

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

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| In the Matter of: |) | |
| |) | |
| HASSAN ALI ABBAS, |) | |
| |) | Commission No. 2022PR00083 |
| Attorney-Respondent, |) | |
| |) | |
| No. 6206474. |) | |

COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Richard Gleason, pursuant to Supreme Court Rule 761(d), complains of Respondent, Hassan A. Abbas, who was licensed to practice law in Illinois on November 7, 1991, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

(Conviction for wire fraud, money laundering, unlawful monetary transactions, and money laundering conspiracy)

A. *Procedural History of Respondent's Criminal Case*

1. On October 21, 2021, a federal grand jury in the District of Massachusetts charged Respondent in a six-count criminal indictment with the offenses of wire fraud, money laundering, unlawful monetary transactions, and money laundering conspiracy. The matter was captioned *United States of America v. Hassan Abbas*, docket number 1:20-cr-10016-LTS, and assigned to the Hon. Leo T. Sorokin.

2. Between May 3, 2022 and May 16, 2022 a jury trial was held in *United States of America v. Hassan Abbas*. On May 16, 2022, the jury returned a verdict against Respondent on

counts one, two, three, four, five, and six of the indictment, finding Respondent guilty of two counts of wire fraud (counts one and two) in violation of Title 18, United States Code, Section 1343; one count of money laundering (count three) in violation of Title 18, United States Code, Section 1956(a)(1)(i); two counts of unlawful monetary transactions (counts four and five) in violation of Title 18, United States Code, Section 1957; and one count of money laundering conspiracy (count six) in violation of Title 18, United States Code, Section 1956(h).

3. On October 28, 2022, the Honorable Leo T. Sorokin imposed judgment (which was then entered on November 1, 2022) in case number 1:20-CR-10016 adjudicating Respondent guilty of wire fraud, money laundering, unlawful monetary transactions, and money laundering conspiracy in violation of Title 18, United States Code, Sections 1343, 1956(a)(1)(i), (1957), and (1956(h) as alleged in counts one through six of the criminal indictment. On that date, Judge Sorokin sentenced Respondent to be imprisoned for 108 months, to be followed by a three-year term of supervised release subject to conditions, including that Respondent pay \$2,001,853.68 in restitution.

B. *Summary of the Criminal Charges*

4. The October 21, 2021 indictment alleged that “romance scams” refer to a type of fraud that is enabled by the creation of fictitious profiles on online dating or social websites, and that individuals perpetuating romance scams use these online dating profiles to gain the trust of potential victims, and once that trust is gained, direct victims to transfer money under false pretenses. A common narrative used to trick victims into a “romance scam” is to convince the victim to wire funds to cover “taxes” on nonexistent money that is to be “transferred” into their account.

5. The indictment alleged that “business email compromises” (“BECs”) refer to a type of fraud targeting companies that conduct wire transfers. In a BEC scam, individuals send email messages that appear to come from a colleague, vendor, or business associate making a legitimate request when, in reality, the email messages are from individuals perpetrating fraud.

6. The indictment alleged that both romance scams and BECs frequently employ the use of “spoofed” emails that appear to originate from legitimate businesses or banking institutions. In reality, however, emails that scammers use are slight variations on the “true” email addresses, and the victims are actually communicating with the bad actors that are running the scheme.

7. The indictment alleged that Respondent was a Belgian and Lebanese national living in the United States who maintained several personal checking accounts, including an account at PNC Bank and an account at TD Bank.

8. The indictment further alleged that Phoenicia Trust, Ltd. (“Phoenicia Trust”) was a shell corporation incorporated in Illinois on or about July 7, 2017, and that Respondent was Phoenicia Trust’s President and the only authorized signer on its corporate bank accounts, including a business checking account at PNC Bank, a business checking account at Wells Fargo Bank, and a business checking account at Citibank. The indictment further alleged that Sparta Gijon, Inc. (“Sparta”) was a shell corporation, incorporated in California on or about December 11, 2017. Sparta maintained a checking account at U.S. Bank for which Respondent was the only signer. The indictment also alleged that Midamines Sprl, Ltd (“Midamines”) was a shell corporation, incorporated in Illinois on or about September 26, 2012. Respondent was the company’s President and Secretary. Midamines maintained a business checking account at JP Morgan for which Respondent was the only authorized signer. Katchi, Inc. (“Katchi”) was a shell corporation, incorporated in Illinois on or about November 29, 2017. Respondent was Katchi’s

President. Katchi maintained a business checking account at First Midwest Bank for which Respondent was the only authorized signer.

