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CLERK, U.S. DISTRICT COURT
9/20/2023
CENTRAL DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMADOU KANE DIALLO,

Defendant.

No. 8:23-cr-00054 (A) -JWH

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

[18 U.S.C. § 1343: Wire Fraud;
18 U.S.C. § 1957: Engaging in
Monetary Transactions in
Criminally Derived Proceeds; 15
U.S.C. § 78dd-2: Violation of the
Foreign Corrupt Practices Act;
18 U.S.C. § 2(a): Aiding and
Abetting; 18 U.S.C. § 2(b):
Causing an Act to be Done;
18 U.S.C. §§ 981(a)(1)(c) and
982(a)(1), and 28 U.S.C.
§ 2461(c): Criminal Forfeiture]

The Grand Jury charges:

COUNTS ONE THROUGH NINETEEN

[18 U.S.C. § 1343]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1 1. The Foreign Corrupt Practices Act of 1977, as amended,
2 Title 15, United States Code, Sections 78dd-1 et seq. (the "FCPA"),
3 was enacted by Congress for the purpose of, among other things,
4 making it unlawful to act corruptly in furtherance of an offer,
5 promise, authorization, or payment of money or anything of value,
6 directly or indirectly, to a foreign official for the purpose of
7 assisting in obtaining or retaining business for, or directing
8 business to, any person.

9 2. Defendant AMADOU KANE DIALLO was a resident of Orange
10 County, California, within the Central District of California, a
11 Senegalese national, and a Lawful Permanent Resident ("LPR") of the
12 United States. Defendant DIALLO was the Chief Executive Officer
13 ("C.E.O."), an employee, and agent of Virtual Advisors, LLC ("Virtual
14 Advisors"), and the C.E.O., Chief Financial Officer, Secretary, an
15 employee, and agent of Liquide, Inc. ("Liquide"). Defendant DIALLO
16 was a "domestic concern" and an officer, employee, and agent of a
17 "domestic concern" as that term is defined in the FCPA, Title 15,
18 United States Code, Section 78dd-2(h)(1)(A).

19 3. Virtual Advisors was a limited liability company organized
20 under the laws of California with its principal place of business in
21 Newport Beach, California, within the Central District of California.
22 Virtual Advisors was a "domestic concern," as that term is defined in
23 the FCPA, Title 15, United States Code, Section 78dd-2(h)(1)(B).

24 4. Liquide was a corporation organized under the laws of
25 California with its principal place of business in Newport Beach,
26 California, within the Central District of California. Liquide was a
27 "domestic concern," as that term is defined in the FCPA, Title 15,
28 United States Code, Section 78dd-2(h)(1)(B).

1 5. As part of his duties as an officer, employee, and agent of
2 Virtual Advisors and Liquide, defendant DIALLO had signature
3 authority for and access to the following Virtual Advisors and
4 Liquide bank accounts:

5 a. U.S. Bancorp ("U.S. Bank") account ending in 8351 in
6 the name of Virtual Advisors ("U.S. Bank 8351"), which defendant
7 DIALLO opened, operated, and maintained in the Central District of
8 California; and

9 b. U.S. Bank account ending 6564 in the name of Liquide
10 ("U.S. Bank 6564"), which defendant DIALLO opened, operated, and
11 maintained in the Central District of California.

12 6. Official 1, an individual whose identity is known to the
13 Grand Jury and defendant DIALLO, was an official in the government of
14 Senegal. Official 1, a citizen of Senegal, was an employee of the
15 government of Senegal and a department, agency, and instrumentality
16 thereof, and was acting in an official capacity on behalf of a
17 foreign government, and a department, agency, and instrumentality
18 thereof, in exercising responsibilities related to real estate
19 development, investment, and government contracting. Official 1 was
20 a "foreign official" as that term is defined in the FCPA, Title 15,
21 United States Code, Section 78dd-2(h)(2)(A).

22 7. Official 2, an individual whose identity is known to the
23 Grand Jury and defendant DIALLO, was a citizen of Senegal and an
24 official of the government of Senegal. Official 2 was an employee of
25 the government of Senegal and a department, agency, and
26 instrumentality thereof, and was acting in an official capacity on
27 behalf of a foreign government, and a department, agency, and
28 instrumentality thereof, in exercising responsibilities related to

1 real estate development, investment, and government contracting.
2 Official 2 was a "foreign official" as that term is defined in the
3 FCPA, Title 15, United States Code, Section 78dd-2(h)(2)(A).

