

1 **IND**

ADAM PAUL LAXALT

2 Attorney General

Amy K. Steelman

3 Deputy Attorney General

Nevada Bar No. 12927

4 Office of the Attorney General

555 E. Washington Ave., Ste. 3900

5 Las Vegas, NV 89101-1068

(702) 486-3420 (phone)

6 (702) 486-3768 (fax)

asteelman@ag.nv.gov

7 Attorneys for the State of Nevada

**FILED IN OPEN COURT**

STEVEN D. GRIERSON

CLERK OF THE COURT

**DEC - 7 2016**

BY, \_\_\_\_\_  
**ALAN PAUL CASTLE, SR., DEPUTY**

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 STATE OF NEVADA,

11 Plaintiff,

12 v.

13 SHANE ALLAN UNRUH, ID# 1133848  
14 and **BRIAN JAMES ONEY**,

15 Defendants.

Case No.: C-16-319861-2

Dept. No.: X

16 **INDICTMENT**

17 The above named defendants, SHANE ALLAN UNRUH ("UNRUH") and BRIAN JAMES  
18 ONEY ("ONEY"), are accused by the Clark County Grand Jury of the crimes of six (6) counts of  
19 SECURITIES FRAUD, a category "B" felony in violation of NRS 90.570 and NRS 90.650; four (4)  
20 counts of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a category "B" felony in violation of  
21 NRS 205.0832 and NRS 205.0835(4); and two (2) counts of THEFT IN THE AMOUNT OF \$650 OR  
22 MORE BUT LESS THAN \$3,500, a category "C" felony in violation of NRS 205.0832 and NRS  
23 205.0835(3), in Clark County, State of Nevada as follows:

24 **COUNT I**  
25 **SECURITIES FRAUD**

**CATEGORY "B" FELONY - NRS 90.570 & 90.650**

26 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
27 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
28 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a

1 material fact or omit to state a material fact necessary in order to make the statements made not  
2 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
3 practice or course of business which operates or would operate as a fraud or deceit upon a person, to  
4 wit:

5 On or about September 9, 2015, UNRUH, personally and/or through an agent, offered to sell  
6 and/or sold a security or securities to Adam Mariano ("Mariano"). Under their agreement, Mariano  
7 used his personal credit to purchase two (2) vehicles from Chapman Dodge Chrysler Jeep in Las Vegas,  
8 Nevada, with the intention that UNRUH's company, U.B.R. LEASING COMPANY INC. ("U.B.R."),  
9 would oversee the operation of the vehicles as a livery service in conjunction with Uber Technologies  
10 Inc. ("Uber"). In offering to sell and/or selling this security or securities, UNRUH, personally and/or  
11 through an agent, utilized one or more of the following misrepresentations, omissions, and/or acts or  
12 practices, which were fraudulent or deceitful:

13 Material Misrepresentations:

- 14 • UNRUH, personally and/or through an agent, misrepresented to Mariano that UNRUH  
15 had a special relationship with Uber and/or the owners of Uber;
- 16 • UNRUH, personally and/or through an agent, misrepresented to Mariano that Uber was  
17 paying U.B.R. for its services;
- 18 • UNRUH, personally and/or through an agent, misrepresented to Mariano that U.B.R.  
19 would make all monthly loan payments on the vehicles for which Mariano signed;
- 20 • UNRUH, personally and/or through an agent, misrepresented to Mariano that U.B.R.  
21 would pay for the insurance and registration on the vehicles for which Mariano signed; and/or
- 22 • UNRUH, personally and/or through an agent, misrepresented to Mariano that Mariano  
23 would receive 30% of the net profits from each of the vehicles for which Mariano signed.

24 Material Omissions:

- 25 • UNRUH, personally and/or through an agent, failed to inform Mariano that the majority  
26 of U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler Jeep and not  
27 from drivers working for Uber;
- 28 • UNRUH, personally and/or through an agent, failed to inform Mariano that money in

1 the U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
2 personal expenses, despite payments not being made towards the vehicle loans as promised;  
3 and/or

4 • UNRUH, personally and/or through an agent, failed to inform Mariano of the risk that  
5 U.B.R. would not make payments towards the vehicle loans as promised, leaving Mariano liable  
6 for the full amount of the loans.