9. The indictment alleged that beginning at least in or around June 2017 and continuing through on or about January 9, 2019, Respondent devised and executed a scheme to defraud and for obtaining money from victims using romance, BEC, and other scams to deceive the victims into wiring funds to various bank accounts controlled by Respondent. The indictment further alleged that as part of the scheme, Respondent opened and maintained bank accounts in the names of companies with little or no legitimate business operations, and then used those accounts to receive victims' funds. Once the victim sent the funds, Respondent generally wired the funds to personal accounts he controlled or to foreign corporations. The victims were targeted through romance scams, BECs, and other fraudulent communications, and were deceived into transferring money to the sham corporations' bank accounts by use of the "spoofed" emails.

10. The indictment alleged that in or around June 2017, Antonio Gatto was in the process of selling his home and buying a new home when, on or about June 7, 2017, he received a telephone call from a person purporting to be a representative of his escrow company and indicating he should expect to receive wire instructions for the down payments. Gatto then received an email with the purported wire instructions. On the same day, Gatto sent a wire in the amount of \$80,000 to the Midamines JP Morgan account, as instructed in the email. At the time Gatto transferred the funds, the balance in the account was \$1,000. In the four days that followed, Respondent made a series of ATM withdrawals from the Midamines JP Morgan account as well as jewelry purchases in Beirut, Lebanon, all totaling approximately \$8,638. Respondent transferred the remainder of the \$80,000 to other bank accounts he controlled or to overseas accounts.

11. The indictment further alleged that in August 2017, Maclover Linhares and his wife Pablah Schwartz were in the process of buying a home. On or about August 22, 2017, shortly before the scheduled closing, Linhares received a spoofed email containing closing instructions from someone impersonating Linhares's and Schwartz's real estate attorney. The email instructed Linhares to wire his down payment to the Phoenicia PNC account. Neither Linhares nor Schwartz had ever done business with Phoenicia Trust. After receiving the wire instructions, Linhares wired \$30,427 to the Phoenicia PNC account. On or about August 23, 2017, Respondent withdrew funds from the Phoenicia PNC account in the amounts of \$3,000, \$2,000, \$2,000, \$500, and \$500. On August 24, 2017, Respondent sent \$7,500 from the Phoenicia account to his personal account at PNC Bank. On or about August 29, 2017, Respondent sent \$7,582 from his personal account to the Phoenicia PNC account.

12. The indictment further alleged that in or around August 2017, Judy Lambert was in the process of purchasing a home in South Florida when, on or about August 21, 2017, she received a spoofed email purporting to be from a legal assistant at the law firm representing Lambert. The email instructed Lambert to send the final closing amount of \$131,379.53 to the seller's attorney via the Phoenicia PNC account. On or about August 22, 2017, Lambert wired \$131,379.53 to the Phoenicia PNC account. Lambert had never done business with Phoenicia Trust.

13. The indictment further alleged that in or around August, 2017, Stand Hockerson was in the process of purchasing a home for his son when, on or about August 25, 2017, he received a forwarded email from an individual purporting to be his son's escrow officer. The email stated that the seller needed to obtain the down payment for the home expeditiously "to avoid lateness of closing funds." Hockerson contacted the purported escrow officer telephonically, verified the wire instructions, and then sent the \$71,000 wire to the Phoenixia Wells Fargo account as directed.

Hockerson had never done business with Phoenicia Trust. Immediately after Hockerson deposited the funds into the Phoenicia Wells Fargo account, Respondent accessed the funds.

14. The indictment further alleged that in or around 2017, Fabyan Pierro began corresponding with an individual she met on Facebook who purported to be “Wilson Brown,” a U.S. Army general. Pierro developed romantic feelings for “Wilson Brown” and began sending money to various accounts at what she believed was his direction. On or about December 7, 2017, at the purported direction of “Wilson Brown,” Pierro wrote a \$60,000 check made payable to the “Phoenicia Trust, Ltd.” Pierro believed the funds were necessary in order to assure “Wilson Brown” could take an emergency vacation. Pierro deposited the check into the Phoenicia Citi account on the same day. On or about December 8, 2017, Respondent withdrew \$500 from the Phoenicia Citi account via an ATM and sent an international wire in the amount of \$48,000 from the same account to Ningbo Juji Import and Export Company.

