

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN DOE, a/k/a
“coronavirusmedicalkit.com,”

Defendant.

Case No. A-20-CV-306

**COMPLAINT FOR TEMPORARY RESTRAINING ORDER,
PRELIMINARY INJUNCTION, AND PERMANENT INJUNCTION**

For its Complaint against Defendant John Doe (“Defendant”), the United States of America (“United States”) alleges as follows:

INTRODUCTION

1. Defendant is engaging in and facilitating a predatory wire fraud scheme exploiting the current COVID-19 pandemic.
2. On March 3, 2020, NameCheap, Inc. registered on behalf of Doe the website “coronavirusmedicalkit.com,” which promotes and purports to allow consumers to order free World Health Organization “vaccine kits” if they pay \$4.95 for shipping.
3. The claims made on the “coronavirusmedicalkit.com” website are false. The World Health Organization is not offering free vaccine kits for COVID-19.
4. The purpose of the website is to induce victims to pay Doe and those working in concert with him or her \$4.95 for such non-existent kits, and/or to obtain credit card and other personal information from victims for purposes of engaging in fraudulent purchases and identity theft.

5. The United States seeks to prevent continuing and substantial injury to victims of this fraudulent scheme by bringing this civil action under 18 U.S.C. § 1345 to enjoin Defendant's ongoing wire fraud in violation of 18 U.S.C. § 1343.

JURISDICTION AND VENUE

6. The Court has subject matter jurisdiction over this action under 18 U.S.C. § 1345 and 28 U.S.C. §§ 1331 and 1345.

7. Venue is proper in this district under 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to the claim occurred in this district.

THE PARTIES

8. Plaintiff is the United States of America.

9. Defendant John Doe, acting alone or in concert with others, is the unknown registrant of "coronavirusmedicalkit.com" who has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint.

FRAUDULENT SCHEME

10. On March 19, 2020, FBI Supervisory Special Agent Jordan L. Loyd, from a computer located in Austin, Texas, visited the website coronavirusmedicalkit.com and observed the following statement: "Due to the recent outbreak for the Coronavirus (COVID-19) the World Health Organization is giving away vaccine kits. Just pay \$4.95 for shipping."

11. The website contains a link directing consumers to "Order Now." Clicking on the link takes consumers to a page bearing the FedEx logo that asks of the visitor to input credit card and billing information.

12. The claims made on the "coronavirusmedicalkit.com" website are false and fraudulent, as the participants in the scheme know that the World Health Organization is not

giving away free vaccine kits and that individuals who visit the website cannot order such a kit by paying \$4.95 for shipping.

13. The website uses a photograph of Dr. Anthony Fauci, the head of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health, in order to add the imprimatur of the United States government to its claims.

14. NameCheap, Inc. plays a critical role in the scheme by serving as the domain registrar of the website, which allows potential victims to access the website.

15. On March 19, 2020, the Department of Justice informed NameCheap, Inc. of the fraudulent statements made on the “coronavirusmedicalkit.com” website. As of 5:50 PM CST on March 21, 2020, the website is still accessible to the public.

16. Victims suffer identity theft and financial losses from the wire fraud scheme engaged in and facilitated by Defendant.

17. Absent injunctive relief by this Court, Defendant’s conduct will continue to cause injury to victims.

COUNT ONE
18 U.S.C. § 1345

18. The United States re-alleges and incorporates each of the preceding paragraphs as though fully set forth herein.

19. By reason of the conduct described herein, Defendant has violated, is violating, and is about to violate 18 U.S.C. § 1343 by engaging in and facilitating a scheme and artifice to defraud and obtain money or property by means of false or fraudulent representations with the intent to defraud, and, in so doing, use interstate or foreign wire communications.

20. Upon a showing that Defendant is committing or about to commit a violation of 18 U.S.C. § 1343, the United States is entitled, under 18 U.S.C. § 1345, to seek a temporary

restraining order, a preliminary injunction, and a permanent injunction restraining all future fraudulent conduct. The Court may also grant such other relief it deems just and proper to prevent a continuing and substantial injury to victims of the fraud scheme.

21. As a result of the foregoing, the Court should enjoin Defendant's conduct under 18 U.S.C. § 1345.

PRAYER FOR RELIEF

WHEREFORE, the United States requests judgment in its favor and against the Defendant, including the following relief:

A. That the Court issue an order, pursuant to 18 U.S.C. § 1345, pending a hearing and determination of the United States' application for a preliminary injunction, that Defendant, its agents, officers, and employees, and all other persons or entities in active concert or participation with them, are temporarily restrained from committing wire fraud, as defined by 18 U.S.C. § 1343, and from maintaining and doing business through the use of the domain "coronavirusmedicalkit.com;"

B. That the Court issue a preliminary injunction, pursuant to 18 U.S.C. § 1345, on the same basis and to the same effect;

C. That the Court issue a permanent injunction, pursuant to 18 U.S.C. § 1345, on the same basis and to the same effect;

D. All such further relief as may be just and proper.

Dated: March 21, 2020

JOSEPH H. HUNT
Assistant Attorney General

GUSTAV W. EYLER
Director
Consumer Protection Branch

ROSS S. GOLDSTEIN
Senior Litigation Counsel
D.C. Bar No. 480280
U.S. Department of Justice
Consumer Protection Branch
P.O. Box 386
Washington, DC 20044
(202) 353-4218
ross.goldstein@usdoj.gov

Respectfully submitted,

JOHN F. BASH
United States Attorney

/s/ Thomas A. Parnham, Jr.
THOMAS A. PARNHAM, JR.
New York Bar No. 4775706
MICHAEL C. GALDO
Virginia Bar No. 75696
Assistant United States Attorneys
903 San Jacinto Blvd, Suite 334
Austin, Texas 78701
Tel: (512) 916-5858 | Fax: (512) 916-5854
Email: thomas.parnham@usdoj.gov
Email: michael.galdo@usdoj.gov

Counsel for the United States