7 The Defendants being criminally liable under one or more of the following principles of  
8 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
9 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
10 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
11 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
12 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
13 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
14 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
15 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
16 U.B.R.'s bank accounts.

17 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
18 NRS 90.570 and NRS 90.650.

19 **COUNT II**  
20 **THEFT IN THE AMOUNT OF \$650 OR MORE BUT LESS THAN \$3,500**  
21 **CATEGORY "C" FELONY - NRS 205.0832 & 205.0835(3)**

22 The preceding allegations are hereby incorporated by reference.

23 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
24 lawful authority knowingly: control property of another person with the intent to deprive that person of  
25 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
26 control property of another person, or used the services or property of another person entrusted to him  
27 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
28 limited use; and/or obtain property or services of another person by a material misrepresentation with  
intent to deprive that person of the property or services; and/or control property of another person

1 knowing or having reason to know that the property was stolen, and the value of said property was  
2 \$650 or more but less than \$3,500, to wit:

3 On or about September 22, 2015, and/or September 23, 2015, Mariano received two (2)  
4 cashback checks from Chapman Dodge, each in the amount of \$1,000. Mariano signed these checks  
5 over to U.B.R. and gave them to ONEY, who deposited them in a U.B.R. bank account on which  
6 UNRUH was the authorized signer. Mariano gave the money to U.B.R. for the limited purpose of  
7 making loan payments on the vehicles for which Mariano had signed and paying other expenses related  
8 to said vehicles. Without authorization from Mariano, UNRUH and/or ONEY knowingly used the  
9 money for purposes other than that for which it had been entrusted to them.

10 The Defendants being criminally liable under one or more of the following principles of  
11 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
12 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
13 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
14 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
15 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
16 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
17 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
18 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
19 U.B.R.'s bank accounts.

20 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
21 category "C" felony, in violation NRS 205.0832 and NRS 205.0835(3).

22 **COUNT III**  
23 **SECURITIES FRAUD**  
24 **CATEGORY "B" FELONY - NRS 90.570 & 90.650**

25 The preceding allegations are hereby incorporated by reference.

26 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
27 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
28 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a  
material fact or omit to state a material fact necessary in order to make the statements made not

1 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
2 practice or course of business which operates or would operate as a fraud or deceit upon a person, to  
3 wit:

4 On or about September 5, 2015 and/or September 21, 2015, UNRUH, personally and/or through  
5 an agent, offered to sell and/or sold a security or securities to Victor Daniel ("Daniel"). Under their  
6 agreement, Daniel used his personal credit to purchase five (5) vehicles from Chapman Dodge Chrysler  
7 Jeep in Las Vegas, Nevada, with the intention that U.B.R. would oversee the operation of the vehicles  
8 as a livery service in conjunction with Uber. In offering to sell and/or selling this security or securities,  
9 UNRUH, personally and/or through an agent, utilized one or more of the following misrepresentations,  
10 omissions, and/or acts or practices, which were fraudulent or deceitful:

11 Material Misrepresentations:

- 12 • UNRUH, personally and/or through an agent, misrepresented to Daniel that there was an  
13 established business relationship between U.B.R. and Uber;
- 14 • UNRUH, personally and/or through an agent, misrepresented to Daniel that U.B.R.  
15 would make all monthly loan payments on the vehicles for which Daniel signed;
- 16 • UNRUH, personally and/or through an agent, misrepresented to Daniel that U.B.R.  
17 would pay for the insurance and registration on the vehicles for which Daniel signed;
- 18 • UNRUH, personally and/or through an agent, misrepresented to Daniel that Daniel  
19 would receive 30% of the net profits from each of the vehicles for which Daniel signed; and/or
- 20 • UNRUH, personally and/or through an agent, misrepresented to Daniel that Daniel  
21 would be protected from risk on his investment by insurance held by U.B.R..

22 Material Omissions:

- 23 • UNRUH, personally and/or through an agent, failed to inform Daniel that the majority  
24 of U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler Jeep and not  
25 from drivers working for Uber;
- 26 • UNRUH, personally and/or through an agent, failed to inform Daniel that money in the  
27 U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
28 personal expenses, despite payments not being made towards the vehicle loans as promised;

1 and/or

2 • UNRUH, personally and/or through an agent, failed to inform Daniel of the risk that  
3 U.B.R. would not make payments towards the vehicle loans as promised, leaving Daniel liable  
4 for the full amount of the loans.

