



CERTIFID

WIRE FRAUD STOPS HERE.
GUARANTEED.

The New Era of Wire Fraud

The Fund Assembly 2020

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Every hour, 1,822 real estate
closings take place.

2

Moving more than
\$422 million.

Unfortunately, these transfers are
being diverted to fraudulent
accounts.

“Wire transfers continue to be the most frequently reported payment method for fraud with a reported aggregate loss of \$439 million.”

Source: Federal Trade Commission: 2019 Consumer Sentinel Report



Tom Cronkright

tcronkright@certifid.com

- Co-Founder and CEO, CertifID
- Licensed Attorney
- Large Title Agency Owner
- Wire Fraud Victim
- National Speaker on Wire Fraud and Cyber Security

Today's Topics

The New Era of Wire Fraud

- The Cybercrime Pandemic
- Wire Fraud Trends
- Allocating Fault in the Courts
- Managing and Offsetting Risk

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Today's Topics

The New Era of Wire Fraud

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A Surge in Cyber Crime

A Health Crisis Sparks a Cyber Crisis

<https://www.reuters.com/article/us-health-coronavirus-cyber-corporations/hacking-against-corporations-surges-as-workers-take-computers-home-idUSKBN21Z0Y6>

+148%

Increase in Ransomware Attacks in March from February '20

Source: VMware Carbon Black

+200%

Number of potentially compromised companies in U.S. in March from January '20

Source: Artic Security

+400%

Number of incoming reports about hacking

Source: FBI



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Threats are coming from all angles...



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Personal Extortion



Public Service Announcement

FEDERAL BUREAU OF INVESTIGATION

April 20, 2020
Alert Number: **1-042020-PSA**

Questions regarding this PSA should be directed to your local **FBI Field Office**.

Local Field Office Locations: www.fbi.gov/contact-us/field

ONLINE EXTORTION SCAMS INCREASING DURING THE COVID-19 CRISIS

The Internet Crime Complaint Center (IC3) has seen an increase in reports of online extortion scams during the current "stay-at-home" orders due to the COVID-19 crisis. Because large swaths of the population are staying at home and likely using the computer more than usual, scammers may use this opportunity to find new victims and pressure them into sending money. The scammers are sending e-mails threatening to release sexually explicit photos or personally compromising videos to the individual's contacts if they do not pay. While there are many variations of these online extortion attempts, they often share certain commonalities.

SCAM COMMONALITIES:

Online extortion schemes vary, but there are a few common indicators of the scam. The following characteristics are not all-inclusive but should serve as red flags. It is important to remember that scammers adapt their schemes to capitalize on current events such as the COVID-19 pandemic, high-profile breaches, or new trends involving the Internet, all in an attempt to make their scams seem more authentic.

- The online extortion attempt comes as an e-mail from an unknown party and, many times, will be written in broken English with grammatical errors.
- The recipient's personal information is noted in the e-mail or letter to add a higher degree of intimidation to the scam. For example, the recipient's user name or password is provided at the beginning of the e-mail or letter.
- The recipient is accused of visiting adult websites, cheating on a spouse, or being involved in other compromising situations.
- The e-mail or letter includes a statement like, "I had a serious spyware and adware infect your computer," or "I have a recorded video of you" as an explanation of how the information was allegedly gathered.
- The e-mail or letter threatens to send a video or other compromising information to family, friends, coworkers, or social network contacts if a ransom is not paid.
- The e-mail or letter provides a short window to pay, typically 48 hours.
- The recipient is instructed to pay the ransom in Bitcoin, a virtual currency that provides a high degree of anonymity to the transactions.



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Ransomware



Public Service Announcement

FEDERAL BUREAU OF INVESTIGATION

March 20, 2020

FBI SEES RISE IN FRAUD SCHEMES RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC

THE WALL STREET JOURNAL

PRO CYBER NEWS

Hackers Target Companies With Coronavirus Scams

Phishing emails are used to install malware that can give hackers access to company systems



INTERNATIONAL - HACKERS

Hackers 'without conscience' demand ransom from dozens of hospitals and labs working on coronavirus

BY RYAN GALLAGHER AND BLOOMBERG
April 19, 2020 8:10 AM EDT

Over 2 million ransomware attempts in February a 20% increase from January.



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COVID-19 BEC Scams



Business Email Compromise Attempts Went Up by a Quarter Globally

Publication date: April 8, 2020 **Last edited:** April 8, 2020
Reading time: 4 minutes, 13 seconds

Business email compromise (BEC) attempts went up by a quarter globally, according to research from data and cyber security firm Trend Micro. In January and February of 2020 alone, the company's security experts have seen a major increase of 24.3% in BEC attempts. Other cyber security threats are also alluring. Trend Micro blocked nearly eight billion threats in total in the first two months of this year.



IRS issues warning about Coronavirus-related scams; watch out for schemes tied to economic impact payments



Wire Fraud Stops Here. Guaranteed.

April 6, 2020

FBI Anticipates Rise in Business Email Compromise Schemes Related to the COVID-19 Pandemic

Fraudsters will take advantage of any opportunity to steal your money, personal information, or both. Right now, they are using the un-soundings the COVID-19 pandemic to further their efforts.

Washington, D.C.
FBI National Press Office
(202) 324-3691

[Twitter](#) [Facebook](#) [Email](#)

April 6, 2020

FBI Warns of Money Mule Schemes Exploiting the COVID-19 Pandemic

Washington, D.C.
FBI National Press Office
(202) 324-3691

[Twitter](#) [Facebook](#) [Email](#)

April 13, 2020

FBI Warns of Advance Fee and BEC Schemes Related to Procurement of PPE and Other Supplies During COVID-19 Pandemic

BBB Scam Alert: Working from home?
Beware of scams targeting at-home workers

By International Association of Better Business Bureaus March 25, 2020.

