

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT
2021 MAY 19 PM 3:23

UNITED STATES OF AMERICA,

Plaintiff,

v.

JANET JENISON,

Defendant.

CASE NO. 2:21-cr-00090

JUDGE Mark Bryan

INFORMATION

18 U.S.C. § 1343

18 U.S.C. § 1001(a)(2)

FORFEITURE ALLEGATION

THE UNITED STATES ATTORNEY CHARGES:

COUNTS 1-3
(Wire Fraud)

GENERAL ALLEGATIONS

At all times relevant to Counts 1-3 of this Information, unless otherwise stated:

1. Defendant **JANET JENISON** resided in the Southern District of Ohio.
2. Janet Minton Marketing LLC was an Ohio domestic limited liability company with a principal place of business in Columbus, Ohio.
3. The Coronavirus Aid, Relief and Economic Security ("CARES") Act was a federal law enacted on March 27, 2020, designed to provide emergency financial assistance to the millions of Americans suffering the economic effects caused by the COVID-19 pandemic. The CARES Act created the Paycheck Protection Program (PPP), which is a program overseen by the United States Small Business Administration.
4. The PPP authorized qualifying small businesses to receive forgivable loans to help pay payroll costs, rent, utilities, interest on mortgages, and other permissible expenses. The

size of the PPP loan a particular business could receive was based in part on its average monthly payroll costs. PPP loans were entirely forgivable if the funds were used for specified expenses.

5. In order to obtain a PPP loan, a business was required to submit a loan application to a financial institution. The loan application was required to be signed by an authorized representative of the business and was required to contain certain information, such as average monthly payroll expenses and number of employees. Applicants were also required to provide supporting documentation, such as federal tax returns and other financial documentation. Any PPP loans that were funded by financial institutions were fully guaranteed by the United States Small Business Administration.

6. The PPP loan application required a loan applicant to acknowledge the program rules and make certain affirmative certifications in order to be eligible to obtain a PPP loan.

7. From on or about April 27, 2020, through at least on or about March 3, 2021, in the Southern District of Ohio and elsewhere, Defendant **JANET JENISON** knowingly devised and intended to devise a scheme and artifice to defraud the United States, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, and attempted to do so.

MANNER AND MEANS

8. It was part of the scheme to defraud that Defendant **JANET JENISON** submitted three PPP loan applications on behalf of Janet Minton Marketing LLC to lenders—namely, one application to Celtic Bank and two applications to Funding Circle.

9. It was further part of the scheme to defraud that Defendant **JANET JENISON** certified in her PPP applications that the information provided in the applications and all supporting documents and forms was true and accurate in all material respects.

10. It was further part of the scheme to defraud that Defendant **JANET JENISON** submitted a document in support of each of the three loan applications falsely purporting to be a Fifth Third Bank statement for her business bank account for the period February 8, 2020, to March 6, 2020. Defendant **JANET JENISON** submitted one false bank statement in support of the Celtic Bank loan application and a different false bank statement in support of the Funding Circle loan applications. Each document showed debits for payroll, tax withholding, and business expenses. In fact, the Fifth Third Bank account was not opened until April 27, 2020, and Defendant **JANET JENISON** had fraudulently created the bank statements.

11. It was further part of the scheme to defraud that Defendant **JANET JENISON** submitted an IRS Form 8832, Entity Classification Election, in support of her Celtic Bank loan application. The document purported to show that she elected for Janet Minton Marketing LLC to be classified as a corporation. The signature on this form was dated January 24, 2020. In fact, the EIN listed on this form was not created until April 24, 2020.

12. It was further part of the scheme to defraud that Defendant **JANET JENISON** provided false tax documents to support the representations in her Funding Circle loan applications. In support of her first Funding Circle application, she submitted an IRS Form 941 for the first quarter of 2020 that purported to show that she made federal employment tax deposits. In support of her second Funding Circle application, she submitted IRS Forms 941 for all four quarters of 2020 that purported to show that she made federal employment tax deposits. In fact, Defendant **JANET JENISON** had not made federal employment tax deposits for any quarter of 2020, and Defendant **JANET JENISON** had fraudulently created the IRS Forms 941.

EXECUTION OF THE FRAUD SCHEME

13. On or about each of the dates set forth below, in the Southern District of Ohio and elsewhere, Defendant **JANET JENISON**, for the purpose of executing the scheme described above and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

COUNT	DATE	DESCRIPTION
1	April 27, 2020	Electronic submission of application to Celtic Bank seeking PPP loan
2	May 29, 2020	Electronic submission of application to Funding Circle seeking PPP loan
3	February 18, 2021	Electronic submission of application to Funding Circle seeking PPP loan

All in violation of 18 U.S.C. § 1343.

COUNT 4
**(Making a False Statement Within the Jurisdiction
of an Agency of the United States)**

14. Paragraphs 1 through 13 are incorporated here.

15. On or about February 18, 2021, in the Southern District of Ohio, Defendant **JANET JENISON** willfully and knowingly made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by certifying that the information provided in a PPP loan application and all supporting documents and forms was true and accurate in all material respects. The statements and representations were false because, as Defendant **JANET JENISON** then and there knew, the information provided in a PPP loan application and all supporting documents and forms was not true and accurate in all material respects.

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

FORFEITURE ALLEGATION A

16. Paragraphs 1 through 13 are incorporated here.

17. Upon conviction of any of the offenses alleged in Counts 1–3 of this Information, Defendant **JANET JENISON** shall forfeit to the United States, under 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any and all property constituting or derived from proceeds traceable to such violation, including but not limited to a sum of money equal to \$160,247 in United States currency in the form of a forfeiture money judgment.

18. If, as a result of any act or omission of Defendant **JANET JENISON**, the forfeitable property so described, or any portion thereof:

- 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 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of Defendant **JANET JENISON** up to the value of the forfeitable property.

Forfeiture in accordance with 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

**VIPAL J. PATEL
ACTING UNITED STATES ATTORNEY**



PETER K. GLENN-APPLEGATE (0088708)
Assistant United States Attorney