

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Esther Salas
	:	
v.	:	Crim. No. 25- 786
	:	
OSCAR MARCELO NUNEZ-FLORES	:	18 U.S.C. § 1956(h)
	:	18 U.S.C. § 215(a)(2)

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States charges:

GENERAL ALLEGATIONS

1. At all times relevant to this Information:
 - a. Defendant Oscar Marcelo Nunez-Flores (“NUNEZ”) lived in New Jersey.
 - b. TD Bank, N.A. (“TD Bank”) was a financial institution as defined in Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.
 - c. NUNEZ was an officer, employee, and agent of TD Bank.

The Money Laundering and Bribery Scheme

2. In or around October 2020, NUNEZ began working as a Financial Service Representative at a TD Bank branch in Scotch Plains, New Jersey. As part of his duties, NUNEZ was the “sales leader” for the Scotch Plains branch and was the primary contact for both new and existing customers.

3. From in or around March 2021 through in or around October 2023, NUNEZ repeatedly and corruptly accepted bribes to open approximately 63 accounts with approximately 628 associated debit cards that he knew were used to launder money. Together, these accounts were used to launder approximately \$26,942,800.02 from the United States to Colombia through approximately 121,403 withdrawals at Automated Teller Machines (“ATMs”) in Colombia.

4. In exchange for bribes and using his role at TD Bank, NUNEZ opened bank accounts in the names of shell companies using nominee (or straw) owners whom NUNEZ knew were not actually controlling the accounts. NUNEZ also opened several personal accounts for co-conspirators as part of this scheme. NUNEZ opened these accounts in exchange for a fee ranging from approximately \$500 to \$2,500, which was typically paid either in cash or through a peer-to-peer digital payment network.

5. Despite TD Bank’s policy that required original identification documents to be provided by the account applicant in person before an account was opened, NUNEZ agreed to open accounts at TD Bank using copies of identification documents for individuals who were not physically present in the branch.

6. After opening the accounts, NUNEZ would provide the individuals with credentials to access the accounts online. In exchange for bribes, NUNEZ also issued numerous debit cards associated with the accounts and occasionally assisted with unblocking debit cards that had been blocked by the bank.

7. In some instances, after NUNEZ opened a bank account for a shell company at his TD Bank branch in New Jersey, a second TD Bank employee at a branch in Florida would issue the debit cards for the account.

8. NUNEZ also furthered this scheme by registering shell companies in New Jersey at the direction of his co-conspirators, who would provide NUNEZ with entity names and information. NUNEZ subsequently opened accounts at TD Bank in the names of the shell companies that he registered.

9. The accounts that NUNEZ opened for this scheme typically conducted large deposits of cash into the accounts in the United States followed almost immediately by corresponding ATM withdrawals in Colombia. NUNEZ—particularly in light of his training and experience in the financial industry and his contemporaneous acceptance of bribes—understood this activity to be money laundering. Indeed, in or around June 2023, after TD Bank temporarily blocked an account used in furtherance of the scheme, NUNEZ told a co-conspirator that the bank saw the activity as “money laundering.”

Shell Company-A

10. For example, on or about April 12, 2022, at the TD Bank branch in Scotch Plains, New Jersey, NUNEZ opened a bank account for a company registered in Florida (“Shell Company-A”). On the account opening documents, NUNEZ recorded a nominee owner (“Nominee-A”) as the “Individual with Control” of the account, even though Nunez knew that Nominee-A would not control the account.

11. NUNEZ then knowingly and willfully provided a third-party (“Individual-1”) with access to Shell Company-A’s bank account and did not identify Individual-1 on any of Shell Company-A’s bank account documentation.

12. In exchange for anonymous access to TD Bank, on or about April 12, 2022, Individual-1 paid NUNEZ approximately \$2,500, in part by directing a \$1,200 payment to NUNEZ through a peer-to-peer digital payment network from an entity owned and controlled by one of Individul-1’s associates.

13. On or about April 29, 2022, after corruptly accepting Individual-1’s bribes, NUNEZ caused TD Bank to issue approximately 23 debit cards for Shell Company-A’s bank account in the names of fictitious employees of Shell Company-A. These debit cards were almost exclusively used to withdraw cash from ATMs in Colombia.

14. In exchange for additional bribes, NUNEZ created two more accounts for Individual-1 in a similar manner. In each instance, NUNEZ falsely identified a nominee as the “Individual with Control,” when in fact NUNEZ knew that another individual would be controlling each account.

15. From on or about May 6, 2022, through on or about August 8, 2022, through the three accounts NUNEZ opened for Individual-1, conspirators conducted approximately 17,210 international ATM withdrawals, routing approximately \$1,701,481.38 from the United States to Colombia. NUNEZ monitored the activity in these accounts, understood the unusual flow of funds through these accounts, and,

on several occasions, caused new debit cards to be issued that were subsequently used for ATM withdrawals in Colombia.