Share [f](#) [t](#) [in](#) [e](#) [p](#)

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Phishing Scams



TECH

US Secret Service warns that coronavirus email scams are on the rise

JUSTICE NEWS

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE

Wednesday, April 22, 2020

Department of Justice Announces Disruption of Hundreds of Online COVID-19 Related Scams

Hundreds of Domains Disrupted Through Public and Private Sector Cooperative Efforts

WIRED

Coronavirus Sets the Stage for Hacking Mayhem

As more people work from home and anxiety mounts, expect cyberattacks of all sorts to take advantage.



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Malware and Phishing Scams

Start  5/21/2006 End  3/15/2020



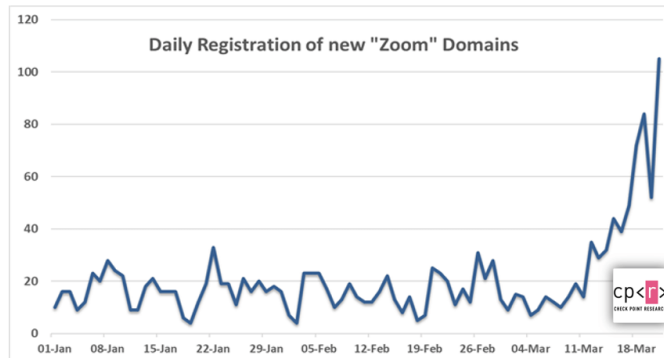
Select dataset **Number of sites deemed dangerous by Safe Browsing** ▼

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Next-Level Phishing...

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“Zoom” Phishing



During the past few weeks, we have witnessed a major increase in new domain registrations with names including “Zoom”, which is one of the most common video communication platforms used around the world. Since the beginning of the year, more than 1700 new domains were registered and 25% of them were registered in the past week. Source: Checkpoint Software Technologies

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“Zoom” Phishing



Malicious files with names such as “zoom-us-zoom_#####.exe” and “microsoft-teams_V#mu#D_#####.exe” leads to an installation of the infamous *InstallCore* PUA (potentially unwanted applications) which could potentially lead to additional malicious software installation.

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COVID Phishing The New “Nigerian Prince” Scam

From: info [REDACTED]@gmail.com
Sent on: Wednesday, April 1, 2020 12:38:23 PM
To:
Subject: Matter of Urgency, From United States Department of the Treasury

United States Department of the Treasury
Treasury Building 1500 Pennsylvania Avenue,
NW Washington, D.C., U.S
Financial Stability Oversight Council
(202) 622-88000
(425) 440-8440
Fax: (202) 622-64100
Hours: Mon-Fri 8:00am - 5:00pm
Us-treasury.gov

Good Day,

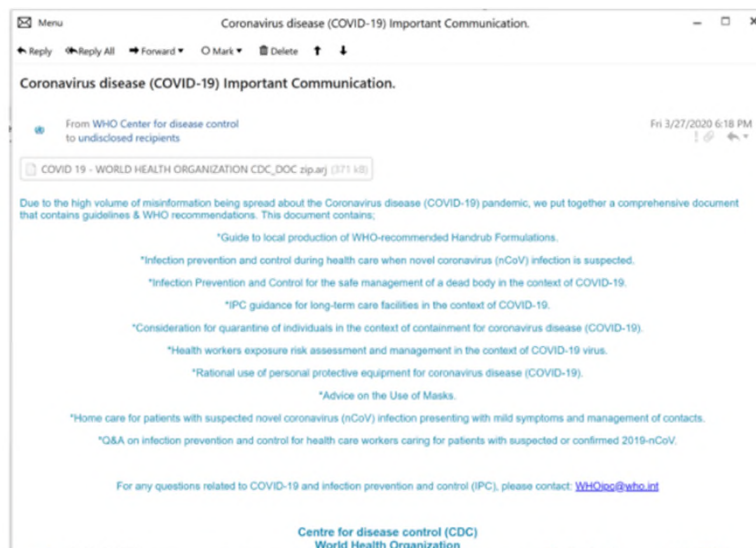
We have been instructed by the United Nation and US President to release all unclaimed ATM card to the beneficiary to curtails the recession because of the outbreak of the Corona Virus.

All we need from you is the delivery fee of \$50. Immediately the fee is received, we will instruct the US POSTAL SERVICES to deliver it to you without any more delay.

[REDACTED]
Council chairman (Source: PhishLabs)

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COVID Phishing WHO Guidance Document



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COVID Phishing COVID-19 Related Employee Benefits Scam

Access Important Shared Document in regards to
COVID-19 employee benefits review.

[Click To Add Documents To Office 365 OneDrive And View](#)

OneDrive by Microsoft makes creating and sharing seamlessly simple and secure.

Source: Menlo Security

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COVID Phishing “COVID-19 Blood For Sale” Scam

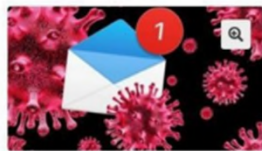


Tweet



Christiaan Beek  @ChristiaanBeek · Mar 30

Seriously I hope this is a hoax/scam #Darknet



Coronavirus –
COVID-19

\$1,000.00

I was infected with Coronavirus – COVID-19!!!

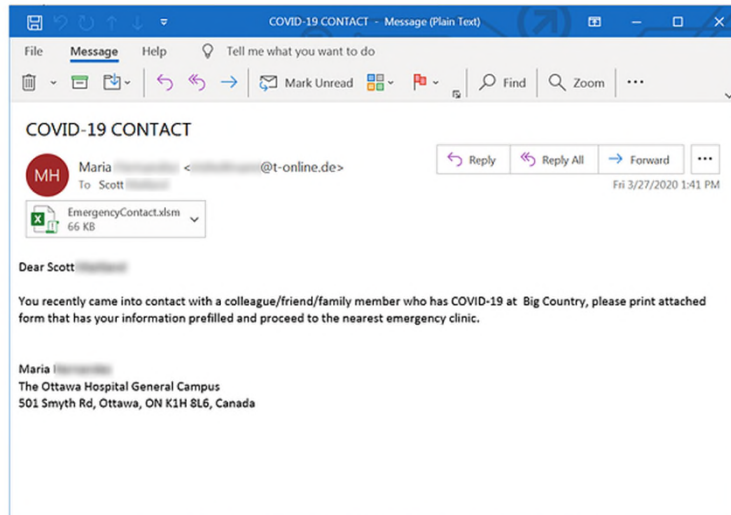
I sell my infected blood and saliva.

