

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

FILED

GRAND JURY N-11-1 2011 NOV 15 A 11:26

UNITED STATES OF AMERICA

Criminal No. 3:11-cr-00219

U.S. DISTRICT COURT  
NEW HAVEN, CT

v.

VIOLATIONS:

MEHMET AYDIN,  
AHMET CILEK and  
GABRIELLA GRAHAM

18 U.S.C. § 1349 [Conspiracy]  
18 U.S.C. § 1344 [Bank Fraud]  
18 U.S.C. § 1028A(a)(1) [Aggravated  
Identity Theft]

INDICTMENT

The Grand Jury charges:

COUNT ONE  
(18 U.S.C. § 1349 - Conspiracy)

General Allegations

1. At all times relevant to this Indictment, the following banks and credit union were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation ("FDIC"): Sovereign Bank; Citizens Bank; Lowell Five Bank; Eastern Bank; Dedham Bank; Chicopee Savings Bank; Webster Bank; Bank of America; and American Eagle Federal Credit Union (collectively "victim financial institutions").

The Scheme to Defraud

2. From approximately February 2011 to July 2011, in the District of Connecticut and elsewhere, the defendants, MEHMET AYDIN ("AYDIN"), AHMET CILEK ("CILEK") and GABRIELLA GRAHAM ("GRAHAM"), together with others known and unknown to the

Grand Jury, planned and executed a scheme to defraud various financial institutions by placing unauthorized devices known as skimming devices on bank automated teller machines (“ATMs”). AYDIN, CILEK and GRAHAM, together with others known and unknown to the Grand Jury, covertly installed these skimming devices for the purpose of capturing information encoded on the magnetic strips of bank debit cards that bank customers used at the compromised ATMs without the bank customers’ knowledge. The information recorded by the skimming devices included all information encoded on the magnetic strips of the customers’ access device, including account information.

3. It was further part of the scheme that the devices placed on the ATMs by AYDIN, CILEK and GRAHAM, and others known and unknown to the Grand Jury, contained hidden pinhole cameras that allowed the conspirators to record the personal identification numbers (“PINs”) bank customers used to gain access to their accounts.

4. It was further part of the scheme that AYDIN, CILEK and GRAHAM, together with others known and unknown to the Grand Jury, would subsequently retrieve the skimming devices and pinhole cameras from the ATMs. Members of the conspiracy then used the stolen information captured by these skimming devices to create unauthorized access devices that functioned as bank cards. Those unauthorized access devices, in turn, were used along with the stolen PINs to withdraw funds from the compromised bank accounts. As a result of these unauthorized withdrawals of funds from customer accounts, the victim financial institutions were required to credit the customers’ accounts.

Overt Acts

5. In furtherance of the conspiracy and to effect the objects of the conspiracy, AYDIN, CILEK and GRAHAM, together with others known and unknown to the Grand Jury, committed and caused to be committed the following overt acts, among others, in the District of Connecticut, and elsewhere:

a. On or about February 16, 2011, AYDIN placed a skimming device and pinhole camera on the ATM at the Sovereign Bank located at 474 West Broadway, South Boston, Massachusetts.

b. From approximately February 28 to March 3, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Sovereign Bank located in South Boston, Massachusetts.

c. On or about February 17, 2011, AYDIN placed a skimming device and pinhole camera on the ATM at the Citizens Bank located at 182 Linen Street, Wellesley, Massachusetts.

d. On or about March 6 and March 7, 2011, AYDIN, CILEK and GRAHAM made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Citizens Bank located in Wellesley, Massachusetts.

e. On or about March 15, 2011, CILEK intentionally disabled the ATM at the Eastern Bank located at 397 Washington Street, Stoughton, Massachusetts.

f. On or about March 15, 2011, members of the conspiracy placed a skimming device and pinhole camera on the ATM at the Eastern Bank located in Stoughton,

Massachusetts.

g. From approximately March 21 to March 25, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Eastern Bank located in Stoughton, Massachusetts.

