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Former Detective Charged with Participating in Mail Fraud Scheme

U.S. Attorney's Office

February 22, 2011

Middle District of Florida

(813) 274-6000

TAMPA, FL—United States Attorney Robert E. O'Neill today announced the filing of formal charges against Brian W. Ouellette (49, Varico, Florida), stemming from a mail fraud scheme Ouellette conducted with James B. Loftus, Jr. (58, Lilburn, Georgia), while the two occupied high-level security positions at Rooms-To-Go Furniture (RTG). Loftus has pleaded guilty to his involvement in this mail fraud conspiracy and is scheduled to be sentenced on March 3, 2011.

According to court documents, Ouellette and Loftus were employed as directors of security for RTG from the late 1990s through March 2007, following their retirement as detectives from the Hillsborough County Sheriff's Office. In these directors of security positions for RTG, Ouellette and Loftus were accorded substantial discretion in their handling of the security-related matters entrusted to them by RTG. In return, the two were prohibited from engaging in certain activities that violated their fiduciary obligations to the company, including accepting kickbacks from outside vendors occasionally employed to perform various security-related services.

Without RTG's knowledge and approval, however, Ouellette and Loftus allegedly created two sham companies in the early 2000's, enabling them to secretly receive kickbacks from an outside security vendor—Security Alliance, which RTG had retained to manage its security guards. To conceal these kickbacks from RTG, Ouellette and Loftus allegedly prepared fake invoices addressed to Security Alliance, which fraudulently sought payment for "consulting" services, and which required that such payments be made indirectly to Ouellette and Loftus through their sham companies. All total, Ouellette and Loftus collectively received over \$835,000 in kickbacks from Security Alliance between the fall of 2002 and March 2007.

In addition to this kickback scheme, Ouellette allegedly devised another scheme by himself to defraud RTG, beginning in or around the summer 2003. Unlike the conspiracy with Loftus, this second scheme centered around Ouellette's use of outside vendors to collect information from RTG employees who Ouellette had recruited to act as confidential informants (CIs) within the company.

To carry out this scheme, Ouellette solicited and received kickbacks from the outside CI vendors which were based on a percentage of the monies RTG was paying the vendors for their participation in the CI program. Ouellette concealed these kickbacks from RTG by sending the outside CI vendors fake invoices which fraudulently sought payment for "consulting" services, and which required that such payments be made indirectly to Ouellette through his sham company.

All total, between in or around the summer of 2003 and in or around March 2007, Ouellette received over a quarter of a million dollars in kickbacks from the outside CI vendors.

As a result of his involvement in the above offenses, Ouellette has been charged with honest services mail fraud and conspiracy to commit honest services mail fraud. Both of these crimes carry a maximum penalty of 20 years in federal prison and a maximum fine of \$250,000, or twice the gross gain caused by the offenses or twice the gross loss caused by the offenses, whichever turns out to be greater.

This case was investigated by the Federal Bureau of Investigation. It is being prosecuted by Assistant United States Attorney Christopher P. Tuite

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