

2013R00908/JMP

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RECEIVED

MAY 10 2016

UNITED STATES OF AMERICA

v.

CARY LEE PETERSON

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Hon.

Crim. No.

18 U.S.C. § 1350

15 U.S.C. §§ 78j(b) & 78ff

17 C.F.R. § 240.10b-5

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at
Newark, charges:

COUNT ONE
(False Certification)

On or about December 21, 2012, in Monmouth County, in the District of
New Jersey, and elsewhere, the defendant,

CARY LEE PETERSON,

being the Chief Executive Officer of RVPlus, Inc. ("RVPlus"), an issuer with the
U.S. Securities and Exchange Commission, did knowingly certify falsely that
RVPlus's Form 10-Q for the quarter that ended October 31, 2012 filed with the
Securities and Exchange Commission fully complied with the requirements of
Sections 13(a) and 15(d) of the Securities Exchange Act of 1934, and that the
information contained in the October 31, 2012 Form 10-Q fairly presented, in
all material respects, the financial condition and results of operations of

RVPlus, knowing that RVPlus's Form 10-Q for the quarter that ended October 31, 2012 did not comport with the requirements of the Securities Exchange Act of 1934 and did not fairly present, in all material respects, the financial condition and results of operations of RVPlus, in that PETERSON falsely certified that RVPlus was owed approximately \$8,653,846 in short-term accounts receivable.

In violation of Title 18, United States Code, Section 1350.

COUNT TWO
(False Certification)

On or about March 28, 2013, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

CARY LEE PETERSON,

being the Chief Executive Officer of RVPlus, Inc. ("RVPlus"), an issuer with the U.S. Securities and Exchange Commission, did knowingly certify falsely that RVPlus's Form 10-Q for the quarter that ended January 31, 2013 filed with the Securities and Exchange Commission fully complied with the requirements of Sections 13(a) and 15(d) of the Securities Exchange Act of 1934, and that the information contained in the January 31, 2013 Form 10-Q fairly presented, in all material respects, the financial condition and results of operations of RVPlus, knowing that RVPlus's Form 10-Q for the quarter that ended January 31, 2013 did not comport with the requirements of the Securities Exchange Act of 1934 and did not fairly present, in all material respects, the financial condition and results of operations of RVPlus, in that PETERSON falsely certified that RVPlus was owed approximately \$17,590,837 in short-term accounts receivable.

In violation of Title 18, United States Code, Section 1350.

COUNT THREE
(Securities Fraud)

From in or about May 2012 through in or about March 2013, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

CARY LEE PETERSON,

by use of the means and instrumentalities of interstate commerce, the mails, and facilities of national securities exchanges, directly and indirectly, knowingly and willfully used manipulative and deceptive devices and contrivances in contravention of Title 17, Code of Federal Regulations, Section 240.10b-5, in connection with the purchases and sales of securities, to wit, shares of RVPlus by (a) employing devices, schemes and artifices to defraud; (b) making untrue statements of material fact and omitting to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; and (c) engaging in acts, practices and courses of business which operated and would operate as a fraud and deceit upon other persons, in that he falsely represented, among other things, that RVPlus and another entity controlled by defendant PETERSON had entered into contracts with foreign governments worth billions of dollars and reported accounts receivable of millions of dollars, when in fact it had neither.

In violation of Title 15, United States Code, Section 78j(b) and 78ff and Title 17, Code of Federal Regulations, Section 240.10b-5.

FORFEITURE ALLEGATION

1. As the result of committing the offenses constituting specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7), as charged in Counts One through Three of this Indictment, the defendant,

CARY LEE PETERSON,

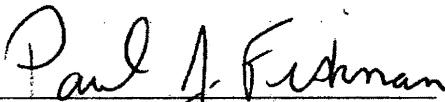
shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said securities fraud offenses, and all property traceable to such property.

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

- 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 the defendant up to the value of the above forfeitable property.

A TRUE BILL



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 16-

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

CARY LEE PETERSON

INDICTMENT FOR

**18 U.S.C. § 1350
15 U.S.C. §§ 78j(b) & 78H
17 C.F.R. § 240.10b-5**

A True Bill

PAUL J. FISHMAN
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

JONATHAN M. PECK
ASSISTANT U.S. ATTORNEY
973-297-2064
