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U.S. DISTRICT COURT  
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DISTRICT OF UTAH  
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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA )

v. Plaintiff, )

THOMAS J. ROBBINS )

Defendant. )

**SEALED**

Judge Dee Benson  
DECK TYPE: Criminal  
DATE STAMP: 05/11/2006 @ 13:12:04  
CASE NUMBER: 2:06CR00315 DB

**SEALED INDICTMENT**

VIO.

18 U.S.C. § 371 – Conspiracy

18 U.S.C. § 1343 – Wire Fraud

15 U.S.C. §§ 78j(b), 78ff; 17 C.F.R. §  
240.10b-5; 18 U.S.C. § 2 – Securities  
Fraud and Aiding and Abetting

15 U.S.C. §§ 77q(a) and 77x; 18  
U.S.C. § 2 – False Statements and  
Material Omissions in the Sale of  
Securities

15 U.S.C. §§ 77e, 77x; 18 U.S.C. § 2 –  
Sale of Unregistered Securities

15 U.S.C.A. § 78o(a)(1), 78ff – Sale  
of Securities by Unregistered Broker

THE GRAND JURY CHARGES:

COUNT ONE

(18 U.S.C. § 371 – Conspiracy)

PARTIES, PERSONS, AND ENTITIES

At all times relevant to this indictment:

1. TEK Corp. (TEK) was a corporation incorporated in Utah. TEK claimed to be a charitable organization in the business of providing funding for the advancement of educational opportunities in underserved communities throughout the world. TEK was not a publicly held corporation.
2. Defendant THOMAS J. ROBBINS, a resident of Fillmore, Utah, was the president, Chief Executive Officer, and a director of TEK. ROBBINS was purportedly responsible for trading stocks and facilitating the purchase of and investment in high yield European bank bonds.
3. DOUGLAS L. LITSTER, a former resident of Wellington, Utah, and current resident of Salt Lake County, Utah, was a director of TEK. LITSTER was responsible for soliciting investors in TEK and conducting investor relations on behalf of TEK.
4. CLAIR W. COX, a resident of Ogden, Utah, was the secretary, treasurer, Chief Financial Officer, and a director of TEK. COX, who is a licensed member of the Georgia Bar, also served as TEK's in-house counsel. COX was responsible for drafting

the investment contracts and promissory notes signed by TEK investors.

5. RICHARD C. BYBEE, a resident of Salt Lake City, Utah, was Vice President, Chief Operating Officer, and director of TEK. BYBEE was responsible for designing TEK's Internet site and soliciting investors to invest in TEK.

6. S. SCOTT ALDER, a resident of St. George, Utah, solicited investors and potential investors to invest in TEK.

### THE CONSPIRACY

7. From on or about November 15, 1999, and continuing at least until in or about December 2003, within the Central Division of the District of Utah, and elsewhere,

### **THOMAS J. ROBBINS**

DEFENDANT herein, and Douglas Litster, Clair Cox, Richard Bybee, and Scott Alder, and others known and unknown to the Grand Jury, did unlawfully, willfully, and knowingly combine, conspire, confederate, and agree together to commit offenses against the United States, that is:

- A. To violate Title 18, United States Code, Section 1343;
- B. To violate Title 15, United States Code, Sections 77q(a) and 77x, and Title 18, United States Code, Section 2;
- C. To violate Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5;
- D. To violate Title 15, United States Code, Sections 77e and 77x, and Title 18,

United States Code, Section 2; and,

- E. To violate Title 15, United States Code, Sections 78o(a)(1) and 78ff, and Title 18, United States Code Section 2.

THE OBJECTIVES OF THE CONSPIRACY

8. It was a part and an object of the conspiracy that the DEFENDANT and his co-conspirators, having devised and intending to devise and carry out a scheme to defraud investors in TEK and to obtain money and property from potential TEK investors by means of false and fraudulent pretenses, representations and promises and for purposes of executing this fraudulent scheme, did knowingly use or cause to be used interstate wire communications, in violation of Title 18, United States Code, Section 1343; and

9. It further was a part and an object of the conspiracy that the DEFENDANT and his co-conspirators did knowingly and willfully and with the intent to defraud, directly and indirectly, in connection with the purchase and sale of securities: (1) employ a device, scheme, and artifice to defraud; (2) obtain money and property by means of omissions to state material facts necessary in order to make statements made, in light of the circumstances under which they were made, not misleading; and (3) engage in transactions, acts, practices, and courses of business which would operate and did operate as a fraud and deceit upon the purchasers, in violation of Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5; and Title 18 United States Code, Section 2.