4 B. THE SCHEME TO DEFRAUD

5 8. Beginning in or around 2015, and continuing through at
6 least in or around January 2020, in Orange County, within the Central
7 District of California, and elsewhere, defendant DIALLO, knowingly
8 and with intent to defraud, devised, participated in, and executed a
9 scheme to defraud victim-investors as to material matters, and to
10 obtain money and property from such victim-investors by means of
11 material false and fraudulent pretenses, representations, and
12 promises, and the concealment of material facts, relating to
13 investments in Virtual Advisors and Liquide.

14 9. The scheme to defraud operated, in substance, as follows:

15 a. Defendant DIALLO, on his own behalf and on behalf of
16 Virtual Advisors and Liquide, falsely represented himself to be a
17 self-made millionaire and successful entrepreneur who had become
18 wealthy working in e-commerce, information technology, and other
19 industries. To signal to the victim-investors his success as a
20 businessman, defendant DIALLO flaunted his ownership of luxury homes
21 and vehicles, falsely claimed that he owned them debt-free, and at
22 times falsely claimed to be one of the richest men in Africa.

23 b. Defendant DIALLO contacted potential victim-investors,
24 mostly his friends and acquaintances, and solicited their investment
25 with him and his companies. Defendant DIALLO presented varying
26 investment opportunities to potential victim-investors, including
27 business ventures in technology, healthcare, real estate, home
28 ownership, and service to the African diaspora. In furtherance of

1 the scheme to defraud, defendant DIALLO falsely represented to
2 potential victim-investors that he could self-finance the proposed
3 business ventures without additional investor funds, instead claiming
4 that the purpose of their investment was to satisfy institutional
5 investors who would require potential victim-investors to show "skin
6 in the game" - i.e., a contribution to the business ventures.

7 c. On multiple occasions, to further the scheme to
8 defraud, defendant DIALLO falsely represented to potential victim-
9 investors that he had previously raised hundreds of millions of
10 dollars for Investment Firm A for a real estate investment fund. In
11 fact, as defendant DIALLO then knew, defendant DIALLO never raised
12 funds for Investment Firm A.

13 d. At various times, defendant DIALLO falsely represented
14 that potential victim-investors' funds would (i) be used to further
15 interests and objectives of the victim-investors, or (ii) not be
16 expended at all, and instead merely serve as "skin in the game,"
17 permitting a victim-investor to participate in the success of
18 defendant DIALLO's purported business ventures and attract
19 institutional investors. In at least one instance, defendant DIALLO
20 specifically represented in a victim-investor's promissory note that
21 the victim-investor's funds would be used for business operations,
22 and not be used for any personal, family, or household purpose.
23 Defendant DIALLO's false representations lulled victim-investors into
24 a false belief that investing in defendant DIALLO's companies
25 presented substantial upside with little to no risk. In fact,
26 contrary to defendant DIALLO's representations to potential victim-
27 investors, defendant DIALLO intended to use their funds for his own
28 personal expenses and to support his high-end lifestyle.

1 e. In furtherance of the scheme, defendant DIALLO caused
2 each victim-investor to sign a one-year convertible promissory note
3 that falsely guaranteed a minimum ten percent return on investment
4 and return of principal, with the option to convert the note into
5 equity at the maturity date. In fact, defendant DIALLO never paid
6 victim-investors the promised return on investment and never returned
7 their principal investment.

8 f. Victim-investors, in reliance on these false
9 statements, transferred their funds to defendant DIALLO, Virtual
10 Advisors, and Liquide. In some instances, and at the direction of
11 defendant DIALLO, victim-investors transferred funds from their
12 retirement accounts.

13 g. Defendant DIALLO used the majority of victim-
14 investors' funds on personal expenses, including: (1) rent payments
15 on his home (which he did not, in fact, own); (2) luxury vehicles,
16 including payments for a Rolls-Royce and a Ferrari; (3) clothes and
17 other personal shopping and dining; (4) fitness club memberships and
18 spas; and (5) Amazon purchases. Additionally, unbeknownst to victim-
19 investors, defendant DIALLO used victim-investor funds to lavishly
20 host and entertain foreign government officials.

21 h. By means of the fraudulent scheme described above,
22 defendant DIALLO caused at least 11 victim-investors to pay him,
23 Virtual Advisors, and Liquide approximately \$1,878,729.

24 i. At the time the false and fraudulent pretenses,
25 representations, promises, and omitted facts described above were
26 made, defendant DIALLO knew they were being made, and knew they were
27 false. The false and fraudulent pretenses, representations,
28 promises, and omitted facts were material because they were capable

1 of influencing and did influence the decisions of victim-investors,
2 or potential victim-investors.

