



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)
)
VERONIKA WEBER; and) Case No.: AP-23-17
GARY WEBER,)
)
Respondents.)

CONSENT ORDER

SUMMARY OF ENFORCEMENT SECTION’S ALLEGATIONS

1. The Enforcement Section of the Missouri Securities Division of the Office of Secretary of State (“**Enforcement Section**”), through Director of Enforcement Melissa D. Buchanan, alleges that between May 28, 2021 and November 1, 2021 (“**Relevant Period**”), Veronika Weber and Gary Weber, (together, the “**Weber’s**” or “**Respondents**”), directly and indirectly, in connection with the sale of securities, employed a shared scheme to defraud, in violation of Section 409.5-501(1).
2. Respondents and the Enforcement Section desire to settle the allegations raised by the Enforcement Section relating to Respondents’ alleged violations of Section 409.5-501(1).

CONSENT TO JURISDICTION

3. Respondents and the Enforcement Section stipulate and agree that the Missouri Commissioner of Securities (the “**Commissioner**”) has jurisdiction over Respondent and these matters pursuant to the Missouri Securities Act of 2003, Chapter 409, *et seq.* (“**the Act**”).¹
4. Respondents and the Enforcement Section stipulate and agree that the Commissioner has authority to enter this Order pursuant to Section 409.6-604(h), which provides:

“The commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.”

¹ Unless otherwise specified, all statutory references are to the 2016 Revised Statutes of Missouri, as updated by the 2022 Cumulative Supplement.

WAIVER AND EXCEPTION

5. Respondents waive any right to a hearing with respect to this matter.
6. Respondents waive any rights that they may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Respondents specifically forever release and holds harmless the Missouri Office of the Secretary of State, Secretary of State, Commissioner, and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Respondents stipulate and agree with the Enforcement Section that, should the facts contained herein prove to be false or incomplete, the Enforcement Section reserves the right to pursue any and all legal or administrative remedies at its disposal.

CONSENT TO COMMISSIONER'S ORDER

8. Respondents and the Enforcement Section stipulate and agree to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
9. Respondents agree not to take any action or to make or permit to be made any public statement creating the impression that this Order is without factual basis. Nothing in this paragraph affects Respondents' (a) testimonial obligations; (b) right to take legal or factual positions in defense of litigation or in defense of other legal proceedings in which the Commissioner is not a party; or (c) right to make public statements that are factual.
10. Respondents agree that they are not the prevailing party in this action since the parties have reached a good faith settlement.
11. Respondents stipulate and agree that this Consent Order shall be binding upon all of Respondents' successors, transferees, heirs, and assigns.
12. Respondents neither admit nor deny the allegations made by the Enforcement Section, but consent to the Commissioner's Findings of Fact, Conclusions of Law, and Order as set forth below solely for the purpose of resolving this proceeding and any proceeding that may be brought to enforce the terms of this Consent Order.

THE COMMISSIONER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

I. FINDINGS OF FACT

A. Respondents and Related Parties

13. Veronika Weber ("**Veronika**") is a sixty-five-year-old Illinois resident with the last known address of 1682 Hickory Drive, Hoffman Estates, IL 60192-4650. Veronika has been

residing at 9176 Pardee Spur, St. Louis, Missouri 63126 since at least April 2021. Veronika has never been registered in any capacity in the financial services industry.

14. Gary Weber (“**Gary**”) is a sixty-six-year-old Illinois resident with the last known address of 1682 Hickory Drive, Hoffman Estates, IL 60192-4650. Gary has been residing at 9176 Pardee Spur, St. Louis, Missouri 63126 since at least April 2021. Gary has never been registered in any capacity in the financial services industry.
15. F.K. was a ninety-year-old Missouri resident (“**MR**”) living at 9176 Pardee Spur, St. Louis, Missouri 63126². At all times relevant herein, MR was an elderly person as that term is defined in Section 409.6-604(d)(3)(B). Veronika is MR’s daughter, and Gary is MR’s son-in-law. During the Relevant Period, MR held various brokerage accounts in her name, and MR was the only party authorized to transact business in her securities accounts.