5 The Defendants being criminally liable under one or more of the following principles of  
6 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
7 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
8 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
9 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
10 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
11 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
12 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
13 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
14 U.B.R.'s bank accounts.

15 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
16 NRS 90.570 and NRS 90.650.

17 **COUNT IV**  
18 **THEFT IN THE AMOUNT OF \$3,500 OR MORE**  
**CATEGORY "B" FELONY - NRS 205.0832 & 205.0835(4)**

19 The preceding allegations are hereby incorporated by reference.

20 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
21 lawful authority knowingly: control property of another person with the intent to deprive that person of  
22 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
23 control property of another person, or used the services or property of another person entrusted to him  
24 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
25 limited use; and/or obtain property or services of another person by a material misrepresentation with  
26 intent to deprive that person of the property or services; and/or control property of another person  
27 knowing or having reason to know that the property was stolen, and the value of said property was  
28 \$3,500 or more, to wit:

1 On or about October 9, 2015, Daniel received five (5) cashback checks from Chapman Dodge,  
2 in the amounts of \$1,200, \$1,200, \$1,000, \$1,200, and \$1,200. Daniel signed these checks over to  
3 U.B.R. and they were deposited them in a U.B.R. bank account on which UNRUH was the authorized  
4 signer. Daniel gave the money to U.B.R. for the limited purpose of making loan payments on the  
5 vehicles for which Daniel had signed and paying other expenses related to said vehicles. Without  
6 authorization from Daniel, UNRUH and/or ONEY knowingly used the money for purposes other than  
7 that for which it had been entrusted to them.

8 The Defendants being criminally liable under one or more of the following principles of  
9 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
10 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
11 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
12 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
13 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
14 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
15 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
16 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
17 U.B.R.'s bank accounts.

18 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
19 category "B" felony, in violation NRS 205.0832 and NRS 205.0835(3).

20 **COUNT V**  
21 **SECURITIES FRAUD**  
22 **CATEGORY "B" FELONY - NRS 90.570 & 90.650**

23 The preceding allegations are hereby incorporated by reference.

24 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
25 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
26 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a  
27 material fact or omit to state a material fact necessary in order to make the statements made not  
28 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
practice or course of business which operates or would operate as a fraud or deceit upon a person, to



1 wit:

2 ///

3 On or about September 28, 2015, UNRUH, personally and/or through an agent, offered to sell  
4 and/or sold a security or securities to Maria Elena Foerster ("Foerster"). Under their agreement,  
5 Foerster used her personal credit to purchase four (4) vehicles from Chapman Dodge Chrysler Jeep in  
6 Las Vegas, Nevada, with the intention that U.B.R. would oversee the operation of the vehicles as a  
7 livery service in conjunction with Uber. In offering to sell and/or selling this security or securities,  
8 UNRUH, personally and/or through an agent, utilized one or more of the following misrepresentations,  
9 omissions, and/or acts or practices, which were fraudulent or deceitful:

10 Material Misrepresentations:

- 11 • UNRUH, personally and/or through an agent, misrepresented to Foerster that there were  
12 drivers already lined up to operate her vehicles for Uber;
- 13 • UNRUH, personally and/or through an agent, misrepresented to Foerster that U.B.R.  
14 would make all monthly loan payments on the vehicles for which Foerster signed;
- 15 • UNRUH, personally and/or through an agent, misrepresented to Foerster that U.B.R.  
16 would pay for the insurance and registration on the vehicles for which Foerster signed; and/or
- 17 • UNRUH, personally and/or through an agent, misrepresented to Foerster that Foerster  
18 would receive 30% of the net profits from each of the vehicles for which Foerster signed.

19 Material Omissions:

- 20 • UNRUH, personally and/or through an agent, failed to inform Foerster that the majority  
21 of U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler Jeep and not  
22 from drivers working for Uber;
- 23 • UNRUH, personally and/or through an agent, failed to inform Foerster that money in the  
24 U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
25 personal expenses, despite payments not being made towards the vehicle loans as promised;  
26 and/or
- 27 • UNRUH, personally and/or through an agent, failed to inform Foerster of the risk that  
28 U.B.R. would not make payments towards the vehicle loans as promised, leaving Foerster liable



1 for the full amount of the loans.