I do this to provide for my family financially.

Indicate how you prefer to get after purchase-Order
notes (optional).

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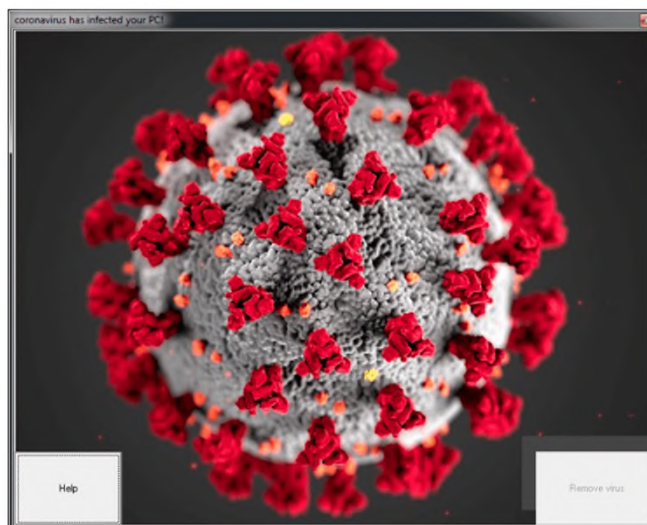
COVID Phishing Malicious Macro Scam



A screenshot of one of the attack emails (Source: KnowBe4)

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COVID Phishing “Coronavirus has infected your PC!”



The infection screen for coronavirus bat. (Source: SonicWall)

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Today's Topics

The New Era of Wire Fraud

- The Cybercrime Pandemic

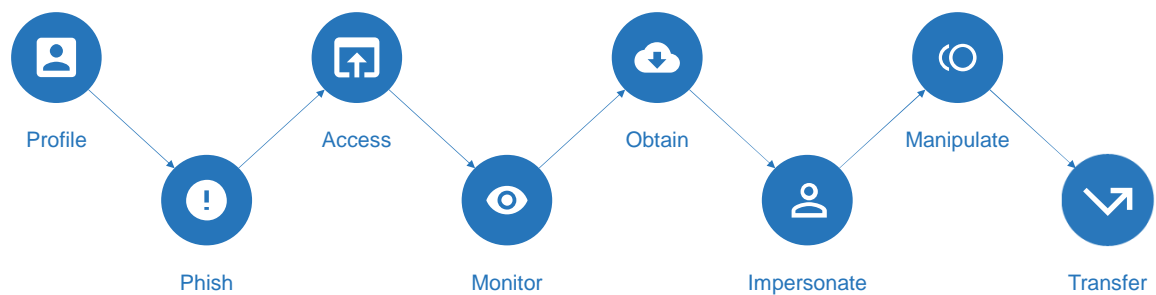
Wire Fraud Trends

- Allocating Fault in the Courts
- Managing and Offsetting Risk

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Steps to Committing Fraud



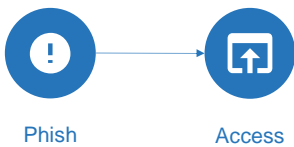
26

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Cyber Attacks: Title Companies as Targets

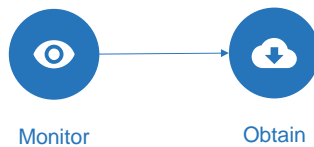
Phishing

Fraudsters use phishing attacks to gain access to realtor's email account.



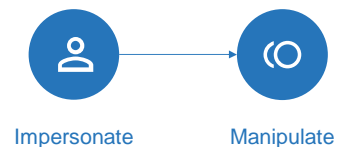
Business Email Compromise

Fraudsters then utilize the compromised email to gain transaction-level information.



Social Engineering

Using knowledge gained from monitoring emails, the fraudster impersonates the realtor or title company to provide fraudulent information.




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Why real estate transactions?

1.They are incredibly lucrative
(avg \$200,000)

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Why real estate transactions?

2. Transactions involve multiple parties all communicating electronically

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Why real estate transactions?

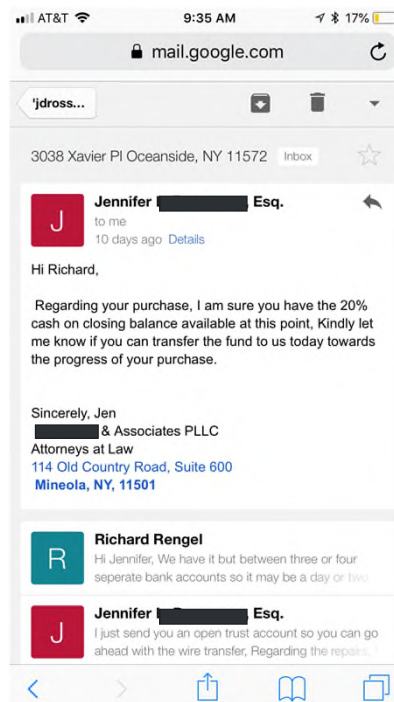
3. All the information to start a fraud is easily found online

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Trend 1:

Buyers are Targeted Week One

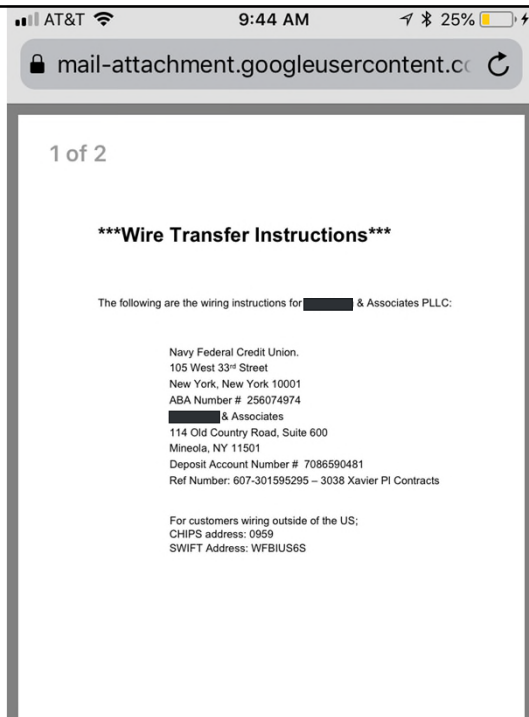


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Trend 1:

Buyers are Targeted Week One



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Trend 1:

Buyers are Targeted Week One

On Thursday, July 25, 2019, Jennifer L. [REDACTED] Esq.
<[j\[REDACTED\].nylegalcenter@aol.com](mailto:j[REDACTED].nylegalcenter@aol.com)> wrote:
Hi Richard,

Yes the list of the repairs/credits has been sent to the seller's lawyer which as been approved by the seller's, and the credit requested will be deducted from the closing cost.

Let me know as soon as the wire has been done tomorrow.

Thanks.

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Trend 1:

Buyers are Targeted Week One

From: Jennifer L. [REDACTED], Esq. <[j\[REDACTED\].nylegalcenter@aol.com](mailto:j[REDACTED].nylegalcenter@aol.com)>
Date: Tuesday, July 30, 2019
Subject: 3038 Xavier Pl Oceanside, NY 11572
To: richard.a.rengel@gmail.com

Hi Richard,

We received the \$84k, but still waiting to confirm the first payment (\$30k). as of yesterday it hadn't come into our account. please confirm from your end if the fund is still in your bank account or being processed

Have also got in touch with the seller's lawyer and will like to know if 7th August is good for you to do the signing.

Thanks!

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Trend 2:

Seller Proceeds Fraud Attempt

SUN TITLE AGENCY OF MICHIGAN, LLC
DISBURSEMENT INSTRUCTIONS AND AUTHORIZATION

Transaction Information

Closing Date and Time: April 11, 2019 at
Commitment No.: MI-RC73488-1
Property Address: 1550 & 1575 Gezon Parkway and 5801 & 5805 Weller C, Wyoming, MI 49509

Instructions

The undersigned party hereby directs and authorizes Sun Title Agency of Michigan, LLC to remit the funds owed to the undersigned party as follows:

☐ Check

☒ Wire Transfer

Account Owner: Development Company, LLC

Account No. 6339

Routing No. 026009593

Bank Name: Chemical Bank

Address: PO Box 529, Midland, MI 48640

Contact Phone: 800-867-9757

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Trend 2:

Seller Proceeds Fraud Attempt

The undersigned releases Sun Title Agency of Michigan, LLC and its members, officers, employees, agents, underwriters and insurers, from any and all rights, claims, actions, liabilities, damages or causes of action relating to this transfer.

Development Company, LLC, a Michigan limited liability company

BY: [Signature]

STATE OF MICHIGAN)
COUNTY OF KENT) ss:

Acknowledged before me in Kent County, on April 9, 2019, by

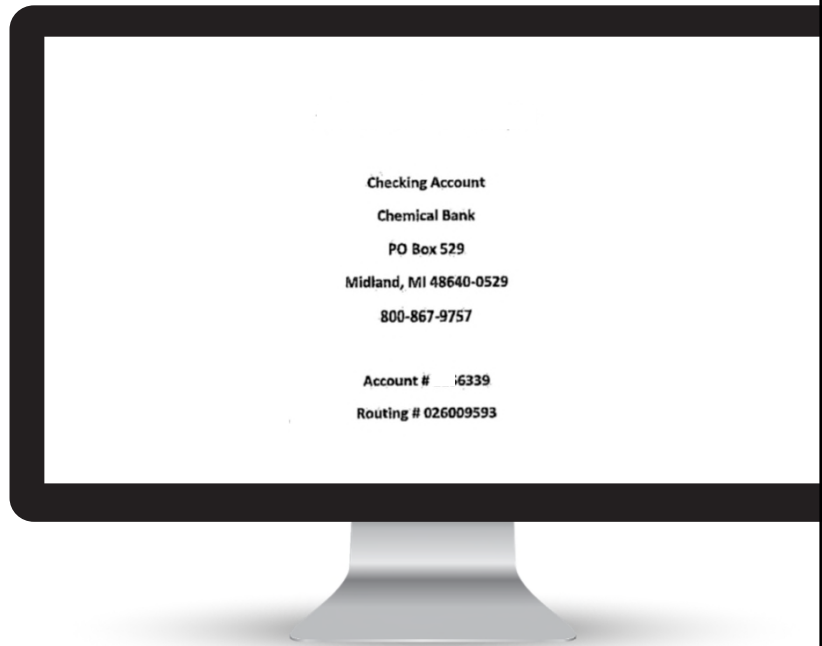
[Signature]
Notary Public: MICHAEL LAMMIEPLY
Notary public, State of Michigan, County of KENT
My commission expires 7/18/2025
Acting in the County of Kent

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Trend 2:

Seller Proceeds Fraud Attempt

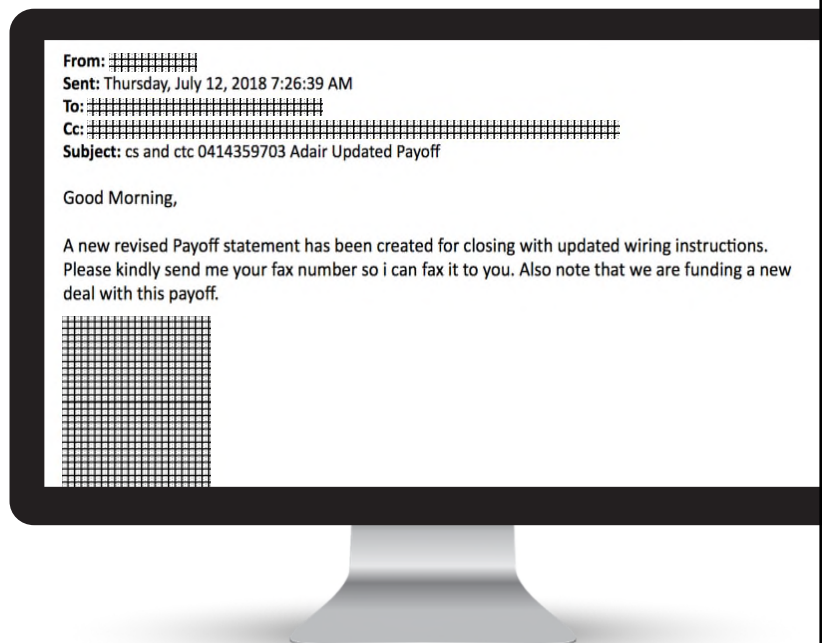


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Trend 3:

Mortgage Payoff Fraud



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Mortgage Payoff Fraud

[illegible]

- Buyers are top targets
- Mortgage “cash out” wires are being diverted
- Mortgage payoff scams are rising
- Fraudsters are timelier and more brazen

Real Estate Wire Fraud Trends Recap

Today's Topics

The New Era of Wire Fraud

- The Cybercrime Pandemic
- Wire Fraud Trends

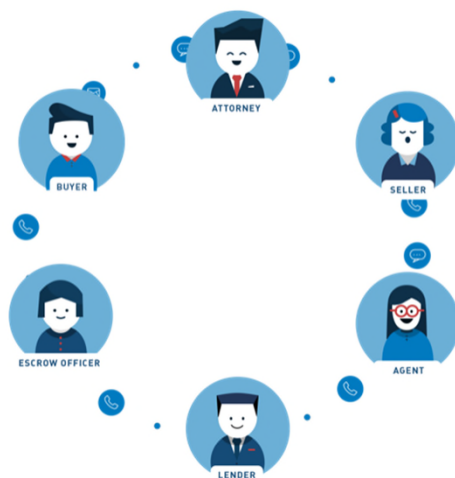
Allocating Fault in the Courts

- Managing and Offsetting Risk

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Transaction Dynamics



Transactions involve multiple parties all communicating electronically

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Transaction Dynamics



Each party may be liable if a loss occurs.

Courts have spread responsibility to all parties involved.

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Transaction Dynamics – Unique Obligations



Each party has specific obligations to fulfill in a transaction.

The number of shared duties and responsibilities creates legal complexities between the parties .

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Why they sue

Financial Loss

I lost money in the transaction, and you are responsible

Cannot close on property

I am unable to benefit from the bargain I negotiated, and you are responsible

Obligation I cannot perform

I cannot fulfill my obligations to others, and you are responsible

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How they sue: **Case theories used in court**

- Negligence
- Breach of Contract
- Breach of Fiduciary
- Breach of Consumer Protection Laws

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Bain Case

Agent and Broker Liable for 85% of Wire Fraud Loss

“ ”

[Plaintiff] is granted judgment against defendants [broker and agent], jointly and severally, on his claim for negligent misrepresentation in the amount of \$167,129.27...

Bain v. Platinum Realty LLC et al., Case No. 16-CV-02326-JWL, Dist. Court, D. Kansas, 2018

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O'Neill Case

Bank not liable for failing to stop a \$580K wire transfer to fraudster

“ ”

Any duty [the bank] owed to [the law firm] was a contractual duty... not a duty based on social policy. Thus, [the law firm] may not recast their breach of contract claims against [the bank] as a tort-based claim.

O'Neill, Bragg & Staffin, P.C. v. Bank of America Corp., Case No. 18-2109, Dist. Court, E.D. Pennsylvania, 2018

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Wire Fraud in Real Estate - Pending Cases

Court	Parties	Date	Amount	Description
Federal – Middle District of Pennsylvania	<i>Rafi Hovsepian v. Guaranteed Rate Real Estate, LLC</i>	May 29, 2019	\$93,737	Buyer cash to close
Federal – Middle District of Florida	<i>Florida Title Processing, Inc., v. Navy Federal Credit Union et al.</i>	March 21, 2019	\$200,000	Seller proceeds
Federal – W. District of North Carolina	<i>Noble Capital Management, LLC v. James Weaver Kirkpatrick et al.</i>	February 14, 2019	\$267,642	Mortgage payoff
State – Superior Court of California	<i>Focus Escrow v. Western Resources Title Company</i>	September 25, 2018	\$49,571	Seller proceeds
Federal – District Court of New Jersey	<i>A Absolute Escrow Settlement Co., v. Wells Fargo et al.</i>	May 7, 2018	\$239,290	Mortgage payoff
Federal – District of Minnesota	<i>Evanston Insurance Company v. Steven Newgren and Andrea Newgren</i>	January 23, 2018	\$85,271	Seller proceeds
Federal – NE District of Illinois	<i>White v. Citywide Title, Wells Fargo</i>	March 22, 2018	+\$75,000	Buyer cash to close
State – Wisconsin Circuit Court	<i>Geils Home Wisconsin LLC v. Merit Title, LLC</i>	March 6, 2018	\$162,433	Buyer cash to close
State – Texas District Court	<i>El Paso Title Co., Inc. v. JP Morgan Chase and Bank of America</i>	September 27, 2017	\$148,000	Seller proceeds

