images within the image file (e.g., JPEG or TIFF) itself. EXIF data may include information about the time and date the image was taken, settings used by the device to capture an image, including the model of the mobile device used to take the picture, the focal length of the lens, aperture settings, shutter speed, and ISO speed. EXIF data may also contain GPS data if the mobile devices supports such data, meaning pictures are tagged with the location where they were taken.

180. There is probable cause to believe that records and information will be stored on mobile devices to be searched for at least the following reasons.

a. Based on my knowledge, training, and experience, I know that mobile device files, or remnants of such files, can be recovered months or even years after they have been downloaded onto a mobile device or other storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a mobile device or other storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person "deletes" a file on a mobile device or other storage medium the data contained in the file does not actually disappear; rather, that data remains on the mobile device or other storage medium until it is overwritten by new data.

b. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the device that is not currently being used by an active file—for long periods of time before they are overwritten.

c. Wholly apart from user-generated files, mobile devices contain electronic evidence of how they have been used, what they have been used for, and who has used them. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory "swap" or paging files. Mobile device users typically do not erase or delete this evidence because special software is typically required for that task. It is, however, technically possible to delete this information.

d. As further described in Attachments B1, B2, B3, B4, and B5, the applications seek permission to locate not only files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how the devices were used, the purpose of their use, who used them, and when.

e. Data on a mobile device can provide evidence of a file that was once on the mobile device but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were

recently active. Web browsers, email programs, and chat programs store configuration information on the mobile device that can reveal information such as online nicknames and passwords. Mobile device file systems can record information about the dates that the files were created and the sequence in which they were created, although this information can later be falsified.

f. Forensic evidence on a mobile device can also indicate who has used or controlled the device. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, registry information, configuration files, user profiles, email, email address books, "chat," instant messaging logs, photographs, the presence or absence of malware, and correspondence (and the data associated with the foregoing, such as file creation and last-accessed dates) may be evidence of who used or controlled the mobile device at a relevant time.

g. A person with appropriate familiarity with how a mobile device works can, after examining this forensic evidence in its proper context, draw conclusions about how the devices were used, the purpose of their use, who used them, and when.

181. Based on my own experience and consultation with other agents who have been involved in the search of mobile devices and retrieval of data from those systems and related peripherals and computer media, I know that searches and seizures of evidence from mobile devices commonly require

agents to download or copy information from the devices and their components, or seize most or all mobile device items (computer hardware, computer software, and computer related documentation) to be processed later by a qualified computer expert in a laboratory or other controlled environment. This is almost always true because of the following:

a. Electronic storage devices (like computer hard disks, diskettes, tapes, laser disks, magneto opticals, and others) can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he or she often stores it in random order with deceptive file names. This requires searching authorities to examine all the stored data to determine whether it is included in the warrant. This sorting process can take days or weeks, depending on the volume of data stored, and it would be generally impossible to accomplish this kind of data search on site; and

b. Searching electronic device systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. The search of an electronic device system is an exacting scientific procedure which is designed to protect the integrity of the evidence

and to recover even hidden, erased, compressed, password-protected, or encrypted files. Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis.

182. In order to fully retrieve data from an electronic device system, the analyst needs all magnetic storage devices as well as the central processing unit (CPU). The analyst needs all the system software (operating systems or interfaces, and hardware drivers) and any applications software, which may have been used to create the data (whether stored on hard drives or on external media).

183. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, electronic evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a device is evidence may depend on other information stored on the device and the application of knowledge about how a smart phone behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

184. Further, in finding evidence of how a mobile device was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on the device. For example, the presence or absence of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

185. I know that when an individual uses a mobile device to obtain and store stolen PII in furtherance of a fraud scheme, the individual's mobile device will generally serve both as an instrumentality for committing the crime, and also as a storage medium for evidence of the crime. The device is an instrumentality of the crime because it is used as a means of committing the criminal offense. The device is also likely to be a storage medium for evidence of crime. From my training and experience, I believe that a device used to commit a crime of this type may contain data that is evidence of how the device was used, data that was sent or received, notes as to how the criminal conduct was achieved, records of Internet discussions about the crime, and other records that indicate the nature of the offense.