Shell Company-B

16. On or about September 22, 2022, NUNEZ opened a bank account at the TD Bank branch in Scotch Plains, New Jersey, for Shell Company-B, which reported having locations in both New Jersey and Florida. The account opening documents listed one of NUNEZ's associates as the beneficial owner and "Individual with Control" of the account.

17. From on or about December 7, 2022, through on or about March 2, 2023, conspirators transferred approximately \$832,439.76 from Shell Company-B's bank account from the United States to Colombia through approximately 4,367 ATM withdrawals, using 26 of the debit cards linked to Shell Company-B's account.

18. From in or around November 2022 through in or around early 2023, Shell Company-B's TD Bank account received multiple incoming wires from an account at another U.S. financial institution ("Financial Institution-A") in the name of another shell company ("Shell Company-C"). These funds were quickly depleted from Shell Company-B's TD Bank account through ATM withdrawals in Colombia.

19. Shell Company-C also transferred money directly to NUNEZ. For example, from on or about July 25, 2022, through on or about July 12, 2023, using a peer-to-peer digital payment network, NUNEZ received approximately 37 payments from Shell Company-C's bank account at Financial Institution-A, totaling approximately \$20,622.

Shell Company-D

20. On or about February 16, 2023, at the TD Bank branch in Scotch Plains, New Jersey, NUNEZ opened a bank account for another company registered in Florida (“Shell Company-D”). NUNEZ identified a nominee owner (“Nominee-B”) as the “Individual with Control” on the account opening documents.

21. NUNEZ caused TD Bank to issue 25 debit cards for Shell Company-D’s bank account in the names of fictitious employees of Shell Company-D.

22. Between on or about March 6, 2023, and on or about March 7, 2023, NUNEZ used two debit cards associated with Shell Company-D’s account to make three separate withdrawals totaling approximately \$1,450. All three withdrawals were conducted at an ATM in the Scotch Plains TD Bank branch.

23. On or about March 7, 2023, NUNEZ mailed several debit cards associated with the Shell Company-D account to in or around Cucuta, Colombia. NUNEZ used his home address and personal phone number in the shipping details. Beginning on or about March 14, 2023, and continuing for several months, the two debit cards NUNEZ used to withdraw funds in New Jersey were repeatedly used at ATMs in Colombia to withdraw funds from Shell Company-D’s account.

24. The bank account that NUNEZ opened for Shell Company-D was used almost exclusively for ATM withdrawals in Colombia. Conspirators conducted approximately 4,099 international ATM withdrawals from Shell Company-D’s account, routing approximately \$1,509,486.07 from the United States to Colombia.

COUNT ONE
(Money Laundering Conspiracy)

25. The allegations in paragraphs 1 through 24 of this Information are realleged here.

26. From in or around March 2021 through in or around October 2023, in Union County, in the District of New Jersey, and elsewhere, the defendant,

OSCAR MARCELO NUNEZ-FLORES,

did knowingly and intentionally conspire and agree with others to transport, transmit, transfer, and attempt to transport, transmit, and transfer, a monetary instrument or funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, and knowing that the monetary instrument or funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer was designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Sections 1956(a)(2)(A) and 1956(a)(2)(B)(i).

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

COUNT TWO
(Bank Bribery)

27. The allegations in paragraphs 1 through 24 of this Information are realleged here.

28. From in or around March 2021 through in or around October 2023, in Union County, in the District of New Jersey, and elsewhere, the defendant,

OSCAR MARCELO NUNEZ-FLORES,

as an officer, employee, and agent of a financial institution, namely TD Bank, did corruptly solicit and demand for the benefit of himself and others, and did corruptly accept and agree to accept, a thing of value exceeding \$1,000 from any person, intending to be influenced and rewarded in connection with any business or transaction of TD Bank.

In violation of Title 18, United States Code, Section 215(a)(2).

FORFEITURE ALLEGATION AS TO COUNT ONE

29. Upon conviction of conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h), as charged in Count One of this Information, the defendant,

OSCAR MARCELO NUNEZ-FLORES,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

FORFEITURE ALLEGATION AS TO COUNT TWO

30. Upon conviction of bank bribery, in violation of 18 U.S.C. § 215(a)(2), as charged in Count Two of this Information, the defendant,

OSCAR MARCELO NUNEZ-FLORES,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2), any property constituting or derived from proceeds obtained directly or indirectly as the result of such violation.

SUBSTITUTE ASSETS PROVISION

31. If any of the property described above, as a result of any act or omission of the defendant:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty,

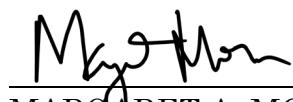
the United States shall be entitled, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461, to forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

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Approved:

R. David Walk, Jr.
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Deputy U.S. Attorney