2 ///

3 The Defendants being criminally liable under one or more of the following principles of  
4 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
5 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
6 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
7 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
8 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
9 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
10 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
11 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
12 U.B.R.'s bank accounts.

13 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
14 NRS 90.570 and NRS 90.650.

15 **COUNT VI**  
16 **THEFT IN THE AMOUNT OF \$3,500 OR MORE**  
17 **CATEGORY "B" FELONY - NRS 205.0832 & 205.0835(4)**

18 The preceding allegations are hereby incorporated by reference.

19 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
20 lawful authority knowingly: control property of another person with the intent to deprive that person of  
21 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
22 control property of another person, or used the services or property of another person entrusted to him  
23 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
24 limited use; and/or obtain property or services of another person by a material misrepresentation with  
25 intent to deprive that person of the property or services; and/or control property of another person  
26 knowing or having reason to know that the property was stolen, and the value of said property was  
\$3,500 or more, to wit:

27 On or about November 12, 2015, Foerster received four (4) cashback checks from Chapman  
28 Dodge, each in the amount of \$1,000. Foerster went to a Wells Fargo Bank with ONEY where, as

1 ONEY instructed, she cashed the checks and gave the cash to ONEY. ONEY provided Foerster with a  
2 signed receipt indicating the money was received by U.B.R.. Foerster gave the money to U.B.R. for the  
3 limited purpose of making loan payments on the vehicles for which Foerster had signed and paying  
4 other expenses related to said vehicles. Without authorization from Foerster, UNRUH and/or ONEY  
5 knowingly used the money for purposes other than that for which it had been entrusted to them.

6 The Defendants being criminally liable under one or more of the following principles of  
7 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
8 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
9 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
10 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
11 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
12 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
13 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
14 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
15 U.B.R.'s bank accounts.

16 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
17 category "B" felony, in violation NRS 205.0832 and NRS 205.0835(3).

18 **COUNT VII**  
19 **SECURITIES FRAUD**  
20 **CATEGORY "B" FELONY - NRS 90.570 & 90.650**

21 The preceding allegations are hereby incorporated by reference.

22 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
23 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
24 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a  
25 material fact or omit to state a material fact necessary in order to make the statements made not  
26 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
27 practice or course of business which operates or would operate as a fraud or deceit upon a person, to  
28 wit:

1 On or about October 6, 2015, UNRUH, personally and/or through an agent, offered to sell  
2 and/or sold a security or securities to David Connelly, Marla Connelly and/or Daniel Connelly ("the  
3 Connelys"). Under their agreement, the Connelys used their personal credit to purchase seven (7)  
4 vehicles from Chapman Dodge Chrysler Jeep in Las Vegas, Nevada, with the intention that U.B.R.  
5 would oversee the operation of the vehicles as a livery service in conjunction with Uber. In offering to  
6 sell and/or selling this security or securities, UNRUH, personally and/or through an agent, utilized one  
7 or more of the following misrepresentations, omissions, and/or acts or practices, which were fraudulent  
8 or deceitful:

9 Material Misrepresentations:

- 10 • UNRUH, personally and/or through an agent, misrepresented to the Connelys that  
11 UNRUH and/or U.B.R. had a contract or a partnership with Uber;
- 12 • UNRUH, personally and/or through an agent, misrepresented to the Connelys that  
13 U.B.R. employed approximately 400 drivers;
- 14 • UNRUH, personally and/or through an agent, misrepresented to the Connelys that  
15 U.B.R. would make all monthly loan payments on the vehicles for which the Connelys signed;
- 16 • UNRUH, personally and/or through an agent, misrepresented to the Connelys that  
17 U.B.R. would pay for the insurance and registration on the vehicles for which the Connelys  
18 signed; and/or
- 19 • UNRUH, personally and/or through an agent, misrepresented to the Connelys that the  
20 Connelys would receive 30% of the net profits from each of the vehicles for which the  
21 Connelys signed.

22 Material Omissions:

- 23 • UNRUH, personally and/or through an agent, failed to inform the Connelys that the  
24 majority of U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler  
25 Jeep and not from drivers working for Uber;
- 26 • UNRUH, personally and/or through an agent, failed to inform the Connelys that money  
27 in the U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
28 personal expenses, despite payments not being made towards the vehicle loans as promised;

1 and/or

- 2 • UNRUH, personally and/or through an agent, failed to inform the Connellys of the risk  
3 that U.B.R. would not make payments towards the vehicle loans as promised, leaving the  
4 Connellys liable for the full amount of the loans.