10. It further was a part and an object of the conspiracy that the DEFENDANT

and his co-conspirators, in the offer and sale of securities, that is Promissory Notes and investment contracts referred to as Private Transaction Joint Venture Agreements entered into by the DEFENDANT and his co-conspirators on behalf of TEK, and by the use of means and instruments of transportation and communication in interstate commerce and by the use of the mails, did willfully obtain money and property by means of omissions to state material facts necessary in order to make statements made, in light of the circumstances under which they were made, not misleading in violation of Title 15, United States Code, Sections 77q(a) and 77x and Title 18, United States Code, Section 2.

11. It further was a part and an object of the conspiracy that the DEFENDANT and his co-conspirators did willfully, by use of the means and instruments of transportation and communication in interstate commerce, and by use of the mails, sell securities of TEK through the use or medium of any prospectus or otherwise when no registration statement was in effect as to such securities; and to offer to sell securities of TEK, through the use or medium of any prospectus or otherwise, when no registration statement was filed as to such securities in violation of Title 15, United States Code, Sections 77e and 77x and Title 18, United States Code Section 2.

12. It further was a part and an object of the conspiracy that the DEFENDANT and his co-conspirators willfully made use of the mails and other means and instrumentalities of interstate commerce to effect transactions in, and to induce and attempt to induce the purchase and sale of, securities, namely Promissory Notes and Private Transaction Joint Venture Agreements with TEK, without first becoming a broker

or dealer registered in accordance with Title 15, United States Code, Section 78o(b), and without being associated with a broker or dealer who was so registered, all in violation of Title 15, United States Code, Sections 78o(a)(1) and 78ff, and Title 18, United States Code Section 2.

MANNER AND MEANS OF THE CONSPIRACY

13. Among the means by which the DEFENDANT and his co-conspirators would and did carry out the conspiracy were the following:

The Day Trading Scheme

14. It was a part of the conspiracy that the DEFENDANT and his co-conspirators solicited money from investors and potential investors to invest in TEK by representing that their investments would be used by TEK to invest in stocks.

15. It was further part of the scheme that the DEFENDANT and his co-conspirators told investors and potential investors that ROBBINS, using a proprietary computer program, could make a guaranteed two percent profit on each stock transaction he completed on behalf of TEK. The DEFENDANT and his co-conspirators promised investors and potential investors that they would receive returns of 25 percent per month on each dollar they invested in TEK to be used in this the day-trading scheme.

16. It was further part of the scheme that the DEFENDANT and his co-conspirators caused the investors in the day-trading scheme to sign promissory notes with TEK in which the investors purported to loan money to TEK for twenty-four months.

17. It was further part of the scheme that the DEFENDANT and his co-

conspirators caused the investors' funds to be deposited into an account at Wells Fargo Bank held in the name of "I Trust," which account was controlled by the DEFENDANT.

18. It was further part of the scheme that the DEFENDANT and his co-conspirators transferred and caused to be transferred money from the I Trust account into a brokerage account at Datek that was controlled by the DEFENDANT.

19. It was further part of the scheme that the DEFENDANT engaged in day-trading activity using the TEK investors' funds; the DEFENDANT realized a net loss of more than \$50,000 on the trades he performed using this brokerage account.

20. It was further part of the scheme that the DEFENDANT and his co-conspirators, knowing that the DEFENDANT had not made profits through trading stocks, but had in truth and in fact lost money through his day-trading activities, falsely represented to investors and potential investors that TEK had made substantial profits from its day-trading activities.