B. The Sale of Securities through a Shared Scheme to Defraud

16. During the Relevant Period, seventeen completed or attempted transactions occurred in MR’s Wells Fargo Asset Management (“**Wells**”) account.

Requested Date of Liquidation	Requested Amount	Check Number	Liquidation Method
May 28, 2021	\$15,000	Wells Check #1205904 ³	Phone
June 7, 2021	\$5,000	Wells Check #1206209	Internet
June 11, 2021	\$15,000	Wells Check #1206450 ⁴	Phone
July 6, 2021	\$15,000	Wells Check #1207539	Internet
July 12, 2021	\$13,000	Wells Check #1207847	Phone
July 19, 2021	\$20,000	Wells Check #1208265	Phone
August 4, 2021	\$50,000	Wells Check #1209136 ⁵	Phone
August 16, 2021	\$12,000	Wells Check #1209682	Internet
August 26, 2021	\$10,000	Wells Check #1210164	Phone
September 7, 2021	\$12,000	Wells Check #1210580	Phone
September 15, 2021	\$15,000	Wells Check #1210933	Phone
September 30, 2021	\$5,000	Wells Check #1211552	Internet
October 1, 2021	\$10,000	Wells Check #1211593	Phone
October 4, 2021	\$10,000	Wells Check #1211668	Internet
October 5, 2021	\$10,000	Wells Check #1211725	Phone
October 11, 2021	\$12,000	HELD	Internet
October 11, 2021	\$15,000	HELD	Phone

17. On May 28, 2021, an adult female (“**Voice A**”) called Wells and requested to liquidate \$15,000 in securities from MR’s account. Wells retained a recorded copy of this phone conversation. Wells initiated its identification protocol, and Voice A identified herself as

² MR died on July 8, 2023.

³ Wells Check #1205904 is the subject of First-In-First-Out (“**FIFO**”) analysis below.

⁴ Wells Check #1206450 is the subject of FIFO analysis below.

⁵ Wells Check #1209136 is the subject of FIFO analysis below.

MR. Voice A provided MR's phone number, the last six (6) digits of MR's social security number, and MR's mailing address. Voice A advised that she could not recall the date of her last transaction, but claimed the transaction may have occurred sometime in 2020. Wells advised the funds would be mailed to the address on file. Voice A inquired about having the funds direct deposited into a bank account. Wells explained the process for direct deposit. Voice A requested Wells email the direct deposit form to omni81ny79@yahoo.com⁶.

18. On June 11, 2021, Voice A called Wells and identified herself as MR. Wells retained a recorded copy of this phone conversation. Voice A confirmed MR's personal identifying information. Voice A requested to liquidate \$15,000 in securities from MR's account. Voice A advised Wells that her family had a hard year, losing three family members, including her granddaughter. When the Wells representative offered condolences, Voice A stated that her granddaughter passed away from breast cancer at the age of 39.⁷ Voice A instructed Wells to overnight the redemption check to the address on file and agreed to pay the overnight fee.
19. On August 4, 2021, Voice A called Wells and identified herself as MR. Wells retained a recorded copy of this phone conversation. Voice A confirmed MR's personal identifying information. Voice A requested to liquidate \$50,000 in securities from MR's account. Voice A instructed Wells to overnight the redemption check to the address on file. The Wells representative explained to Voice A that the markets were closed so the trade would occur the following day, and Voice A agreed.
20. On October 15, 2021, Voice A called Wells and identified herself as MR. Wells retained a recorded copy of this phone conversation. Voice A advised that she was returning a voicemail left on her phone by a Wells representative. Voice A advised that she'd been awaiting the delivery of checks from the requested liquidation of securities from MR's account, but Voice A advised she hadn't received a check for each requested transaction. Wells advised Voice A that due to the recent activity in MR's account, Wells conducted an audit. Wells advised Voice A that the audit determined the voice in recent phone calls does not match the voice from prior calls. Wells asked Voice A several investigatory questions, including whether anyone called Wells on MR's behalf, whether anyone processed any transactions on MR's behalf, and whether MR had a power of attorney. Voice A answered "no" to all of Wells' aforementioned questions. The Wells representative disclosed that the phone number initiating the recent calls and providing MR's return call phone number to Wells was in fact the cell phone number associated with the account beneficiary, Veronika. Voice A stated that Veronika was her daughter. The Wells representative asked Voice A if Veronika made any of the recent calls to Wells, and Voice A claimed that Veronika did not. The Wells representative advised Voice A that Wells would hold the requested transactions to conduct additional account analysis.