h. From approximately March 13 to March 20, 2011, AYDIN and CILEK placed and removed skimming devices and pinhole cameras on the ATM at the Dedham Bank located at 55 Elm Street, Dedham, Massachusetts.

i. On or about March 21 and March 22, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Dedham Bank located in Dedham, Massachusetts.

j. On or about March 26 and March 27, 2011, AYDIN placed skimming devices and pinhole cameras on the ATM at the Citizens Bank located at 965 Oaklawn Avenue, Cranston, Rhode Island.

k. From approximately April 2 to April 6, 2011, members of the conspiracy, including AYDIN and CILEK, made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Citizens Bank located in Cranston, Rhode Island.

l. From approximately May 14 and May 27, 2011, AYDIN, CILEK and an unidentified member of the conspiracy placed and removed skimming devices and pinhole cameras on the ATM at the Chicopee Savings Bank located at 599 Memorial Drive, Chicopee, Massachusetts.

m. From approximately May 29 to June 3, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts

compromised during the skim at the Chicopee Savings Bank located in Chicopee, Massachusetts.

n. On or about May 6, 2011, AYDIN placed a skimming device and pinhole camera on the ATM at the Webster Bank located at 359 Queen Street, Southington, Connecticut.

o. On or about May 6, 2011, CILEK removed a skimming device and pinhole camera from the ATM at the Webster Bank located at 359 Queen Street, Southington, Connecticut.

p. On or about May 11 and May 12, 2011, members of the conspiracy, including AYDIN, made unauthorized withdrawals and attempted withdrawals from the accounts compromised during the skim at the Webster Bank located in Southington, Connecticut.

q. From approximately May 8 to May 10, 2011, members of the conspiracy, including AYDIN, placed and removed skimming devices and pinhole cameras on the ATM at the American Eagle Federal Credit Union located at 304 Broad Street, Manchester, Connecticut.

r. From approximately May 16 to May 18, 2011, members of the conspiracy, including AYDIN, made unauthorized withdrawals and attempted withdrawals from the accounts compromised during the skim at the American Eagle Federal Credit Union located in Manchester, Connecticut.

s. On or about May 12, 2011, AYDIN placed and removed a skimming device and pinhole camera on the ATM at the Webster Bank located at 654 Long Hill Road, Groton, Connecticut.

t. On or about May 13 and May 14, 2011, members of the conspiracy made unauthorized withdrawals and attempted withdrawals from the accounts compromised during the skim at the Webster Bank located in Groton, Connecticut.

u. On or about May 20, 2011, AYDIN placed and removed a skimming

device and pinhole camera on the ATM at the Webster Bank located at 747 West Main Street, New Britain, Connecticut.

v. On or about May 24 and May 25, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Webster Bank located in New Britain, Connecticut.

w. On or about May 21, 2011, AYDIN and an unidentified coconspirator placed and inspected a skimming device and pinhole camera on the ATM at the Webster Bank located at 50 Freshwater Boulevard, Enfield, Connecticut.

x. On or about May 21, 2011, CILEK removed a skimming device and pinhole camera from the ATM at the Webster Bank located at 50 Freshwater Boulevard, Enfield, Connecticut.

y. From approximately May 29 to May 31, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Webster Bank located in Enfield, Connecticut.

z. On or about May 28 and May 29, 2011, AYDIN and unidentified coconspirator placed and inspected a skimming device and pinhole camera on the ATM at the Bank of America located at 136 Elm Street, Enfield, Connecticut.

aa. On or about June 3 and June 4, 2011, members of the conspiracy made unauthorized withdrawals and attempted unauthorized withdrawals from accounts compromised during the skim at the Bank of America branch located in Enfield, Connecticut.

6. From approximately February 2011 to July 2011, in the District of Connecticut and elsewhere, AYDIN, CILEK and GRAHAM, together with others known and unknown to the

Grand Jury, did knowingly and intentionally conspire to execute a scheme and artifice to defraud one or more of the victim financial institutions, to obtain money, funds and credits owned by and under the custody and control of those victim financial institutions by means of materially false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO - SEVEN  
(18 U.S.C. §§ 1344 & 2 - Bank Fraud)

7. The allegations contained in paragraphs 1-6 of Count One are re-alleged and incorporated by reference as though fully set forth herein.

