


ORIGINAL

FILED IN CHAMBERS
U.S.D.C. Atlanta

OCT 15 2013

JAMES N. HATTEN, Clerk
By:


Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

JEFFREY DAVID SHAMP

Criminal Indictment No.

1:13CR0412

THE GRAND JURY CHARGES THAT:

COUNTS ONE THROUGH TEN

(Wire Fraud)

Background

1. Defendant JEFFREY SHAMP was an employee of The Coca-Cola Company from in or about July 2002 to in or about November 2011.
2. Defendant JEFFREY SHAMP worked for The Coca-Cola Company as a Field Sales Representative until his promotion to Senior Sales Executive in October 2004, and subsequently as Senior National Account Executive following his promotion in January 2009.
3. In his position as Senior Sales Executive and subsequently as Senior National Account Executive, defendant JEFFREY SHAMP was authorized to order American Express ("AMEX") gift checks to be used in a sales incentive program for his customer's employees, called the "Coke Crew" rewards program.

Scheme and Artifice to Defraud

4. From at least in or about November 2005 through in or about September 2011, within the Northern District of Georgia and elsewhere, the defendant, JEFFREY SHAMP, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud The Coca-Cola Company of money and property by means of materially false and fraudulent pretenses and representations, and by omission of material facts, well knowing and having reason to know that said pretenses and representations were and would be false and fraudulent and, in so doing, caused interstate wire communications to be made in furtherance of the scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1343.

5. It was part of the scheme and artifice to defraud that defendant JEFFREY SHAMP ordered AMEX gift checks and requested payment for the AMEX gift checks from The Coca-Cola Company based on the fraudulent premise that the AMEX gift checks were to be used for the "Coke Crew" rewards program when, in fact, defendant JEFFREY SHAMP actually intended to use the AMEX gift checks for his own personal use.

6. Defendant JEFFREY SHAMP requested payment of the invoices for the AMEX gift checks by faxing or emailing copies of the invoices to various account representatives at The Coca-Cola Company in Atlanta, GA, within the Northern District of Georgia.

7. Defendant JEFFREY SHAMP'S faxes and emails requesting payment of the invoices for the AMEX gift checks caused The Coca-Cola Company to send payment to a third party supplier for AMEX, based on defendant JEFFREY SHAMP's false representations that the AMEX gift checks were to be used for the "Coke Crew" rewards program.

8. Defendant JEFFREY SHAMP'S false representations caused a third-party supplier for AMEX to ship, via mail, AMEX gift checks to defendant JEFFREY SHAMP'S business and home addresses in Massachusetts. Defendant JEFFREY SHAMP thereafter obtained the AMEX gift checks and used them for his own personal benefit, instead of using them for the "Coke Crew" rewards program.

Wire Transfers in Furtherance of the Scheme

9. On or about the dates set forth below, defendant JEFFREY SHAMP, aided and abetted by others, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, did cause to be transmitted in interstate commerce, by means of wire communications, certain signs, signals and sounds, that is, faxes and emails requesting payment for AMEX gift checks as described below:

Count	Approx. Date	Description of Wire Transfer
1	2/4/2009	Fax requesting payment of Order # 03638543 for \$31,000.00 of AMEX gift checks.
2	4/24/2009	Fax requesting payment of Order # 03678233 for \$31,000.00 of AMEX gift checks.
3	6/18/2009	Fax requesting payment of Order # 03707946 for \$31,400.00 of AMEX gift checks.
4	9/15/2009	Fax requesting payment of Order # 03756744 for \$38,600.00 of AMEX gift checks.
5	2/15/2010	Fax requesting payment of Order # 10243718 for \$38,700.00 of AMEX gift checks.
6	4/12/2010	Fax requesting payment of Order # 03940897 for \$41,600.00 of AMEX gift checks.
7	6/7/2010	Fax requesting payment of Order # 10374043 for \$41,200.00 of AMEX gift checks.
8	10/8/2010	Fax requesting payment of Order # 10471886 for \$43,200.00 of AMEX gift checks.
9	6/7/2011	Email requesting payment of Order # 10635236 for \$32,400.00 of AMEX gift checks.
10	9/22/2011	Email requesting payment of Order # 10667533 for \$9,600.00 of AMEX gift checks.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS ELEVEN THROUGH NINETEEN

(Money Laundering)

10. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in Paragraphs 1-9 of this Indictment.

11. On or about the dates set forth below, defendant JEFFREY SHAMP, aided and abetted by others, within the Northern District of Georgia and elsewhere, did knowingly engage and attempt to engage in monetary transactions affecting

interstate commerce, as described below, each such transaction involving criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is, a wire fraud scheme as described in Counts One through Ten of this Indictment, in violation of Title 18, United States Code, Section 1343, each transaction constituting a separate count as set forth below:

Count	Approx. Date	Monetary Transaction
11	2/10/2009	Transfer of funds for AMEX gift checks in the amount of \$31,975.00
12	4/28/2009	Transfer of funds for gift checks in the amount of \$31,975.00
13	6/23/2009	Transfer of funds for gift checks in the amount of \$32,387.00
14	9/15/2009	Transfer of funds for gift checks in the amount of \$39,803.00
15	2/17/2010	Transfer of funds for gift checks in the amount of \$39,886.00
16	4/13/2010	Transfer of funds for gift checks in the amount \$42,893.00
17	6/7/2010	Transfer of funds for gift checks in the amount \$42,481.00
18	9/13/2010	Transfer of funds for gift checks in the amount \$44,541.00
19	6/10/2011	Transfer of funds for gift checks in the amount \$33,417.00

All in violation of Title 18, United States Code, Sections 1957 and 2.

FORFEITURE PROVISION

12. The Grand Jury re-alleges and incorporates by reference the factual allegations set forth above in paragraphs 1 through 11 of this Indictment.

13. As a result of committing one or more of the wire fraud offenses alleged in Counts One through Ten of this Indictment, in violation of Title 18, United States Code, Section 1343, the Defendant, JEFFREY SHAMP, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

14. In addition, as a result of committing one or more of the money laundering offenses alleged in Counts Eleven through Nineteen of this Indictment, in violation of Title 18, United States Code, Section 1957, defendant JEFFREY SHAMP shall forfeit to the United States any and all property, real or personal, involved in such offenses and all property traceable to such offenses, pursuant to Title 18, United States Code, Section 982(a)(1).


15. If, as a result of any act or omission of defendant JEFFREY SHAMP, property subject to forfeiture cannot be located upon the exercise of due diligence; has been transferred to, sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property, which cannot be divided without difficulty, it is the intent of the United States, pursuant to

Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of defendant JEFFREY SHAMP up to the value of the forfeitable property described above.

A True BILL

Idith Bass
FOREPERSON

SALLY QUILLIAN YATES
United States Attorney



STEVEN D. GRIMBERG
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