



PRESS RELEASE

Internal Revenue Service - Criminal Investigation *Chief Richard Weber*

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Contact: *CI-HQ-COMMUNICATIONSEUCATION@ci.irs.gov
IRS – Criminal Investigation

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Six Additional Individuals Indicted for \$2.5 Million High-Yield Investment Fraud

Six additional individuals were charged in an indictment unsealed today for their roles in a \$2.5 million high-yield investment fraud scheme, announced Acting Assistant Attorney General Kenneth A. Blanco of the Justice Department's Criminal Division and U.S. Attorney Jill Westmoreland Rose of the Western District of North Carolina.

Ludmilda O. Stencil, 46, of Charlotte, North Carolina; Martin Delainie Lewis, 50, of Frisco, Texas; Nicholas Fleming, 63, of Northridge, California; Michael Allen Duke, 48, of Richardson, Texas; Paula Saccomanno, 59, and Dennis Swerdlen, 61, both of Boca Raton, Florida, were charged with one count of conspiracy to commit wire fraud and mail fraud, 14 counts of mail fraud and 14 counts of wire fraud in a superseding indictment returned on April 19, 2017, in the Western District of North Carolina. Ludmilda Stencil, Lewis and Duke also were each charged with five counts of money laundering.

This superseding indictment also includes previously charged co-defendants Robert Leslie Stencil, Daniel Thomas Broyles Sr. and Kristian F. Sierp. Sierp was previously arrested in Fort Lauderdale, Florida, on separate charges and has been detained pending trial. A trial date has not been set. Defendants Ludmilda Stencil, Martin Delainie Lewis, Nicholas Fleming, Paula Saccomanno and Denis Swerdlen have all been arrested. Michael Allen Duke remains a fugitive.

The indictment alleges that since January 2012, Leslie Stencil, Broyles, Sierp, Ludmilda Stencil, Lewis, Fleming, Duke, Saccomanno and Swerdlen worked to sell stock in Niyato Industries Inc., a Nevada corporation that Robert Stencil owned and operated from Charlotte. Through various publications and sales pitches, the defendants allegedly marketed Niyato as a manufacturer of compressed natural gas (CNG) automobiles and a distributor of CNG fuel that had patented technology, valuable contracts and high-profile executives. According to the indictment, the defendants also

sold investors on a promise that Niyato was planning an imminent stock IPO that would reap pre-IPO investors a tenfold return on their investments.

Leslie Stencil, Broyles, Sierp, Ludmilda Stencil, Lewis, Fleming, Duke, Saccomanno and Swerdlen are alleged to have known that, in reality, Niyato had no facilities, products, patents or plans for an imminent IPO, but rather was merely a vehicle for inducing investor funds. Broyles, Sierp, Lewis, Fleming, Duke, Saccomanno and Swerdlen allegedly directed investors to mail or wire funds to Leslie and Ludmilda Stencil, who then allegedly paid half the funds to the investment salespersons and kept the remainder for personal expenses. In addition, Broyles, Sierp, Lewis, Fleming, Duke, Saccomanno and Swerdlen are alleged to have used high-pressure sales tactics to encourage investments from their victims, many of whom were elderly. According to the superseding indictment, Sierp, Lewis, Fleming and Duke operated under fake names while marketing Niyato stock subscriptions.

According to the superseding indictment, Leslie Stencil, Broyles, Sierp, Ludmilda Stencil, Lewis, Fleming, Duke, Saccomanno, Swerdlen and their co-conspirators were responsible for causing at least \$2.5 million in losses to more than 140 U.S. citizens and businesses.

The charges and allegations contained in an indictment are merely accusations. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

The U.S. Postal Inspection Service and Internal Revenue Service-Criminal Investigation are investigating this case, which was supervised by the Criminal Division's Fraud Section. Fraud Section Trial Attorneys William Bowne, Gustav Eyer and Christopher Fenton are prosecuting the case.

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