8. On or about the dates listed below, in the District of Connecticut and elsewhere, for the purpose of executing and attempting to execute the aforementioned scheme and artifice to defraud and to obtain money and property as described above, AYDIN, CILEK and GRAHAM did knowingly and intentionally execute a scheme and artifice to defraud a financial institution listed in each count to obtain money, funds and credits owned by and under the custody and control of such financial institution by means of materially false and fraudulent pretenses, representations and promises.

| Count | Approximate Date | Financial Institution   |
|-------|------------------|---|
| 2     | 5/6/11           | Webster Bank<br>359 Queen Street, Southington, CT                       |
| 3     | 5/8/11           | American Eagle Federal Credit Union<br>304 Broad Street, Manchester, CT |
| 4     | 5/12/11          | Webster Bank<br>654 Long Hill Road, Groton, CT                          |

| Count | Approximate Date | Financial Institution                                 |
|-------|------------------|---|
| 5     | 5/20/11          | Webster Bank<br>747 West Main Street, New Britain, CT |
| 6     | 5/21/11          | Webster Bank<br>50 Freshwater Blvd., Enfield, CT      |
| 7     | 5/28/11          | Bank of America<br>136 Elm Street, Enfield, CT        |

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS EIGHT - THIRTEEN

(18 U.S.C. §§ 1028A(a)(1) & 2 – Aggravated Identity Theft)

9. The allegations contained in paragraphs 1-6 of Count One are re-alleged and incorporated by reference as though fully set forth herein.

10. On or about the dates listed below, in the District of Connecticut and elsewhere, AYDIN, CILEK and GRAHAM did knowingly transfer, possess and use, without lawful authority, a means of identification of another person during and in relation to a violation of Title 18, United States Code, Section 1344, namely, AYDIN, CILEK and GRAHAM, together with others known and unknown to the Grand Jury, transferred, possessed, and used the bank account information and PINs of bank customers whose bank cards were passed through skimming



devices placed on ATMs in connection with a scheme to defraud, as described above in paragraphs 2-6.

| Count | Approximate Date | Financial Institution   |
|-------|------------------|---|
| 8     | 5/6/11           | Webster Bank<br>359 Queen Street, Southington, CT                       |
| 9     | 5/8/11           | American Eagle Federal Credit Union<br>304 Broad Street, Manchester, CT |
| 10    | 5/12/11          | Webster Bank<br>654 Long Hill Road, Groton, CT                          |
| 11    | 5/20/11          | Webster Bank<br>747 West Main Street, New Britain, CT                   |
| 12    | 5/21/11          | Webster Bank<br>50 Freshwater Blvd, Enfield, CT                         |
| 13    | 5/28/11          | Bank of America<br>136 Elm Street, Enfield, CT                          |

All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

CRIMINAL FORFEITURE ALLEGATION

11. The United States hereby gives notice to AYDIN, CILEK and GRAHAM that upon their conviction of any offense charged in Counts One through Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2)(A), which requires any person convicted of any such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such offense, including, but not limited to, a sum of money equal to at least \$313,000 in United States currency.

12. If any of the above-described forfeitable property, as a result of any act or omission of AYDIN, CILEK or GRAHAM:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or 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 which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of AYDIN, CILEK or GRAHAM up to the value of the forfeitable property described in this forfeiture allegation.

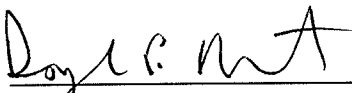
All in accordance with Title 18, United States Code, Sections 982(a)(2) and 982(b)(1).

A TRUE BILL

*15/11*  
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FOREPERSON



DAVID B. FEIN  
UNITED STATES ATTORNEY



DOUGLAS P. MORABITO  
ASSISTANT UNITED STATES ATTORNEY