Unlocking Mobile Devices Using Biometric Data

186. It is likely that the Target Locations will contain at least one device that can be unlocked using biometric data, and I request that this Court authorize law enforcement officers to press the finger(s) (including thumbs) of the occupants of the Target Locations to the mobile devices' fingerprint sensors (if they exist) or present the occupants' irises or faces to the mobile

devices' cameras during the searches of the Target Locations, in an attempt to unlock the devices for the purpose of executing the searches authorized by these warrants.[2]

187. Given their ability to store uniquely personal information, mobile devices are often protected by passwords, passcodes, or other security features, which generally enable only the primary user of the mobile device to use the mobile device and access the mobile device's functions and contents. Based on AT&T Wireless records, I know that at least DACORTA owns an iPhone. I know from my training and experience, as well as from information found in publicly available materials including those published by Apple, that some models of Apple devices such as iPhones and iPads offer their users the ability to unlock the device via the use of a fingerprint or thumbprint (collectively, "fingerprint"), or by facial recognition, in lieu of a numeric or alphanumeric passcode or password. I also know that a nearly every major smartphone brand sells at least one mobile device that has fingerprint or other biometric security, including Samsung, Google, LG, HTC, Sony, and OnePlus. Thus,

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[2] Based on my training and experience, I know that a person's "identifying physical characteristic[s]" are not testimonial and thus fall "outside [the] protection" of the Fifth Amendment. *Gilbert v. California*, 388 U.S. 263, 267 (1967). The privilege against self-incrimination is not violated by an order compelling a person to submit to photographing and measurements or to provide fingerprints, writing samples, or voice exemplars. *See, e.g., United States v. Dionisio*, 410 U.S. 1, 7 (1973); *California v. Byers*, 402 U.S. 424, 431-32 (1971); *Gilbert*, 388 U.S. at 266-67; *Schmerber v. California*, 384 U.S. 757, 763-64 & n.8 (1966); *see also In the Matter of the Search of [Redacted] Washington, District of Columbia*, 2018 WL 3155596 (D.D.C. 2018) (search warrant authorizing compelled use of biometric feature to unlock devices did not violate Fourth or Fifth Amendments).

the likelihood of discovering a device at the Target Locations that can be unlocked using biometric data is high.

188. In my training and experience, users of mobile devices that offer biometric security often enable it because it is considered to be a more convenient way to unlock the device than by entering a numeric or alphanumeric passcode or password, as well as a more secure way to protect the device's contents. This is particularly true when the users of the devices are engaged in criminal activities and thus have a heightened concern about securing the contents of the device.

189. The passcodes or passwords that would unlock the mobile devices found during the searches of the Target Locations are not known to law enforcement officers. Thus, it will likely be necessary to press the fingers of the users of the mobiles devices found during the searches of the Target Locations to the devices' fingerprint sensors, or to present the occupants' irises or faces to the mobile devices' cameras, in an attempt to unlock the devices for the purpose of executing the searches authorized by the warrants. Attempting to unlock the relevant mobile devices using this biometric data is necessary because the government may not otherwise be able to access the data contained on those devices for the purpose of executing the search authorized by this warrant.

190. In my training and experience, the person who is in possession of a device or has the device among his or her belongings at the time the device is

found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose fingerprints or face are among those that will unlock the device, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, I know that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any occupant of the Target Locations attempt to open the mobile devices in order to attempt to identify the device's users (and determine which devices to seize) and unlock the devices.

191. Although I do not know which of a given user's 10 fingerprints is capable of unlocking a particular device, based on my training and experience I know that it is common for a user to unlock a fingerprint enabled mobile device via the fingerprints on thumbs or index fingers. In the event that law enforcement is unable to unlock the mobiles devices found in the Target Locations as described above within the number of attempts permitted by the particular mobile device, this will simply result in the device requiring the entry of a password or passcode before it can be unlocked.