5 The Defendants being criminally liable under one or more of the following principles of  
6 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
7 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
8 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
9 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
10 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
11 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
12 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
13 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
14 U.B.R.'s bank accounts.

15 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
16 NRS 90.570 and NRS 90.650.

17 **COUNT VIII**  
18 **THEFT IN THE AMOUNT OF \$3,500 OR MORE**  
19 **CATEGORY "B" FELONY - NRS 205.0832 & 205.0835(4)**

20 The preceding allegations are hereby incorporated by reference.

21 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
22 lawful authority knowingly: control property of another person with the intent to deprive that person of  
23 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
24 control property of another person, or used the services or property of another person entrusted to him  
25 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
26 limited use; and/or obtain property or services of another person by a material misrepresentation with  
27 intent to deprive that person of the property or services; and/or control property of another person  
28 knowing or having reason to know that the property was stolen, and the value of said property was  
\$3,500 or more, to wit:

1 On or about October 22, 2015, the Connelys received seven (7) cashback checks from  
2 Chapman Dodge, each in the amount of \$1,500. Marla Connely met ONEY at Navy Federal Credit  
3 Union where, as ONEY instructed, she deposited the checks into her account and wired the money to a  
4 U.B.R. bank account. The Connelys gave the money to U.B.R. for the limited purpose of making loan  
5 payments on the vehicles for which the Connelys had signed and paying other expenses related to said  
6 vehicles. Without authorization from the Connelys, UNRUH and/or ONEY knowingly used the money  
7 for purposes other than that for which it had been entrusted to them.

8 The Defendants being criminally liable under one or more of the following principles of  
9 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
10 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
11 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
12 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
13 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
14 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
15 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
16 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
17 U.B.R.'s bank accounts.

18 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
19 category "B" felony, in violation NRS 205.0832 and NRS 205.0835(3).

20 **COUNT IX**  
21 **SECURITIES FRAUD**  
22 **CATEGORY "B" FELONY - NRS 90.570 & 90.650**

23 The preceding allegations are hereby incorporated by reference.

24 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
25 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
26 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a  
27 material fact or omit to state a material fact necessary in order to make the statements made not  
28 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
practice or course of business which operates or would operate as a fraud or deceit upon a person, to

1 wit:

2 On or about October 28, 2015, UNRUH, personally and/or through an agent, offered to sell  
3 and/or sold a security or securities to Viviana Marin ("Marin"). Under their agreement, Marin used her  
4 personal credit to purchase five (5) or more vehicles from Chapman Dodge Chrysler Jeep in Las Vegas,  
5 Nevada, with the intention that U.B.R. would oversee the operation of the vehicles as a livery service in  
6 conjunction with Uber. In offering to sell and/or selling this security or securities, UNRUH, personally  
7 and/or through an agent, utilized one or more of the following misrepresentations, omissions, and/or  
8 acts or practices, which were fraudulent or deceitful:

9 Material Misrepresentations:

- 10 • UNRUH, personally and/or through an agent, misrepresented to Marin that UNRUH  
11 and/or U.B.R. were affiliated with Uber;
- 12 • UNRUH, personally and/or through an agent, misrepresented to Marin that U.B.R.  
13 would make all monthly loan payments on the vehicles for which Marin signed;
- 14 • UNRUH, personally and/or through an agent, misrepresented to Marin that U.B.R.  
15 would pay for the insurance and registration on the vehicles for which Marin signed; and/or
- 16 • UNRUH, personally and/or through an agent, misrepresented to Marin that Marin would  
17 receive 30% of the net profits from each of the vehicles for which Marin signed.

18 Material Omissions:

- 19 • UNRUH, personally and/or through an agent, failed to inform Marin that the majority of  
20 U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler Jeep and not  
21 from drivers working for Uber;
- 22 • UNRUH, personally and/or through an agent, failed to inform Marin that money in the  
23 U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
24 personal expenses, despite payments not being made towards the vehicle loans as promised;  
25 and/or
- 26 • UNRUH, personally and/or through an agent, failed to inform Marin of the risk that  
27 U.B.R. would not make payments towards the vehicle loans as promised, leaving Marin liable  
28 for the full amount of the loans.