21. It was further part of the scheme that the DEFENDANT and his co-conspirators periodically paid investors "returns" on their investments in the day-trading program and falsely represented to investors that these "returns" were profit, whereas in truth and fact, as the DEFENDANT and his co-conspirators well knew when they made these representations, the "returns" were derived from the investors' own money or from money obtained from new investors.

#### **The High Yield European Bank Bonds Scheme**

22. It was further part of the scheme that beginning in August of 2002 the

DEFENDANT and his co-conspirators told investors that it was becoming difficult to continue making high returns in the stock market; therefore, the DEFENDANT and his co-conspirators told investors that their money would be redirected to invest in high yield European bank bonds.

23. It was further part of the scheme that the DEFENDANT and his co-conspirators told investors that the DEFENDANT would facilitate and participate in the trading of high yield European bank bonds on behalf of TEK. The DEFENDANT and his co-conspirators promised investors and potential investors that they would receive returns of 100 percent per month on each dollar they invested in TEK to be used in this European bank bonds scheme.

24. It was further part of the scheme that the DEFENDANT and his co-conspirators caused the investors in TEK whose investments were to be used in the European bank bonds scheme to sign Private Transaction Joint Venture Agreements with TEK.

25. It was further part of the scheme that the DEFENDANT and his co-conspirators caused the investors' funds to be deposited into an account at Wells Fargo Bank held in the name of "I Trust," which account was controlled by the DEFENDANT.

26. It was further part of the scheme that the DEFENDANT and his co-conspirators represented to investors and potential investors that the funds they invested in TEK to be used in the European bank bonds scheme would be placed in a "non-depletion" account at Wells Fargo Bank and that the principal invested in the program



would not be subject to risk of loss.

27. It was further part of the scheme that the DEFENDANT and his co-conspirators did not use the funds collected from investors to invest in European bank bonds but rather converted the funds to their own personal use.

28. It was further part of the scheme that the DEFENDANT and his co-conspirators created false and fraudulent account statements that were distributed to investors in TEK; these statements were fraudulent in that they represented that the investors had realized profits of 100 percent per month on their investments.

29. It was further part of the scheme that the DEFENDANT and his co-conspirators occasionally paid investors "returns" on their investments in TEK and falsely represented to investors that these "returns" were profit from the investments in the high yield European bank bonds whereas in truth and fact, as the DEFENDANT and his co-conspirators well knew when they made these representations, the "returns" were derived from the investors' own money or from money obtained from new investors.

30. It was further part of the scheme that, having failed to invest the investors' money in the promised investments, and having spent the investors' money on personal expenditures, the defendant continued to use interstate wire communications to make false representations to the investors assuring them that their principal was safely held in non-depletion accounts and that they were continuing to earn returns on their investments.

#### **False Representations and Material Omissions**

31. It was further part of the scheme that the DEFENDANT and his co-

conspirators made, and caused others to make, untrue statements of material fact and failed to state, and caused others to fail to state, material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; more specifically, the DEFENDANT and his co-conspirators made the following material misrepresentations and failed to inform investors of the following material facts:

- A. The DEFENDANT and his co-conspirators failed to tell investors and potential investors that the DEFENDANT had previously pleaded guilty to two counts of wire fraud;
- B. The DEFENDANT and his co-conspirators falsely told numerous investors and potential investors that the DEFENDANT had a PhD degree.
- C. The DEFENDANT told numerous investors and potential investors that the day-trading scheme was profitable, whereas the DEFENDANT then and there well knew that the day-trading scheme was not profitable but was losing money;
- D. The DEFENDANT and his co-conspirators told numerous investors and potential investors that the high yield European bank bond scheme was profitable, whereas the DEFENDANT and his co-conspirators then and there well knew that there were no investments made in high yield European bank bonds from the investors' money;
- E. The DEFENDANT and his co-conspirators guaranteed numerous investors

and potential investors that their investments in the day-trading scheme would earn them 25 percent profits per month.

F. The DEFENDANT and his co-conspirators guaranteed numerous investors and potential investors that their investments in the high yield European bank bonds scheme would earn them 100 percent profits per month.

G. The DEFENDANT and his co-conspirators told investors that their investments in the high yield European bank bonds scheme would be placed in a "non-depletion" account and that the principal would never be placed at risk.