Search Methodology To Be Employed

192. The search procedure of electronic data contained on a mobile device may include the following techniques (the following is a non-exclusive list, as other search procedures may be used):

a. examination of all of the data contained in such mobile devices to view the data and determine whether that data falls within the items to be seized as set forth herein;

b. searching for and attempting to recover any deleted, hidden, or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein (any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offenses, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offenses specified above);

c. surveying various file directories and the individual files they contain;

d. opening files in order to determine their contents;

e. scanning storage areas;

f. performing key word searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are likely to appear in the evidence described in Attachment B; and/or

g. performing any other data analysis technique that may be necessary to locate and retrieve the evidence described in Attachments B1, B2, B3, B4, and B5.

CONCLUSION

193. Based upon all the of the foregoing facts, your affiant submits that there is probable cause to believe that at the premises identified in this affidavit and described in greater detail in Attachments A1, A2, A3, A4, and A5, there are fruits, instrumentalities, and evidence of violations of 18 U.S.C. §§1343, 1349, 1341, 1956(h), 1957 and 26 U.S.C. § 7206(1), as well as assets purchased with fraud proceeds. Accordingly, your affiant respectfully requests that this application be granted.

REQUEST FOR SEALING

194. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

RICHARD VOLP
Special Agent, Federal Bureau of Investigation

Subscribed to and sworn before me this 16th day of April 2019.

AMANDA ARNOLD SANSONE
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A-5

Property to be Searched

The TARGET RESIDENCE, 7312 Desert Ridge Glen, Lakewood Ranch, FL 34202, is located in the "Country Club" area of Lakewood Ranch, Florida, a location within Manatee County, Florida. The residence to be searched is described as a two-story, single-family residence that is yellow in color with white trim. The front door faces east and is brown in color. The door is on the eastern side of the structure. The numerals "7312" are affixed to garage near the roof line.

The property to be searched includes the aforementioned building in addition to: any and all containers, both locked and unlocked; additional structures, sheds, and/or outbuildings on the property; vehicles on the premises associated with the occupants of the property; and curtilage of the property.

From the intersection of Legends Walk Terrace and Desert Ridge Glen, Lakewood Ranch, proceed south on Desert Ridge Glen. The structure to be searched is the eighth structure on the west side of Desert Ridge Glen.

The residence appears in the attached photograph.

(7312 Desert Ridge Glen, Lakewood Ranch, FL 34202)

ATTACHMENT B-5

Items to be Seized

I. Any and all items that constitute fruits, instrumentalities, and evidence of violations of 18 U.S.C. §§1343 and 1349 (wire fraud and conspiracy to commit wire fraud), 18 U.S.C. §1341 (mail fraud), 18 U.S.C. §§1956(h) and 1957 (money laundering and illegal monetary transactions), and 26 U.S.C. §7206(1) (filing false income tax returns) from January 1, 2015 through the present, pertaining to the following matters:

a. The cellular telephone belonging to Francisco DURAN to include the following information contained therein:

i. Call logs; Photographs; Videos; Contact lists; Data contained in applications to include online banking; Deleted files; Search history, Bookmarks, Favorite lists; GPS location history; Text messages; SMS messages; Passwords and Codes;

b. 2018 Porsche 911 Targa, VIN WP0BB2A99JS134720, titled to Francisco Duran (the 2018 Porsche);

c. 2018 Mercedes Benz Convertible, VIN WDDJK6GA0JF050546, titled to Francisco Duran (the 2018 Mercedes);

d. Any additional keys, vehicle titles, and vehicle purchase records related to the above vehicles;

e. Personal financial records to include bank statements, tax returns, Forms W-2, Forms 1099, Forms 1065, workpapers, source documents, and/or correspondence regarding the preparation of Individual Income Tax Returns, Forms 1040;

f. Records and documents evidencing, relating, or referring to the ownership and/or possession of the subject premises, including, but not limited to, utility bills, telephone bills, and rental/lease agreements.