

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SEALED

UNITED STATES OF AMERICA

v.

CASE NO. 8:21-cr-271-KKM-CPT
18 U.S.C. § 1343

BRIAN CARROLL

INDICTMENT

The Grand Jury charges:

COUNTS ONE THROUGH FIVE
(Wire Fraud)

A. Introduction

At times material to this Indictment:

1. University 1 (hereinafter, "SEU") was a not-for-profit university located in Lakeland, Florida.
2. Defendant BRIAN CARROLL was an employee of SEU, who began working there as a Vice President of Development and was promoted in 2013 to the position of Executive Vice President.
3. Vantage Point Partners, LLC (hereinafter, "VPP") was a domestic limited liability company with a principal place of business located in Albuquerque, New Mexico. Its registered agent and organizer enrolled VPP for business in the state of New Mexico on or about June 13, 2016. Defendant BRIAN CARROLL was a manager of VPP and owned 90% of its capital stock.

4. Company 1 (hereinafter, “PPG”) was a domestic limited liability company located in the state of New York and registered to engage in business there.

B. The Scheme and Artifice

5. From at least in or around June 2016, and continuing through in or around January 2017, in the Middle District of Florida and elsewhere, the defendant,

BRIAN CARROLL,

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises relating to material facts.

C. The Manner and Means of the Scheme and Artifice

6. The manner and means by which the defendant sought to accomplish the scheme and artifice, included, among others, the following:

a. It was part of the scheme and artifice that the defendant, CARROLL, would and did establish a limited liability company named VPP and cause it to be registered to engage in business in New Mexico.

b. It was further a part of the scheme and artifice that CARROLL would and did cause SEU to retain the services of VPP to render web-consulting services and to engage in other public relations projects on behalf of SEU for a fee.

c. It was further a part of the scheme and artifice that CARROLL, on behalf of VPP, would and did then engage the services of PPG to perform all of the actual services on the above-specified web project and would and did cause PPG

to bill VPP a fee for the performance of said services, all without the knowledge or awareness of any other SEU personnel.

d. It was further a part of the scheme and artifice that CARROLL would and did cause VPP to issue fraudulent invoices to SEU for services purportedly rendered by VPP in the performance of its contract with SEU, when CARROLL then and there well knew that PPG, and not VPP, had actually performed the services.

e. It was further a part of the scheme and artifice that CARROLL would and did cause SEU to pay VPP, via interstate electronic wire transmissions, an inflated amount well above the actual cost of such services, which CARROLL knew had been performed by PPG.

f. It was further a part of the scheme and artifice that CARROLL would and did perform acts and make false and fraudulent statements to SEU personnel and others to hide and conceal, and to cause to be hidden and concealed, the purposes of, and the acts done by himself, VPP, and PPG, among others, in furtherance of the aforesaid scheme.

D. Execution of the Scheme and Artifice

7. On or about the date set forth below in each count, in the Middle District of Florida and elsewhere, the defendant,

BRIAN CARROLL,

knowingly and intentionally executed the aforesaid scheme and artifice by transmitting and causing to be transmitted by means of wire and radio communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, that is interstate wire transfers of funds from the SEU bank account to the VPP bank account in the approximate amounts set forth below:

COUNT	Date of Offense (on or about)	Source and Destination of Wire Transfer	Amount of Wire Transfer (approximate)
ONE	08/19/16	From SEU bank account to VPP bank account	\$26,250.00
TWO	09/21/16	From SEU bank account to VPP bank account	\$26,250.00
THREE	10/18/16	From SEU bank account to VPP bank account	\$42,000.00
FOUR	11/21/16	From SEU bank account to VPP bank account	\$10,500.00
FIVE	11/21/16	From SEU bank account to VPP bank account	\$9,500.00

In violation of 18 U.S.C § 1343.

FORFEITURE

1. The allegations contained in Counts One through Five of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Upon conviction of any or all of the violations alleged in Counts One through Five of this Indictment, in violation of 18 U.S.C. § 1343, the defendant,

BRIAN CARROLL,

shall forfeit to the United States, any property, real or personal, which constitutes or is derived from proceeds traceable to the violations.

3. The property to be forfeited includes, but is not limited to, an order of forfeiture in the amount of at least \$180,500.00, representing the proceeds of the violations.

4. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, 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 subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,

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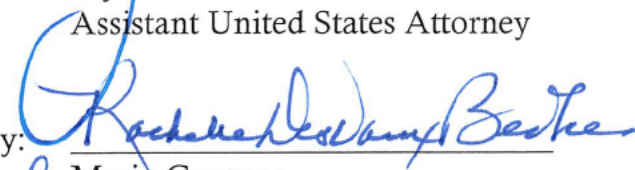
KARIN HOPPMANN
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By:



Jay L. Hoffer
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Maria Guzman
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By:



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Chief, Economic Crimes Section

August 21

No.

UNITED STATES DISTRICT COURT
 Middle District of Florida
 Tampa Division

THE UNITED STATES OF AMERICA

vs.

BRIAN CARROLL

INDICTMENT

Violations: 18 U.S.C. § 1343

A true bill,

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Filed in open court this 12th day

Of August 2021.

Clerk

Bail \$ _____