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Case Name	Negligence	Breach of Contract	Breach of Fiduciary Duties	Breach of Consumer Protection Laws
Geils Home Wisconsin LLC v. Merit Title, LLC and ABC Insurance Company, No. 2018CV000441 (Cir. Ct., Wis)	✓	✓		
Robert Douglas White v. Citywide Title Corp., and Wells Fargo Home Mortgage, No. 1:18-cv-02086 (N.D. IL. 2018)	✓		✓	✓
El Paso Title Co., Inc. v. J.P. Morgan Chase Bank N.A., and Bank of America, No. 2017DCV2638 (Dist. Ct. 34 th Cir. Ct., Tex.)	✓	✓		
Noble Capital Management, LLC v. James Weaver Kirkpatrick et al., No. 1:19-cv-00049 (W.D.N.C. 2019)	✓	✓		
Florida Title and Processing vs. Navy Fed (and John Doe)	✓			✓
Florida Title and Processing, Inc. v. Navy Federal Credit Union et al., No. 2:19-cv-00173 (M.D. Fla. 2019)	✓			
Focus Escrow v. West Resources Title Company and Does 1 through 100, No. 30-2018-01021238-CU-PN-CJC (Cal. 2018)	✓		✓	
A. Absolute Escrow Settlement Co., Inc. v. Wells Fargo, NA, NMS Capital Realty Advisors, LLC et al., No. 2:18-cv-08911-CCC-CLW (Dist. N.J. 2018)	✓	✓		✓
Rafi Hovsepian v. Guaranteed Rate Real Estate, LLC, d/b/a Guaranteed Rate Inc., No. 3:19-cv-00911-RDM (M.D. Penn. 2019)	✓		✓	✓
Steven Newgren v. Annette Wilkie, McGregor Title, Inc., Donald Lee Haller d/b/a McGregor Realty and Property Management et al., No. 0:18-cv-00173 (Dist. Ct. 9 th Cir. Ct., Min. 2018)	✓	✓	✓	
Robert Millard v. Patricia Doran, No. 153262/2016 (N.Y. 2016)			✓	

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White v.
Citywide Title:

COURT DOCKET

Proceedings

Retrieve Document(s)

<input type="checkbox"/>	Availability	#	Date	Proceeding Text	Source
<input type="checkbox"/>	Free	1	03/22/2018	COMPLAINT filed by Robert Douglas White; Jury Demand. Filing fee \$ 400, receipt number 0752-14268109 (Ditore, Samantha) (Entered: 03/22/2018)	
<input type="checkbox"/>	Online	2	03/22/2018	ATTORNEY Appearance for Plaintiff Robert Douglas White by John C. Ellis (Ellis, John) (Entered: 03/22/2018)	
<input type="checkbox"/>	Online	3	03/22/2018	CIVIL Cover Sheet (Ditore, Samantha) (Entered: 03/22/2018)	
<input type="checkbox"/>	Runner		03/22/2018	CASE ASSIGNED to the Honorable John J. Tharp, Jr. Designated as Magistrate Judge the Honorable M. David Weisman. (meg.) (Entered: 03/22/2018)	
<input type="checkbox"/>	Runner		03/22/2018	SUMMONS Issued as to Defendants Citywide Title Corporation, Wells Fargo Home Mortgage. (kms) (Entered: 03/22/2018)	
<input type="checkbox"/>	Online	4	03/23/2018	NOTICE TO THE PARTIES - The Court is participating in the Mandatory Initial Discovery Pilot (MIDP). The key features and deadlines are set forth in this Notice which includes a link to the (MIDP) Standing Order and a Checklist for use by the parties. In cases subject to the pilot, all parties must respond to the mandatory initial discovery requests set forth in the Standing Order before initiating any further discovery in this case. Please note: The discovery obligations in the Standing Order supersede the disclosures required by Rule 26(a)(1). Any party seeking affirmative relief must serve a copy of the following documents (Notice of Mandatory Initial Discovery and the Standing Order) on each new party when the Complaint, Counterclaim, Crossclaim, or Third-Party Complaint is served. (fp.) (Entered: 03/23/2018)	
<input type="checkbox"/>	Online	5	04/03/2018	ATTORNEY Appearance for Defendant Wells Fargo Home Mortgage by Tyler Donald Altemann (Altemann, Tyler) (Entered: 04/03/2018)	
<input type="checkbox"/>	Online	6	04/03/2018	ATTORNEY Appearance for Defendant Wells Fargo Home Mortgage by Michelle V Dohra (Dohra, Michelle) (Entered: 04/03/2018)	
<input type="checkbox"/>	Online	7	04/03/2018	ATTORNEY Appearance for Defendant Wells Fargo Home Mortgage by Kristin J Steinkamp (Steinkamp, Kristin) (Entered: 04/03/2018)	
<input type="checkbox"/>	Online	8	04/04/2018	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable Robert W. Gettleman for all further proceedings, pursuant to IOP 13(f) and 28 USC 465(a) and (b)(6). Honorable John J. Tharp, Jr. no longer assigned to the case.	

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White v.
Citywide Title:

COURT DOCKET

<input type="checkbox"/>	Online	9	04/05/2018	ATTORNEY Appearance for Defendant Citywide Title Corporation by Jeffrey Robert Platt (Platt, Jeffrey) (Entered: 04/05/2018)	
<input type="checkbox"/>	Online	10	04/05/2018	MOTION by Defendant Citywide Title Corporation for extension of time to file answer regarding complaint 1 (Platt, Jeffrey) (Entered: 04/05/2018)	
<input type="checkbox"/>	Online	11	04/05/2018	NOTICE of Motion by Jeffrey Robert Platt for presentment of motion for extension of time to file answer 10 before Honorable Robert W. Gettleman on 4/11/2018 at 09:15 AM. (Platt, Jeffrey) (Entered: 04/05/2018)	
<input type="checkbox"/>	Online	12	04/06/2018	ATTORNEY Appearance for Defendant Citywide Title Corporation by Maureen Ann Maffei (Maffei, Maureen) (Entered: 04/06/2018)	
<input type="checkbox"/>	Online	13	04/10/2018	MOTION by Defendant Wells Fargo Home Mortgage for extension of time to file answer regarding complaint 1 (Wells Fargo's Unopposed Motion for Extension of Time) (Steinkamp, Kristin) (Entered: 04/10/2018)	
<input type="checkbox"/>	Online	14	04/10/2018	NOTICE of Motion by Kristin J Steinkamp for presentment of motion for extension of time to file answer 13 before Honorable Robert W. Gettleman on 4/17/2018 at 09:15 AM. (Steinkamp, Kristin) (Entered: 04/10/2018)	
<input type="checkbox"/>	Online	15	04/11/2018	MINUTE entry before the Honorable Robert W. Gettleman: Citywide Title Corp.'s motion 10 for an extension of time to 5/2/2018 to answer or otherwise plead is granted. Parties to file a joint status report on this Court's form, by 5/9/2018. This matter is set for a hearing to report on status on 5/16/2018 at 9:10 a.m. Mailed notice (cn) (Entered: 04/11/2018)	
<input type="checkbox"/>	Online	16	04/17/2018	MINUTE entry before the Honorable Robert W. Gettleman: Wells Fargo's unopposed motion 13 for extension of time to 5/11/2018 to answer or otherwise plead is granted. Joint status report due by 5/14/2018. Status hearing remains set for 5/16/2018 at 9:10 a.m. Mailed notice (cn) (Entered: 04/18/2018)	
<input type="checkbox"/>	Free	17	05/02/2018	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Citywide Title Corporation (Attachments: # 1 Exhibit A , # 2 Exhibit B) (Platt, Jeffrey) (Entered: 05/02/2018)	
<input type="checkbox"/>	Online	18	05/02/2018	NOTICE of Motion by Jeffrey Robert Platt for presentment of Motion to Dismiss for Failure to State a Claim 17 before Honorable Robert W. Gettleman on 5/16/2018 at 09:15 AM. (Platt, Jeffrey) (Entered: 05/02/2018)	
<input type="checkbox"/>	Free	19	05/11/2018	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Wells Fargo Home Mortgage, MOTION by Defendant Wells Fargo Home Mortgage to dismiss for lack of jurisdiction (Altemann, Tyler) (Entered: 05/11/2018)	