⁶ On May 24, 2023, during on the record testimony, Veronika confirmed that omni81ny79@yahoo.com is her email address.

⁷ The Webers' daughter passed away on August 23, 2020.

21. On October 6, 2022, Voice A called Allspring Global Investments (“**Allspring**”) ⁸ and *identified herself as Veronika*. Allspring retained a recorded copy of this phone conversation. Voice A advised that MR wanted to liquidate some of her securities. The Allspring representative asked to speak with MR. At this point in the phone call, a much older, female adult with a foreign accent (“**Voice B**”) came onto the phone line. Voice B identified herself as MR. No securities were liquidated during this contact.
22. On October 7, 2022, Voice A called Allspring and *identified herself as Veronika*. Allspring retained a recorded copy of this phone conversation. The Allspring representative advised Voice A that she was not authorized to transact business on MR’s account. The Allspring representative asked Voice A if MR was available. Voice B came onto the phone line. Voice B identified herself as MR. The Allspring agent began asking MR several protocol questions, and Voice A could be heard in the background attempting to feed MR information. The Allspring representative admonished Voice A and advised that MR could not be coached to answer the questions. The Allspring agent asked MR if Allspring could speak with Voice A about MR’s account, and MR responded “**no**”. No securities were liquidated during this contact.
23. On May 24, 2023, in response to lawful subpoenas under the Act, the Weber’s provided on-the-record testimony. Veronika listened to the recorded phone conversation from the May 28, 2021 Wells/Allspring account liquidation request. Veronika confirmed that Voice A, heard on that recording, was her voice and not MR’s voice. Veronika confirmed that she impersonated MR. Both Veronika and Gary acknowledged using the ill-gotten funds that originated from MR’s Wells account through their shared scheme to defraud.

C. FIFO Analysis

24. The Enforcement Section analyzed bank account transactions from two Bank of America (“**BOA**”) accounts belonging to 1) MR and Veronika, and 2) the Weber’s, during the Relevant Period. BOA Account #4004 (“**Account 1**”) is an account that was opened with both MR and Veronika as signatories. BOA Account #7982 (“**Account 2**”) is an account that was opened with both the Weber’s as signatories. MR has never been an authorized user or signatory for Account 2.
25. During the Relevant Period, there were twenty-three (23) deposits totaling \$332,000 into Account 1. These deposits originated from MR’s Wells/**Allspring** account.
26. The Enforcement Section conducted a FIFO analysis on three (3) of the above-referenced Wells check deposits, totaling \$80,000, that all originated from MR’s Wells/**Allspring** account. The analysis of Account 1 revealed:
 - a. June 2, 2021 – Wells Check #1205904 deposited totaling \$15,000;
 - b. June 15, 2021 – Wells Check #1206450 deposited totaling \$15,000; and

⁸ After November 1, 2021, Wells Fargo Asset Management changed its name to Allspring Global Investments.