3 C. USE OF INTERSTATE WIRES

4 10. On or about the dates set forth below, in Orange County,
5 within the Central District of California, and elsewhere, for the
6 purpose of executing the above-described scheme to defraud, defendant
7 DIALLO transmitted and caused the transmission of the following items
8 by means of wire communication in interstate and foreign commerce:

COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
ONE	5/9/2018	Virtual Advisors U.S. Bank 8351	\$20,000	Electronic funds transfer from Victim Z.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
TWO	5/9/2018	Virtual Advisors U.S. Bank 8351	\$50,000	Electronic funds transfer from Victim Z.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
THREE	5/15/2018	Virtual Advisors U.S. Bank 8351	\$100,000	Electronic funds transfer from Victim T.C. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.

COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
FOUR	6/5/2018	Virtual Advisors U.S. Bank 8351	\$30,000	Electronic funds transfer from Victim Z.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
FIVE	6/18/2018	Virtual Advisors U.S. Bank 8351	\$39,000	Electronic funds transfer from Victim A.M. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
SIX	7/12/2018	Virtual Advisors U.S. Bank 8351	\$49,000	Electronic funds transfer from Victim A.M. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
SEVEN	8/3/2018	Virtual Advisors U.S. Bank 8351	\$100,000	Electronic funds transfer from Victim T.C. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
EIGHT	8/15/2018	Virtual Advisors U.S. Bank 8351	\$10,000	Electronic funds transfer from Victim Z.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.

COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
NINE	9/26/2018	Virtual Advisors U.S. Bank 8351	\$25,000	Electronic funds transfer from Victim M.M. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
TEN	10/10/2018	Virtual Advisors U.S. Bank 8351	\$20,000	Electronic funds transfer from Victim B.P. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
ELEVEN	10/30/2018	Virtual Advisors U.S. Bank 8351	\$252,000	Electronic funds transfer from Victim W.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
TWELVE	10/31/2018	Virtual Advisors U.S. Bank 8351	\$85,000	Electronic funds transfer from Victim M.P. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
THIRTEEN	12/13/2018	Virtual Advisors U.S. Bank 8351	\$81,229.31	Electronic funds transfer from Victim W.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.

COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
FOURTEEN	1/8/2019	Virtual Advisors U.S. Bank 8351	\$330,000	Electronic funds transfer from Victim C.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
FIFTEEN	1/29/2019	Virtual Advisors U.S. Bank 8351	\$10,000	Electronic funds transfer from Victim Z.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
SIXTEEN	2/22/2019	Virtual Advisors U.S. Bank 8351	\$10,000	Electronic funds transfer from Victim T.C. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Virtual Advisors U.S. Bank 8351.
SEVENTEEN	2/26/2019	Liquide U.S. Bank 6564	\$112,000	Electronic funds transfer from Victim A.N. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Liquide U.S. Bank 6564.
EIGHTEEN	4/24/2019	Liquide U.S. Bank 6564	\$170,000	Electronic funds transfer from Victim C.K. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Liquide U.S. Bank 6564.

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COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
NINETEEN	5/29/2019	Liquide U.S. Bank 6564	\$50,000	Electronic funds transfer from Victim T.C. through Federal Reserve Bank of New York data centers in New Jersey and Texas to Liquide U.S. Bank 6564.

COUNTS TWENTY AND TWENTY-ONE

[18 U.S.C. § 1957]

11. The Grand Jury incorporates paragraphs 1 through 10 of this Indictment here.

12. On or about the dates set forth below, in Orange County, within the Central District of California, and elsewhere, defendant AMADOU KANE DIALLO knowingly engaged in the following monetary transactions of a value greater than \$10,000, involving funds he knew to be criminally derived property, which property, in fact, was derived from specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, as alleged in Counts One through Nineteen of this Indictment.

COUNT	DATE	ACCOUNT	AMOUNT	INTERSTATE WIRE TRANSMISSION
TWENTY	5/16/2018	Virtual Advisors U.S. Bank 8351	\$133,778.28	Wire transfer to bank account of British Motorcars, LLC DBA Rolls-Royce Motor Cars Orange County for the purchase of a used 2010 Rolls-Royce Ghost.
TWENTY-ONE	11/14/2018	Virtual Advisors U.S. Bank 8351	\$177,185.08	Wire transfer to bank account of O'Gara Coach San Diego, LLC for the purchase of a used 2013 Ferrari Spider 458.