#### OVERT ACTS

32. In furtherance of the conspiracy and in order to accomplish its objectives within the District of Utah and elsewhere, the DEFENDANT and his co-conspirators committed overt acts, including the following:

33. On or about November 15, 1999, the DEFENDANT and his co-conspirators caused TEK Corp. to be incorporated in the state of Utah

34. On or about December 4, 2001, the DEFENDANT opened a bank account in the name of I Trust at Wells Fargo Bank.

35. On or about November 21, 2001, the DEFENDANT opened and caused to be opened a brokerage account at Datek in the name of I Trust with ROBBINS as the named account holder.

36. On or about January 22, 2002, the DEFENDANT and his co-conspirators

signed and caused to be signed a promissory note between TEK Corp and J. Cooper.

37. On or about February 26, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a promissory note between TEK Corp and R. Danjanovich

38. On or about September 7, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a Private Transaction Joint Venture Agreement between TEK Corp. and Anasazi Cultural Research Foundation, represented by A. Nielsen.

39. On or about September 10, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a Private Transaction Joint Venture Agreement between TEK Corp. and J.C. Coop Investment Corp., represented by J. Cooper.

40. On or about September 13, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a Private Transaction Joint Venture Agreement between TEK Corp. and B. Woodson.

41. On or about September 10, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a Private Transaction Joint Venture Agreement between TEK Corp. and L. Black.

42. On or about September 10, 2002, the DEFENDANT and his co-conspirators signed and caused to be signed a Private Transaction Joint Venture Agreement between TEK Corp. and T. Lane.

43. From on or about January 22, 2002 to on or about August 28, 2002, the DEFENDANT and his co-conspirators, having solicited approximately 40 individuals to invest in TEK by means of false statements and omissions to state material facts, caused

those investors to make a deposits totaling \$781,416.98 in the I Trust account controlled by DEFENDANT, ostensibly to be used by TEK in the day trading scheme.

44. On or about January 25, 2002, the DEFENDANT and his co-conspirators, having solicited J. Cooper to invest in TEK by means of false statements and omissions to state material facts, caused J. Cooper to make a deposit of \$5,000 in the I Trust account controlled by the DEFENDANT, ostensibly to be used by TEK in the day trading scheme.

45. On or about January 25, 2002, the DEFENDANT and his co-conspirators, having solicited R. Danjanovich to invest in TEK by means of false statements and omissions to state material facts, caused R. Danjanovich to make a deposit of \$5,000 in the I Trust account controlled by the DEFENDANT, ostensibly to be used by TEK in the day trading scheme.

46. On or about August 28, 2002, the DEFENDANT and his co-conspirators, having solicited T. Lane to invest in TEK by means of false statements and omissions to state material facts, caused T. Lane to make a deposit of \$76,796.98 in the I Trust account controlled by the DEFENDANT, ostensibly to be used by TEK in the day trading scheme.

47. From on or about September 9, 2002 to on or about August 15, 2003, the DEFENDANT and his co-conspirators, having solicited various individuals to invest in TEK by means of false statements and omissions to state material facts, caused these investors to make deposits to the I Trust account controlled by the DEFENDANT totaling \$3,033,315.46, ostensibly to be used by TEK in the high yield European bank bonds scheme.

48. On or about September 9, 2002, the DEFENDANT and his co-conspirators, having solicited A. Nelson to invest in TEK by means of false statements and omissions to state material facts, caused A. Nelson to make a deposit of \$5,000 in the I Trust account controlled by DEFENDANT, ostensibly to be used by TEK in the high yield European bank bonds scheme.

49. On or about September 24, 2002, the DEFENDANT and his co-conspirators, having solicited L. Black to invest in TEK by means of false statements and omissions to state material facts, caused L. Black to make a deposit of \$100,000 in the I Trust account controlled by the DEFENDANT, ostensibly to be used by TEK in the high yield European bank bonds scheme.

50. On or about November 15, 2002, the DEFENDANT and his co-conspirators, having solicited B. Woodson to invest in TEK by means of false statements and omissions to state material facts, caused B. Woodson to make a deposit of \$62,000 in the I Trust account controlled by the DEFENDANT, ostensibly to be used by TEK in the high yield European bank bonds scheme.