1 The Defendants being criminally liable under one or more of the following principles of  
2 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
3 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
4 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
5 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
6 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
7 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
8 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
9 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
10 U.B.R.'s bank accounts.

11 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
12 NRS 90.570 and NRS 90.650.

13 **COUNT X**  
14 **THEFT IN THE AMOUNT OF \$3,500 OR MORE**  
15 **CATEGORY "B" FELONY - NRS 205.0832 & 205.0835(4)**

16 The preceding allegations are hereby incorporated by reference.

17 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
18 lawful authority knowingly: control property of another person with the intent to deprive that person of  
19 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
20 control property of another person, or used the services or property of another person entrusted to him  
21 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
22 limited use; and/or obtain property or services of another person by a material misrepresentation with  
23 intent to deprive that person of the property or services; and/or control property of another person  
24 knowing or having reason to know that the property was stolen, and the value of said property was  
\$3,500 or more, to wit:

25 On or about November 9, 2015, Marin received three (3) cashback checks from Chapman  
26 Dodge, in the amounts of \$1,500, \$1,250, and \$1,000. As ONEY instructed, Marin cashed the checks  
27 and provided the money to ONEY. ONEY gave her a signed receipt and deposited the money into a  
28 U.B.R. bank account. Marin gave the money to U.B.R. for the limited purpose of making loan



1 payments on the vehicles for which Marin had signed and paying other expenses related to said  
2 vehicles. Without authorization from Marin, UNRUH and/or ONEY knowingly used the money for  
3 purposes other than that for which it had been entrusted to them.

4 The Defendants being criminally liable under one or more of the following principles of  
5 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
6 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
7 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
8 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
9 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
10 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
11 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
12 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
13 U.B.R.'s bank accounts.

14 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
15 category "B" felony, in violation NRS 205.0832 and NRS 205.0835(3).

16 **COUNT XI**  
17 **SECURITIES FRAUD**  
18 **CATEGORY "B" FELONY - NRS 90.570 & 90.650**

19 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did  
20 willfully, in connection with the offer to sell, sale, offer to purchase or purchase of a security, directly  
21 or indirectly: employ a device, scheme or artifice to defraud; and/or make an untrue statement of a  
22 material fact or omit to state a material fact necessary in order to make the statements made not  
23 misleading in the light of the circumstances under which they are made; and/or engage in an act,  
24 practice or course of business which operates or would operate as a fraud or deceit upon a person, to  
25 wit:

26 On or about October 30, 2015, UNRUH, personally and/or through an agent, offered to sell  
27 and/or sold a security or securities to Randon Sheldon ("Sheldon"). Under their agreement, Sheldon  
28 used his personal credit to purchase two (2) vehicles from Chapman Dodge Chrysler Jeep in Las Vegas,  
Nevada, with the intention that U.B.R. would oversee the operation of the vehicles as a livery service in

1 conjunction with Uber. In offering to sell and/or selling this security or securities, UNRUH, personally  
2 and/or through an agent, utilized one or more of the following misrepresentations, omissions, and/or  
3 acts or practices, which were fraudulent or deceitful:

4 Material Misrepresentations:

- 5 • UNRUH, personally and/or through an agent, misrepresented to Sheldon that there was a  
6 business relationship between U.B.R. and Uber;
- 7 • UNRUH, personally and/or through an agent, misrepresented to Sheldon that U.B.R.  
8 would make all monthly loan payments on the vehicles for which Sheldon signed;
- 9 • UNRUH, personally and/or through an agent, misrepresented to Sheldon that U.B.R.  
10 would pay for the insurance and registration on the vehicles for which Sheldon signed; and/or
- 11 • UNRUH, personally and/or through an agent, misrepresented to Sheldon that Sheldon  
12 would receive 30% of the net profits from each of the vehicles for which Sheldon signed.