15. The indictment further alleged that in or around January of 2018, Paulson Cheek Mechanical received a spoofed email, purportedly from one of its vendors, requesting that Paulson Cheek Mechanical pay an outstanding invoice. The email directed Paulson Cheek Mechanical to wire payment directly to the Katchi Midwest Bank account. Paulson Cheek Mechanical had not previously done business with Katchi. On or about January 24, 2018, Paulson Cheek Mechanical wired \$256,837.47 to the Matchi Midwest Bank account, as instructed. Prior to receipt of the funds from Paulson Cheek Mechanical, the Katchi Midwest account had a balance of \$100. On or about January 26, 2018, after receiving the funds from Paulson Cheek Mechanical, Respondent withdrew \$27,000 in four separate transactions from the Katchi Midwest Bank account.

16. The indictment further alleged that in or around November and December 2018, as part of the scheme to defraud, individual victims and victim companies were deceived into wiring

funds to Respondent's Sparta U.S. Bank account. For example, on or about November 8, 2018, Evelyn Fessenden was contacted by an individual purporting to be "James Deere," via an online dating website. "Deere" pretended to be a wealthy widower and began an online relationship with Fessenden. On November 22, 2018, "Deere" emailed Fessenden that "Deere" was leaving his job as a fund manager to start his own consulting firm, and stated that he wanted to deposit an \$11,000,000 commission he received from an investment from an investment deal into an account in Fessenden's name until he began his new firm. On or about November 26, 2018, "Deere" instructed Fessenden to contact his alleged employer to provide her with instructions. Once Fessenden emailed the alleged employer at the address provided by "Deere," she received an email response requesting that she set up an account with Birmingham Credit Union ("BCU"). On December 6, 2018, Fessenden received an email, purportedly from BCU, that conformed a supposed deposit of the \$11,691,464 which Fessenden believed to be "Deere's" commission. On the same date, Fessenden received another spoofed email requesting \$160,300 for "tax clearance" of the deposit. On or about December 12, 2018, "Deere" instructed Fessenden to wire the funds to the Sparta U.S. Bank account. On the same day, Fessenden wired \$100,000 to the Sparta U.S. Bank account. On or about December 14, 2018, Fessenden wired an additional \$11,000 to the Sparta U.S. Bank account. On December 13, 2018, Respondent transferred \$82,500 from the Sparta U.S. Bank account to TCL Air Conditioner, Zhongshan Company, a foreign corporation. On or about December 14, 2018, Respondent transferred a total of \$78,400 from the Sparta U.S. Bank account to his personal account at TD Bank.

17. Count One of the indictment alleged that Respondent committed the offense of wire fraud in violation of 18 United States Code Section 1343 when he used wire communications to

obtain \$30,427 from Maclover Linhares and Pablah Shwartz by means of materially false and fraudulent pretenses, representations, and promises.

18. Count Two of the indictment alleged that Respondent committed the offense of wire fraud in violation of 18 United States Code Section 1343 when he used wire communications to obtain \$100,000 from Evelyn Fessenden by means of materially false and fraudulent pretenses, representations, and promises.

19. Count Three of the indictment alleged that Respondent committed the offense of money laundering in violation of 18 United States Code Section 1956(a)(1)(B)(i) when on August 24, 2017 he transferred \$7,500 from the Phoenicia PNC Bank account to his personal account at PNC Bank, knowing that the funds were proceeds of unlawful activity.

20. Count Four of the indictment alleged that Respondent committed the offense of unlawful monetary transactions in violation of 18 United States Code Section 1957 when on December 13, 2018 he wired \$82,500 from the Sparta U.S. Bank account to TCL Air Conditioner, Zhongshan Company, knowing those funds were derived from illegal activity.

21. Count Five of the indictment alleged that Respondent committed the offense of unlawful monetary in violation of 18 United States Code Section 1957 when on December 14, 2018 he wired \$39,200 from the Sparta U.S. Bank account to his personal account at TD Bank.

22. Count Six of the indictment alleged that Respondent committed the offense of money laundering conspiracy in violation of 18 United States Code Section 1956(h) when, between June 2017 through January 2019, he sent bank wires knowing that the funds involved were proceeds of unlawful activity, and knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of that unlawful activity.

23. As a result of the order of conviction described in paragraph three, above,

Respondent has engaged in the following misconduct:

- a. committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, by conduct including committing the offenses of wire fraud, money laundering, unlawful monetary transactions, and money laundering conspiracy in violation of Title 18, United States Code, Sections 1343, 1343, 1956(a)(1)(i), 1957, and 1956(h), respectively, in violation of 8.4(a)(3) of the Illinois Rules of Professional Conduct (1990).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held pursuant to Rule 761(d), and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

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