51. On or about the dates listed below, and as part of the scheme, the DEFENDANT and his co-conspirators caused the following funds to be transferred from the accounts identified below into the accounts identified below using interstate wire communications:

Origin Account	Date	Amount	Destination Account
Wells Fargo 7966	1/23/2002	\$ 70,000.00	Datek acct.

Wells Fargo 7966	1/24/2002	\$11,500.00	Datek acct.
Wells Fargo 7966	1/25/2002	\$10,200.00	Datek acct.
Wells Fargo 7966	1/28/2002	\$60,000.00	Datek acct.
Wells Fargo 7966	1/30/2002	\$60,000.00	Datek acct.
Wells Fargo 7966	2/6/2002	\$30,000.00	Datek acct.
Wells Fargo 7966	2/12/2002	\$280,000.00	Datek acct.
Datek acct.	3/4/2002	\$68,000.00	Wells Fargo 7966
Bank of America 3171	9/24/2002	\$100,000.00	Wells Fargo 7966

52. Moreover, during the course of the scheme to defraud, the DEFENDANT and his co-conspirators caused almost 100 investors to invest more than \$4,543,723.44 in the fraudulent investment schemes.

All in violation of Title 18, United States Code, Section 371.

**COUNTS TWO THROUGH TEN**  
(18 U.S.C. § 1343 – Wire Fraud)

53. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

54. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.

55. Beginning on or about November 21, 2001, and continuing to on or about October 20, 2003, in the Central Division of the District of Utah and elsewhere, the DEFENDANT did knowingly devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

56. It was part of this scheme to defraud and to obtain money and property by materially false and fraudulent pretenses, representations, and promises that the

**DEFENDANT:**

- A. Falsely represented to potential investors that their investment funds would be used only for the purposes of making investments the day trading scheme and the European bank bonds scheme;
- B. Caused investors to sign either promisory notes or Private Transaction Joint Venture Agreements with TEK;
- C. Caused the investors to make deposits in an account held in the name of I Trust, which was owned and controlled by the DEFENDANT;
- D. Did not use the funds so collected for the purpose of making the promised investments but instead used the funds for their own personal expenditures;
- E. Falsely represented to investors that the investors' funds had been invested in the specified investment scheme, whereas the DEFENDANT then and there well knew the funds had not been invested but had been converted to the DEFENDANT's own personal use;
- F. Paid investors "returns" on their investments that were not in fact earnings from the investments but were instead derived from the investors' own investments or from the investments of subsequent investors; and,
- G. Continued to make false statements to the investors that their funds were safely held in non-depletion accounts and were earning interest, whereas the



DEFENDANT knew that the funds were gone and had been spent.

57. On or about the dates set forth below, in the Central Division of the District of Utah,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money and property by false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted, in interstate and foreign commerce, by means of wire, radio, and television communication, writings, signs, signals, pictures, and sounds, namely the DEFENDANT, through the use of interstate wire communications, transferred and caused to be transferred funds in the amounts listed below from the accounts of origin identified to the destination accounts identified below on or about the dates identified:

Count	Origin Account	Date	Amount	Destination Account
2	Wells Fargo 7966	1/23/2002	\$ 70,000.00	Datek acct.
3	Wells Fargo 7966	1/24/2002	\$11,500.00	Datek acct.
4	Wells Fargo 7966	1/25/2002	\$10,200.00	Datek acct.
5	Wells Fargo 7966	1/28/2002	\$60,000.00	Datek acct.
6	Wells Fargo 7966	1/30/2002	\$60,000.00	Datek acct.
7	Wells Fargo 7966	2/6/2002	\$30,000.00	Datek acct.
8	Wells Fargo 7966	2/12/2002	\$280,000.00	Datek acct.
9	Datek acct.	3/4/2002	\$68,000.00	Wells Fargo 7966

10	Bank of America 3171	9/24/2002	\$100,000.00	Wells Fargo 7966
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All in violation of Title 18, United States Code, Sections 1343 and 2.

