



Department of Justice

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PAIR SENTENCED TO PRISON FOR CONSPIRING TO DEFRAUD AUTOMOBILE DEALERSHIPS AND BANKS

Atlanta, GA - BENJAMIN WADE ELLIOTT, 26, of Winchester, Tennessee, and CONNIE LEE BUCE, 42, of Woodstock, Georgia, were sentenced today by United States District Judge Thomas W. Thrash, Jr. on charges relating to a conspiracy to defraud more than 500 automobile dealerships and numerous banks throughout the United States of millions of dollars.

United States Attorney David E. Nahmias said of the case, "These defendants, who were in the business of providing direct-mail advertising services to automobile dealerships, stole millions of dollars from their customers by electronically debiting their bank accounts without authorization. This type of criminal activity represents a threat to our banking system, and the people who think they can get away with this type of electronic fraud face the very real possibility of ending up in a federal prison, where there is no parole."

ELLIOTT was sentenced to serve 9 years in federal prison to be followed by 5 years of supervised release, and ordered to pay \$4.28 million in restitution, and BUCE was sentenced to serve 4 years, 3 months in federal prison to be followed by 3 years of supervised release and also ordered to pay the \$4.28 million in restitution. ELLIOTT was convicted of these charges on October 30, 2008, and BUCE was convicted of these charges on November 17, 2008, after each entered a guilty plea.

According to United States Attorney Nahmias and the information presented in court: From July 2006 through January 2007, ELLIOTT owned and operated "300 UP Promotions, Inc." (300 UP), a Georgia corporation that sold direct-mail advertising services to automobile dealerships. BUCE was the company's Chief Financial Officer. The dealerships paid 300 UP in full, by check, before any advertising services were provided by 300 UP. Although the dealerships did not authorize 300 UP to debit their bank accounts electronically, ELLIOTT and BUCE stole millions of dollars from the dealerships' bank accounts through the use of Automated Clearing House ("ACH") debits. Most of the dealerships promptly reviewed their bank statements and notified their banks of the unauthorized ACH debits. As a result, those banks credited the

dealerships' accounts for the unauthorized debits, but the banks were not able to recover the funds from ELLIOTT and BUCE. The loss to the victim lending institutions is estimated at \$9 million. ELLIOTT and BUCE attempted to steal an additional \$21 million but were thwarted when some of the victims complained to ACH about the unauthorized debts.

This case was investigated by Special Agents of the Federal Bureau of Investigation.

Assistant United States Attorney Russell Phillips prosecuted the case.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.