COUNT TWENTY-TWO

[15 U.S.C. § 78dd-2; 18 U.S.C. §§ 2(a), (b)]

13. The Grand Jury incorporates paragraphs 1 through 12 of this Indictment here.

14. In addition to, and in connection with, defendant DIALLO's fraudulent scheme described above, defendant DIALLO corruptly sought a grant of land in Senegal from Senegalese government officials, from which defendant DIALLO intended to extract value by taking a loan on the property that defendant DIALLO sought to corruptly obtain, or by other means. Defendant DIALLO's corrupt efforts included the following, among others:

a. In or around November 2018, and in furtherance of his corrupt efforts to obtain a grant of land in Senegal from government officials, defendant DIALLO hosted Official 1 in Orange County, California and provided him with luxury accommodations, transportation, and lavish entertainment. Among other things, defendant DIALLO chartered a helicopter for Official 1 to attend a Los Angeles Lakers basketball game.

b. In or around December 2018, after receiving an invitation from Official 2 to visit Senegal, defendant DIALLO, accompanied by other victim-investors, traveled to Senegal. In Senegal, defendant DIALLO attended a meeting with Official 2 on or about December 31, 2018, and in an effort to induce Official 2 to authorize the land-grant that defendant DIALLO sought, defendant DIALLO corruptly offered to provide five vehicles to Official 2 to assist with a political campaign.

15. On or about November 24, 2018, in Orange County, within the Central District of California, and elsewhere, defendant DIALLO,

1 being a domestic concern and an officer, employee, and agent of a
2 domestic concern, willfully made use of, and aided, abetted, and
3 willfully caused others to make use of, the mails and means and
4 instrumentalities of interstate commerce corruptly in furtherance of
5 an offer, payment, promise to pay and authorization of the payment of
6 any money, offer, gift, promise to give and authorization of the
7 giving of anything of value to a foreign official, to a foreign
8 political party and official thereof, and to a person while knowing
9 that all and a portion of such money and thing of value would be and
10 had been offered, given and promised to a foreign official and to a
11 foreign political party and official thereof, for purposes of: (i)
12 influencing acts and decisions of such foreign official, foreign
13 political party and official thereof in his, her, or its official
14 capacity; (ii) inducing such foreign official, foreign political
15 party, and official thereof to do and omit to do acts in violation of
16 the lawful duty of such official and party; (iii) securing any
17 improper advantage; and (iv) inducing such foreign official, foreign
18 political party, and official thereof to use his, her, or its
19 influence with a foreign government and agencies and
20 instrumentalities thereof to affect and influence acts and decisions
21 of such government and agencies and instrumentalities, in order to
22 assist defendant DIALLO, Virtual Advisors, and Liquide in obtaining
23 and retaining business for and with, and directing business to,
24 defendant DIALLO, Virtual Advisors, and Liquide, as set forth below:

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COUNT	ACCOUNT	AMOUNT	USE OF MAILES & MEANS OF INTERSTATE COMMERCE
TWENTY-TWO	Virtual Advisors U.S. Bank 8351	3,090.00	Debit card transaction drawing on Virtual Advisors U.S. Bank 8351, in payment to Helistream, Inc., for the charter of a helicopter flight for Official 1

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

16. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offenses set forth in any of Counts One through Nineteen and Twenty-Two of this Indictment.

17. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds traceable to the offenses; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

18. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph or any portion thereof (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 that cannot be divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. § 982(a)(1)]

19. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 982(a)(1), in the event of the defendant's conviction of the offenses set forth in any of Counts Twenty and Twenty-One of this Indictment.

20. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) Any property, real or personal, involved in such offense, and any property traceable to such property; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

21. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof

(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 that cannot be divided without difficulty.

Substitution of assets shall not be ordered, however, where the convicted defendant acted merely as an intermediary who handled but

1 did not retain the property in the course of the money laundering
2 offense unless the defendant, in committing the offense or offenses
3 giving rise to the forfeiture, conducted three or more separate
4 transactions involving a total of \$100,000 or more in any twelve-
5 month period.

6
7
8 A TRUE BILL

9 /s/

10 Foreperson

11 E. MARTIN ESTRADA
12 United States Attorney

GLENN S. LEON
Chief, Fraud Section
U.S. Department of Justice

13 

14 **Glenn Leon**

Digitally signed by Glenn
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Date: 2023.09.19 15:36:18
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