**COUNTS ELEVEN THROUGH SIXTEEN**

(15 U.S.C. §§ 78j(b) and 78ff; 17 C.F.R. § 240.10b-5; 18 U.S.C. § 2)

58. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

59. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.

60. Paragraph 56 of Counts Two through Ten is realleged and reincorporated herein.

61. Beginning November 15, 1999, and continuing at least until in or about February 2003, in the Central Division of the District of Utah,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully and with the intent to defraud, directly and indirectly, in connection with the purchase and sale of securities: (a) employed a scheme to defraud; (b) made, and caused others to make, untrue statements of material fact and failed to state, and caused others to fail to state, material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engaged in, and caused others to engage in, acts, practices, and courses of business that operated as a fraud and deceit upon other persons.

62. On or about the dates set forth below, in the District of Utah and elsewhere, the DEFENDANT, in furtherance of the fraudulent scheme described above, used and caused others to use, the means and instrumentalities of interstate commerce, the mails, and the facilities of national securities exchanges in connection with the following purchases and sales of securities:

Count	Date	Transaction
11	1/22/02	Promisory Note, J. Cooper
12	9/7/02	Private Transaction Joint Venture Agreement Anasazi Cultural Research Foundation, A. Nielsen
13	9/10/02	Private Transaction Joint Venture Agreement, J.C. Coop Investment Corp., J. Cooper
14	9/13/02	Private Transaction Joint Venture Agreement, B. Woodson
15	9/23/02	Private Transaction Joint Venture Agreement, L. Black
16	9/27/02	Private Transaction Joint Venture Agreement, T. Lane

All in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5.

**COUNT SEVENTEEN**

(15 U.S.C. §§ 78j(b) and 78ff; 17 C.F.R. § 240.10b-5; 18 U.S.C. § 2)

63. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.
64. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.
65. Paragraph 56 of Counts Two through Ten is realleged and reincorporated

herein.

66. On or about February 26, 2002, in the Central Division of the District of Utah,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by each other and others known and unknown to the Grand Jury, having employed a scheme to defraud; made, and caused others to make, untrue statements of material fact and failed to state, and caused others to fail to state, material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and engaged in, and caused others to engage in, acts, practices, and courses of business that operated as a fraud and deceit upon other persons, did knowingly and willfully and with the intent to defraud, in furtherance of the fraudulent scheme described above, use and cause others to use, the means and instrumentalities of interstate commerce and the mails in connection with the purchase and sale of a security, namely a Promissory Note between R. Danjanovich and TEK, all in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5.

**COUNT EIGHTEEN**

(15 U.S.C. §§ 77q(a), 77x; 18 U.S.C. § 2)

67. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

68. Paragraphs 11 through 43 of Count One are realleged and reincorporated

herein.

69. Paragraph 56 of Counts Two through Ten is realleged and reincorporated

herein.

70. Beginning on or about November 21, 2001, and continuing to on or about October 20, 2003, in the Central Division of the District of Utah and elsewhere,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, in the offer and sale of securities, that is Promissory Notes and investment contracts referred to as Private Transaction Joint Venture Agreements that were sold by TEK, and by the use of means and instruments of transportation and communication in interstate commerce, and by the use of the mails, did willfully obtain money and property by means of omissions to state material facts necessary in order to make statements made, in light of the circumstances under which they were made, not misleading, in that the DEFENDANT willfully failed to inform investors and potential investors in TEK that the DEFENDANT had been convicted of wire fraud, a material fact necessary for investors to adequately assess the risk associated with their investment in TEK, all in violation of Title 15, United States Code, Sections 77q(a) and 77x and Title 18, United States Code, Section 2.

**COUNT NINETEEN**

(15 U.S.C. §§ 77q(a), 77x; 18 U.S.C. § 2)

71. Paragraphs 1 through 5 of Count One are realleged and reincorporated

herein.

72. Paragraphs 11 through 43 of Count One are realleged and reincorporated

herein.

73. Paragraph 56 of Counts Two through Ten is realleged and reincorporated

herein.