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White v.
Citywide Title:

COURT DOCKET

	Free	20	05/11/2018	MEMORANDUM by Wells Fargo Home Mortgage in support of Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction 19 (Alfemmann, Tyler)(Entered: 05/11/2018)
	Online	21	05/11/2018	NOTICE of Motion by Tyler Donald Alfemmann for presentment of Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction 19 before Honorable Robert W. Gettleman on 5/16/2018 at 09:15 AM. (Alfemmann, Tyler)(Entered: 05/11/2018)
	Online	22	05/14/2018	STATUS Report (Joint) by Citywide Title Corporation (Attachments: # 1 Certificate of Service)(Platt, Jeffrey)(Entered: 05/14/2018)
	Online	23	05/14/2018	CERTIFICATE of Service by Defendant Citywide Title Corporation regarding status report 22 (Amended) (Platt, Jeffrey)(Entered: 05/14/2018)
	Online	24	05/16/2018	MINUTE entry before the Honorable Robert W. Gettleman: Status hearing held on 5/16/2018. Plaintiff to file an amended complaint on or before 5/25/2018. Status hearing set for 5/30/2018 at 9:00 a.m. Defendant Citywide Title Corporation's motion 17 to dismiss Counts I, III, V, and VI of plaintiffs complaint and defendant Wells Fargo Home Mortgage's motion 19 to dismiss are entered and continued to 5/30/2018. Mailed notice (cn)(Entered: 05/16/2018)
	Online	25	05/23/2018	MOTION by Plaintiff Robert Douglas White for leave to file PLAINTIFF'S FIRST AMENDED COMPLAINT (Attachments: # 1 Exhibit Plaintiff First Amended Complaint)(Ditore, Samantha)(Entered: 05/23/2018)
	Online	26	05/23/2018	NOTICE of Motion by Samantha Ditore for presentment of motion for leave to file 26 before Honorable Robert W. Gettleman on 5/30/2018 at 09:00 AM. (Ditore, Samantha)(Entered: 05/23/2018)
	Free	27	05/30/2018	FIRST AMENDED complaint by Robert Douglas White against All Defendants (Ditore, Samantha)(Entered: 05/30/2018)
	Online	28	05/30/2018	MINUTE entry before the Honorable Robert W. Gettleman: Status hearing held on 5/30/2018. Plaintiff's motion 25 for leave to file first amended complaint is granted. Defendant's motions to dismiss 17-19 are withdrawn without prejudice. Defendant's motions to dismiss the first amended complaint due by 6/27/2018, plaintiff's response due 7/16/2018, defendant's replies due by 8/6/2018. Status hearing set for 10/6/2018 at 9:00 a.m. Mailed notice. (cn)(Entered: 05/30/2018)
	Online	29	05/30/2018	MINUTE entry before the Honorable Robert W. Gettleman: The briefing schedule for defendant's motions to dismiss the first amended complaint is amended as follows, plaintiff's response to defendant's motions to dismiss the first amended complaint is due by 7/25/2018. All other schedule dates remain as is

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White v.
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	Free	30	06/27/2018	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Citywide Title Corporation (Attachments: # 1 Exhibit Exhibits A-C , # 2 Text of Proposed Order , # 3 Certificate of Service)(Platt, Jeffrey)(Entered: 06/27/2018)
	Online	31	06/27/2018	MOTION by Defendant Wells Fargo Home Mortgage to dismiss for lack of jurisdiction (Defendant Wells Fargo's Motion to Dismiss Plaintiff's First Amended Complaint at Law)(Alfemmann, Tyler)(Entered: 06/27/2018)
	Free	32	06/27/2018	MEMORANDUM by Wells Fargo Home Mortgage in support of motion to dismiss/lack of jurisdiction 31 (Attachments: # 1 Exhibit A , # 2 Exhibit B , # 3 Exhibit C)(Alfemmann, Tyler)(Entered: 06/27/2018)
	Online	33	06/27/2018	MOTION by Defendant Wells Fargo Home Mortgage to seal Exhibit A (Alfemmann, Tyler)(Entered: 06/27/2018)
	Online	34	06/27/2018	SEALED EXHIBIT by Defendant Wells Fargo Home Mortgage regarding MOTION by Defendant Wells Fargo Home Mortgage to seal Exhibit A 33 (Alfemmann, Tyler)(Entered: 06/27/2018)
	Online	35	06/27/2018	NOTICE of Motion by Tyler Donald Alfemmann for presentment of motion to seal 33 before Honorable Robert W. Gettleman on 7/10/2018 at 09:15 AM. (Alfemmann, Tyler)(Entered: 06/27/2018)
	Online	36	07/10/2018	MINUTE entry before the Honorable Robert W. Gettleman: Defendant Wells Fargo Home Mortgage's motion 33 to seal Exhibit A to its motion to dismiss is granted. Mailed notice (cn). (Entered: 07/11/2018)
	Online	37	07/25/2018	RESPONSE by Robert Douglas White in Opposition to MOTION by Defendant Wells Fargo Home Mortgage to dismiss for lack of jurisdiction (Defendant Wells Fargo's Motion to Dismiss Plaintiff's First Amended Complaint at Law) 31 Response in Opposition to Wells Fargo's Motion to Dismiss First Amended Complaint (Ditore, Samantha)(Entered: 07/25/2018)
	Free	38	07/25/2018	RESPONSE by Robert Douglas White in Opposition to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Citywide Title Corporation 30 Response in Opposition to Citywide's Motion to Dismiss Counts I-IV of Plaintiff's First Amended Complaint (Ditore, Samantha)(Entered: 07/25/2018)
	Online	39	08/08/2018	REPLY by Defendant Wells Fargo Home Mortgage to motion to dismiss/lack of jurisdiction 31 (Reply in Support of Defendant Wells Fargo's Motion to Dismiss Plaintiff's First Amended Complaint at Law)(Alfemmann, Tyler)(Entered: 08/08/2018)