13 Material Omissions:

- 14 • UNRUH, personally and/or through an agent, failed to inform Sheldon that the majority  
15 of U.B.R.'s income came from cash rebates provided by Chapman Dodge Chrysler Jeep and not  
16 from drivers working for Uber;
- 17 • UNRUH, personally and/or through an agent, failed to inform Sheldon that money in the  
18 U.B.R. bank account, on which UNRUH was the authorized signatory, was being used for  
19 personal expenses, despite payments not being made towards the vehicle loans as promised;  
20 and/or
- 21 • UNRUH, personally and/or through an agent, failed to inform Sheldon of the risk that  
22 U.B.R. would not make payments towards the vehicle loans as promised, leaving Sheldon liable  
23 for the full amount of the loans.

24 The Defendants being criminally liable under one or more of the following principles of  
25 criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to  
26 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
27 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
28 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the

1 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
2 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
3 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
4 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
5 U.B.R.'s bank accounts.

6 All of which constitutes the crime of SECURITIES FRAUD, a category "B" felony, in violation  
7 NRS 90.570 and NRS 90.650.

8 **COUNT XII**  
9 **THEFT IN THE AMOUNT OF \$650 OR MORE BUT LESS THAN \$3,500**  
10 **CATEGORY "C" FELONY - NRS 205.0832 & 205.0835(3)**

11 The preceding allegations are hereby incorporated by reference.

12 That the Defendants, UNRUH and ONEY, in the County of Clark, State of Nevada, did without  
13 lawful authority knowingly: control property of another person with the intent to deprive that person of  
14 the property; and/or convert, make an unauthorized transfer of an interest in, or without authorization  
15 control property of another person, or used the services or property of another person entrusted to him  
16 or placed in his possession for a limited, authorized period of determined or prescribed duration or for a  
17 limited use; and/or obtain property or services of another person by a material misrepresentation with  
18 intent to deprive that person of the property or services; and/or control property of another person  
19 knowing or having reason to know that the property was stolen, and the value of said property was  
20 \$650 or more but less than \$3,500, to wit:

21 On or about November 6, 2015, Sheldon received one (1) or more cashback checks from  
22 Chapman Dodge, in the amount of \$1,500. Sheldon went to a Wells Fargo Bank with ONEY where, as  
23 ONEY instructed, he cashed the checks and gave the cash to ONEY. Sheldon gave the money to  
24 U.B.R. for the limited purpose of making loan payments on the vehicles for which Sheldon had signed  
25 and paying other expenses related to said vehicles. Without authorization from Sheldon, UNRUH  
26 and/or ONEY knowingly used the money for purposes other than that for which it had been entrusted to  
27 them.

28 The Defendants being criminally liable under one or more of the following principles of  
criminal liability, to-wit: (1) by directly committing this crime; and/or (2) pursuant to a conspiracy to

1 commit this crime with the intent that this crime be committed; and/or (3) by aiding or abetting in the  
2 commission of this crime, with the intent that this crime be committed, by providing counsel and/or  
3 encouragement and by entering into a course of conduct whereby UNRUH held himself out to be the  
4 president and/or chief executive officer of U.B.R., signed the investment contracts on behalf of U.B.R.,  
5 and was the authorized signer on U.B.R.'s bank accounts and ONEY held himself out to be the  
6 operations manager and/or an officer of U.B.R., accompanied investors to Chapman Dodge Chrysler  
7 Jeep and acted as liaison with the staff there, and collected and deposited the cashback checks in  
8 U.B.R.'s bank accounts.

9 All of which constitutes the crime of THEFT IN THE AMOUNT OF \$3,500 OR MORE, a  
10 category "C" felony, in violation NRS 205.0832 and NRS 205.0835(3).

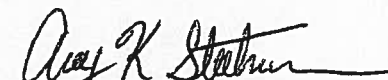
11 All of which is contrary to the form, force and effect of the statutes in such cases made and  
12 provided, and against the peace and dignity of the state of Nevada.

13 DATED this 6<sup>th</sup> day of DECEMBER, 2016.

14 SUBMITTED BY

15 ADAM PAUL LAXALT  
16 Attorney General

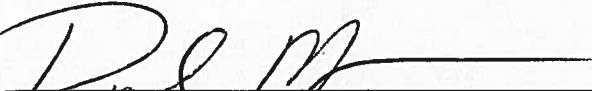
17 By:



18 Amy K. Steelman  
19 Deputy Attorney General  
20 Nevada Bar No. 12927  
Attorneys for the State of Nevada

21 ENDORSEMENT: A True Bill

22 By:



23 Foreperson, Clark County Grand Jury  
24 GJ#16AGJ109A/B