74. Beginning on or about November 21, 2001, and continuing to on or about August 28, 2002, in the Central Division of the District of Utah and elsewhere,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, in the offer and sale of securities, that is Promissory Notes and investment contracts referred to as Private Transaction Joint Venture Agreements that were sold by TEK, and by the use of means and instruments of transportation and communication in interstate commerce, and by the use of the mails, did willfully obtain money and property by means of omissions to state material facts necessary in order to make statements made, in light of the circumstances under which they were made, not misleading, in that the DEFENDANT willfully failed to inform investors and potential investors that TEK did not generate funds sufficient to pay the promised 25 percent per month return on day-trading investments, all in violation of Title 15, United States Code, Sections 77q(a) and 77x and Title 18, United States Code, Section 2.

**COUNT TWENTY**

(15 U.S.C. §§ 77q(a), 77x; 18 U.S.C. § 2)

75. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

76. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.

77. Paragraph 56 of Counts Two through Ten is realleged and reincorporated herein.

78. Beginning on or about September 9, 2002, and continuing to on or about October 20, 2003, in the Central Division of the District of Utah and elsewhere,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, in the offer and sale of securities, that is Promissory Notes and investment contracts referred to as Private Transaction Joint Venture Agreements that were sold by TEK, and by the use of means and instruments of transportation and communication in interstate commerce, and by the use of the mails, did willfully obtain money and property by means of omissions to state material facts necessary in order to make statements made, in light of the circumstances under which they were made, not misleading, in that the DEFENDANT willfully failed to inform investors and potential investors that TEK did not generate funds sufficient to pay the promised 100 percent per month return on the

high yield European bank bond investments, all in violation of Title 15, United States Code, Sections 77q(a) and 77x and Title 18, United States Code, Section 2.

**COUNT TWENTY ONE**

(15 U.S.C. §§ 78o(a)(1) and 78ff; 18 U.S.C. § 2)

79. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

80. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.

81. Paragraph 56 of Counts Two through Ten is realleged and reincorporated herein.

82. Beginning on or about November 21, 2001, and continuing to on or about October 20, 2003 in the Central Division of the District of Utah and elsewhere,

**THOMAS J. ROBBINS**

DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, did willfully, by use of the means and instruments of transportation and communication in interstate commerce, and by use of the mails, sell securities of TEK through the use or medium of any prospectus and otherwise when no registration statement was in effect as to such securities; and to offer to sell securities of TEK, through the use or medium of any prospectus or otherwise, when no registration statement was filed as to such securities, all in violation of Title 15, United States Code, Sections 77e and 77x and Title 18, United States Code Section 2.



**COUNT TWENTY TWO**

(15 U.S.C. §§ 78o(a)(1) and 78ff; 18 U.S.C. § 2)

83. Paragraphs 1 through 5 of Count One are realleged and reincorporated herein.

84. Paragraphs 11 through 43 of Count One are realleged and reincorporated herein.

85. Paragraph 56 of Counts Two through Ten is realleged and reincorporated herein.

86. Beginning on or about November 21, 2001, and continuing to on or about October 20, 2003 in the Central Division of the District of Utah and elsewhere,

**THOMAS J. ROBBINS**

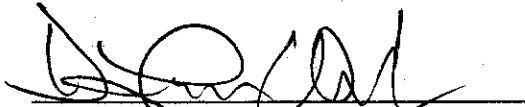
DEFENDANT herein, aided and abetted by others known and unknown to the Grand Jury, did willfully, by use of the mails and other means and instrumentalities of interstate commerce, effect transactions in, and induce and attempt to induce the purchase and sale of, securities, namely Promissory Notes and Private Transaction Joint Venture Agreements with TEK, without being a broker or dealer registered in accordance with Title 15, United States Code, Section 78o(b), and without being associated with a broker

or dealer who was so registered, all in violation of Title 15, United States Code, Sections 78o(a)(1) and 78ff, and Title 18, United States Code Section 2.

A TRUE BILL:

15/  
FOREPERSON OF THE GRAND JURY

STEPHEN J. SORENSON  
Acting United States Attorney



D. LOREN WASHBURN  
Assistant United States Attorney