

**FILED**

JAN 07 2015

Clerk, U.S. District Court  
District Of Montana  
Great Falls

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**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

<p><b>UNITED STATES OF AMERICA,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>vs.</b></p> <p><b>ERIKA RAE BROWN,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p><b>CR 15-01 -H- SEH</b></p> <p><b><u>INDICTMENT</u></b></p> <p><b>MONEY LAUNDERING (Counts I and II)</b> Title 18 U.S.C. § 1957 (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)</p> <p><b>FALSE STATEMENTS TO A GOVERNMENT AGENCY</b> (Counts III and IV) Title 18 U.S.C. § 1001 (Penalty: Five years imprisonment, \$250,000 fine, and three years supervised release)</p>
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**THE GRAND JURY CHARGES:**

At all times relevant to this Indictment:

Background

1. ERIKA RAE BROWN was a representative of blueVault LLC, a company purportedly organized to construct and manage a data storage company.
2. As a representative of blueVault LLC, ERIKA RAE BROWN solicited a loan from Excel National Bank, also known as EH National Bank, to purchase property and construct a data storage center near Darby, Montana.
3. The United States Department of Agriculture (USDA), an agency and department of the United States, guaranteed the loan obtained by ERIKA RAE BROWN and blueVault LLC.

Scheme to Defraud

4. From in or about 2008 through in or about 2011, in the District of Montana and elsewhere, the defendant, ERIKA RAE BROWN, knowingly and with the intent to defraud, devised a scheme and artifice to obtain monies owned by, or under the custody or control of Excel National Bank, a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation, by means of materially false and fraudulent pretenses, representations, and promises in violation of 18 U.S.C. § 1344(2).

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Manner and Means

5. ERIKA RAE BROWN represented to Excel National Bank that blueVault LLC, intended to construct and manage a data storage facility when in truth she knew blueVault LLC would not complete and manage a data storage facility.
6. ERIKA RAE BROWN presented false letters of intent to Excel National Bank from companies purportedly interested in using the data storage facility.
7. ERIKA RAE BROWN presented false invoices and checks to Excel National Bank from companies purportedly working on the data storage facility.
8. ERIKA RAE BROWN presented false letters of intent to Excel National Bank from companies that purportedly intended to purchase blueVault LLC.

**COUNT I**

9. Paragraphs 1 through 8 of the Indictment are re-alleged and incorporated by reference as though fully set forth herein.
10. In the District of Montana and elsewhere, ERIKA RAE BROWN, knowingly engaged in the following monetary transaction in criminally derived property of a value greater than \$10,000 and derived from specified unlawful activity, that is, bank fraud in violation of title 18 U.S.C. § 1344: On or about February 12, 2010, ERIKA RAE BROWN issued check number 1043 to Sean Melton in the amount of \$19,980.

All in violation of Title 18 United States Code, Section 1957.

**COUNT II**

11. Paragraphs 1 through 8 of the Indictment are re-alleged and incorporated by reference as though fully set forth herein.

12. In the District of Montana and elsewhere, ERIKA RAE BROWN, knowingly engaged in the following monetary transaction in criminally derived property of a value greater than \$10,000 and derived from specified unlawful activity, that is, bank fraud in violation of title 18 U.S.C. § 1344: On or about March 15, 2010, ERIKA RAE BROWN issued check number 1053 to Sean Melton in the amount of \$19,980.

All in violation of Title 18 United States Code, Section 1957.

**COUNT III**

13. In or about November 2011, in the District of Montana and elsewhere, in a matter within the jurisdiction of the USDA, an agency and department of the United States, ERIKA RAE BROWN did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation; that is, ERIKA RAE BROWN stated there were companies that intended to purchase blueVault LLC when in truth and in fact the companies did not intend to purchase blueVault LLC.

All in violation of 18 U.S.C. § 1001(a)(2).

COUNT IV

14. In or about November 2011, in the District of Montana and elsewhere, in a matter within the jurisdiction of the USDA, an agency and department of the United States, ERIKA RAE BROWN did knowingly and willfully make and use a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement; that is, ERIKA RAE BROWN, provided false letters of intent from companies that purportedly intended to purchase blueVault LLC.

All in violation of 18 U.S.C. § 1001(a)(3).

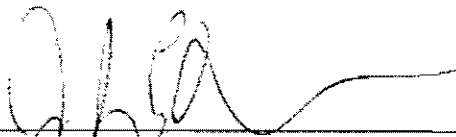
A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON



MICHAEL W. COTTER  
United States Attorney



JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney

Crim. Summons   
Warrant: \_\_\_\_\_  
Bail: \_\_\_\_\_

Appearance 2/10/15  
@ 1:30pm in MsLA  
before Judge Lynch