- c. August 10, 2021 – Wells Check #1209136 deposited totaling \$50,000.
27. Further analysis of Account 1 revealed the following:
- a. twenty-four (24) account-to-account transfers *from Account 1 to Account 2 totaling \$75,029*. Based on the FIFO analysis, \$66,379.58 of these funds originated from MR’s Wells/Allspring account;
 - b. \$9,800 in cash withdrawals from ATMs. Based on the FIFO analysis, \$9,303.51 of these funds originated from MR’s Wells/Allspring account;
 - c. \$2,442.13 paid to online gambling platforms including Everi Holding Inc. (“Everi”)⁹ ;
 - d. \$231.82 in payments to local utility companies;
 - e. \$1,064.58 in local grocery store purchases;
 - f. \$225 paid for lawn care services;
 - g. \$110.83 paid for phone services; and
 - h. \$305 paid for medical services.
28. The Enforcement Section conducted a FIFO analysis of Account 2, totaling \$66,379.58 originating from MR’s Wells/Allspring account that were transferred from Account 1 into Account 2 as described in paragraph 27(a). The analysis of Account 2 revealed the following:
- a. \$10,123.68 paid to Everi. Based on the FIFO analysis, \$8,896.14 of these funds originated from MR’s Wells/Allspring account;
 - b. \$27.50 paid to Everi for service fees;
 - c. \$59,978 in cash withdrawals from BOA tellers or ATMs. Based on the FIFO analysis, \$53,095.43 of these funds originated from MR’s Wells/Allspring account;
 - d. Zelle¹⁰ payments totaling \$3,519. Based on the FIFO analysis, \$1,396.96 of these funds originated from MR’s Wells/Allspring account.
 - e. \$392.97 in payments to online gun or gun equipment websites;

⁹ Everi Holding Inc., formerly Global Cash Access Holding, Inc., is a company based in Spring Valley, NV that produces slot machines and provides financial equipment and services to casinos.

¹⁰ Zelle is a person to person cash transfer application.

- f. \$2,866.89 paid to various credit card companies for account payments. Based on the FIFO analysis, \$2,087.37 of these funds originated from MR's Wells/Allspring account;
 - g. \$389 paid to Pop's RV¹¹;
 - h. \$725.03 paid to GLS¹²; and
 - i. a \$10 purchase at a local grocery store.
29. During the Relevant Period, both Veronika and Gary were the authorized users and joint signatories on Account 2.

II. CONCLUSIONS OF LAW

30. **THE COMMISSIONER CONCLUDES** that during the Relevant Period, Respondents' acts and conduct, in connection with the sale of securities in MR's Wells/Allspring account, constitutes the employment of a device, scheme, or artifice to defraud, in violation of Section 409.5-501(1).
31. **THE COMMISSIONER CONCLUDES** that the violation above constitutes an illegal act, practice, or course of business subject to the Commissioner's authority under Section 409.6-604.
32. **THE COMMISSIONER CONCLUDES** that the violation above is sufficient to issue an order in accordance with Section 409.6-604.
33. The Commissioner, after consideration of the stipulations set forth above and on consent of the Respondents and the Enforcement Section, finds and concludes that the Commissioner has jurisdiction over Respondents in this matter and that the following order is in the public interest, necessary for the protection of public investors, and consistent with the purposes intended by Chapter 409.

III. ORDER

NOW, THEREFORE, it is hereby Ordered that:

34. Respondents and all other persons participating in the above-described alleged violation with knowledge of this order are permanently enjoined from engaging in any further violations of Section 409.5-501(1);
35. Respondents, joint and several, shall pay \$10,000 to the Missouri Secretary of State Investor Education and Protection Fund. **This amount is due upon execution of this Order and shall be made payable to the Missouri Secretary of State's Investor Education and**

¹¹ On September 25, 2021, Veronika registered a 1998 Blue Bird Wanderlodge in the State of Illinois.

¹² Global Lending Services or GLS is a nationwide company that aids in the closure of vehicle sales.

Protection Fund and sent to the Missouri Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101; and

36. Respondents shall pay their own costs and attorneys' fees with respect to this matter.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,
MISSOURI THIS 8 DAY OF ~~AUGUST~~, 2023.
~~SEPTEMBER~~




JOHN R. ASHCROFT
SECRETARY OF STATE



DOUGLAS M. JACOBY
COMMISSIONER OF SECURITIES

Consented to by:

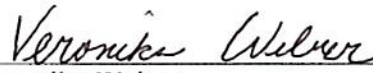
THE MISSOURI SECURITIES DIVISION



Melissa D. Buchanan
Director of Enforcement

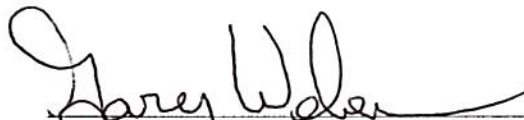
RESPONDENTS

VERONIKA WEBER



Veronika Weber

GARY WEBER



Gary Weber