

 ORIGINAL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

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BY: 
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DISTRICT COURT
CLARK COUNTY, NEVADA

10 STATE OF NEVADA,

11 Plaintiff,

12 v.

13 SHANE ALLAN UNRUH #1133848,

14 Defendant.

Case No.: C-16-319861-1

Dept. No.: X

C-16-319861-1
AIND
Amended Indictment
4813280



16 AMENDED INDICTMENT

17 Defendant, SHANE ALLAN UNRUH, above named, is accused by the Grand Jury of having
18 committed the following offenses: SECURITIES FRAUD, a category "B" felony in violation of NRS
19 90.570 and NRS 90.650; and THEFT IN THE AMOUNT OF \$3,500 OR MORE, a category "B" felony in
20 violation of NRS 205.0832 and NRS 205.0835, all of the acts alleged herein have been committed on or
21 between September 2015 and November 2015, by the above-named Defendant, executed in whole or in
22 part within the County of Clark, State of Nevada, in the following manner:

23 COUNT I
24 SECURITIES FRAUD
25 Category B Felony - NRS 90.570, 90.650

26 Defendant, SHANE ALLAN UNRUH, 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 or
28 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 misleading in the

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

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

13 Material Misrepresentations:

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

24 Material Omissions:

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

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

6 **COUNT II**
7 **THEFT IN THE AMOUNT OF \$3,500 OR MORE**
8 **Category B Felony - NRS 205.0832 & 205.0835**

9 The preceding allegations are hereby incorporated by reference.

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

18 On or between September 2015 and November 2015, the investors received cashback checks from
19 Chapman Dodge, in the amount of \$3,500 or more. The investors signed these checks over to U.B.R. and
20 deposited into the U.B.R. bank account on which UNRUH was the authorized signer. The investors gave
21 the money to U.B.R. for the limited purpose of making loan payments on the vehicles for which the
22 investors had signed and paying other expenses related to said vehicles. Without authorization from the
23 investors, UNRUH knowingly used the money for purposes other than that for which it had been entrusted
24 to him.

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1 All of which is contrary to the form, force and effect of the statutes in such cases made and
2 provided, and against the peace and dignity of the State of Nevada.

3 DATED this 25 day of January, 2019.

4 SUBMITTED BY

5 AARON D. FORD
6 Attorney General

7 By: Chelsea Kallas
8 CHELSEA KALLAS Bar No. 13902
9 Deputy Attorney General
10 *Attorneys for the State of Nevada*

11 ENDORSEMENT: A True Bill

12
13 By: _____
14 Foreperson, Clark County Grand Jury
15 GJ#