

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,

v.

MASHAMA FERDINAND,

Defendant.

INFORMATION

CASE NO. 2021-CR-

16

Violation:

18 U.S.C. § 1343

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THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

*(Wire Fraud Affecting A Financial Institution)*

From on or about July 1, 2020, to on or about the date of this Information, defendant

**MASHAMA FERDINAND,**

aided and abetted by others known and unknown to the United States, did knowingly, and with intent to defraud, execute, and cause the execution of a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact.

MANNER AND MEANS

It was part of the scheme that:

1. On or about July 30, 2020, FERDINAND filed a Paycheck Protection Program (hereinafter referred to as "PPP") loan application on behalf of her company SHAMA'S

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SPECIALTIES which employs fifteen (15) individuals with a quarterly payroll of \$460,079.82.

2. According to the Virgin Islands Division of Corporations and Trademarks, SHAMA'S SPECIALTIES was established as a Virgin Islands domestic limited liability company on January 9, 2014. FERDINAND is listed as the company's registered agent.

3. The PPP is a source of relief provided through the CARES Act that authorizes loans and loan forgiveness to individuals who operate under a sole proprietorship or independent contractor business structure.

4. For the period from February 15, 2020 through June 30, 2020, such individuals were eligible to receive a maximum PPP loan of up to \$20,833.00 to cover lost compensation or income from the sole proprietorship. In order to be eligible to receive such PPP loans, individuals had to report and document their income and expenses from the sole proprietorship, as typically reported to the Internal Revenue Service on Form 1040, Schedule C, for a given tax year. These financial reports were used to determine the amount of money the individual was entitled to receive under the PPP.

5. Once awarded, PPP loan proceeds must be used by the business for certain permissible expenses, including payroll costs, interest on mortgages, rent, and utilities. The PPP allows the interest and principal on the loan to be entirely forgiven if the business uses the loan proceeds to cover these expense items within a designated period of time after

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receiving the proceeds, and uses a certain amount of the PPP loan proceeds on payroll expenses.

6. FERDINAND's PPP loan application package filed on behalf of SHAMA'S SPECIALTIES was electronically submitted to BLUEVINE, INC. The IP session records from BLUEVINE, INC. revealed that a computer with an IP address of 184.90.145.85 submitted SHAMA'S SPECIALTIES application package on July 30, 2020, at 3:26 p.m. Records further revealed that IP address 184.90.145.85 is registered to an unnamed co-conspirator in Apopka, FL.

7. On or about July 30, 2020, FERDINAND's PPP loan application was approved in the amount of \$383,397.00.

8. On August 3, 2020, BLUEVINE deposited the PPP loan proceeds in the amount of \$383,397.00 in First Bank of the Virgin Islands checking account number 22-xxxxxxxxxx, bearing the name SHAMA'S SPECIALTIES.

9. On August 5, 2020, FERDINAND wired three (3) separate payments in the amount of \$9,999.00, totaling \$29,997.00, to three (3) co-conspirators involved in processing SHAMA'S SPECIALTIES' PPP loan application.

10. Records obtained from the Virgin Islands Bureau of Internal Revenue confirmed that during 2019 and 2020, no 501-VI nor 941-VI payroll records were filed on behalf of SHAMA SPECIALTIES.

11. It is therefore submitted, based on the aforementioned facts, that:

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On or about July 30, 2020, in the District of the Virgin Islands and elsewhere, defendant

**MASHAMA FERDINAND,**

aided and abetted by others known and unknown to the United States, for the purpose of executing the scheme described above, the defendant caused to be transmitted by means of wire communication in interstate commerce the total sum of \$383,397.00, which was deposited into First Bank Virgin Islands account number 22-xxxxxxxxxx, bearing the name SHAMA'S SPECIALTIES, an account owned and controlled by the defendant.

All in violation of Title 18, United States Code, Section 1343.

**FORFEITURE CLAIM**

1. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 1343 set forth in Count One of this Information, the defendant, **MASHAMA FERDINAND**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation. The property to be forfeited includes, but is not limited to, the total sum of \$383,397.00.

3. If any of the property described above, as a result of any act or omission of the defendant:

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- 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, the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

All pursuant to Title 18 United States Code, Section 982(a)(2)(A), and Title 28 United States Code, Section 2461(c).

**GRETCHEN C.F. SHAPPERT**  
**United States Attorney**



Dated: August 30, 2021

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