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White v.
Citywide Title:

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<input type="checkbox"/>	Online	40	08/08/2018	REPLY by Citywide Title Corporation to response in opposition to motion, 38 (Attachments: # 1 Certificate of Service)(Platt, Jeffrey) (Entered: 08/08/2018)
<input type="checkbox"/>	Online	41	10/04/2018	MINUTE entry before the Honorable Robert W. Gettleman: Status hearing set for 10/9/2018 is stricken. The court will issue a written order by mail. Mailed notice (cn). (Entered: 10/04/2018)
<input type="checkbox"/>	Free	42	10/11/2018	ORDER: Plaintiff Robert White sued defendant Wells Fargo, alleging that when Wells Fargo transferred his money to an unintended person, it failed to use a commercially reasonable security procedure. Wells Fargo moves to dismiss, arguing that: (1) the court lacks personal jurisdiction; (2) venue is improper because the arbitration agreement between the parties requires them to arbitrate this case in Texas; and (3) White fails to state a claim under the Uniform Commercial Code. Because this court is not the proper venue, Wells Fargo's motion 31 to dismiss is granted. Signed by the Honorable Robert W. Gettleman on 10/11/2018. Mailed notice (cn). (Entered: 10/12/2018)
<input type="checkbox"/>	Free	43	10/16/2018	MEMORANDUM Opinion and Order: For the reasons stated in the Memorandum Opinion and Order, Citywide Title Corporation's motion 30 to dismiss is granted in part and denied on Count II. Counts I (negligence), III (Illinois Consumer Fraud Act), and IV (invasion of privacy) are dismissed. Citywide is directed to answer Count II (breach of fiduciary duty) on or before November 7, 2018. Citywide and plaintiff are directed to submit a joint status report using this court's form on or before November 9, 2018. This matter is set for a report on status on November 15, 2018, at 9:00 a.m. Signed by the Honorable Robert W. Gettleman on 10/16/2018. Mailed notice (cn). (Entered: 10/16/2018)
<input type="checkbox"/>	Free	44	11/01/2018	ANSWER to amended complaint and Affirmative Defenses by Citywide Title Corporation(Platt, Jeffrey) (Entered: 11/01/2018)
<input type="checkbox"/>	Online	45	11/02/2018	MOTION by Defendant Citywide Title Corporation for summary judgment on Count II of Plaintiff's Amended Complaint with Incorporated Memorandum of Law (Attachments: # 1 Exhibit A , # 2 Exhibit B)(Platt, Jeffrey) (Entered: 11/02/2018)
<input type="checkbox"/>	Online	46	11/02/2018	NOTICE of Motion by Jeffrey Robert Platt for presentment of motion for summary judgment 45 before Honorable Robert W. Gettleman on 11/14/2018 at 09:15 AM. (Platt, Jeffrey) (Entered: 11/02/2018)
<input type="checkbox"/>	Online	47	11/02/2018	STATEMENT by Defendant Citywide Title Corporation in Support of MOTION by Defendant Citywide Title Corporation for summary judgment on Count II of Plaintiff's Amended Complaint with Incorporated Memorandum of Law 45 (Attachments: # 1 Exhibit A)(Platt, Jeffrey) (Entered: 11/02/2018)

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Citywide Title:

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<input type="checkbox"/>	Online	48	11/05/2018	STATUS Report (Joint) by Citywide Title Corporation (Platt, Jeffrey) (Entered: 11/05/2018)
<input type="checkbox"/>	Online	49	11/06/2018	MINUTE entry before the Honorable Robert W. Gettleman: Motion presentment hearing set for 11/14/2019 and status hearing set for 11/15/2019 before Judge Gettleman are stricken. Mailed notice (cn). (Entered: 11/06/2018)
<input type="checkbox"/>	Online	50	11/06/2018	ORDER REASSIGNING Cases to the Honorable M. David Weisman, pursuant to Local rule 73.1(C) for all further proceedings consented to the reassignment. The Honorable Robert W. Gettleman no longer assigned to the case. Signed by Honorable Robert W. Gettleman on 11/6/18. (gmm) (Entered: 11/07/2018)
<input type="checkbox"/>	Online	51	11/07/2018	MINUTE entry before the Honorable M. David Weisman: This case has been reassigned to Magistrate Judge Weisman. Initial status hearing set for 11/15/18 at 9:15 a.m. Prior to the status hearing, parties are directed to familiarize themselves with the subjects referenced in Magistrate Judge Weisman's Standing Order for procedures for the initial status hearing posted on the Court's website www.lind.uscourts.gov/Judges . Mailed notice (ao.) (Entered: 11/07/2018)
<input type="checkbox"/>	Online	52	11/07/2018	MINUTE entry before the Honorable M. David Weisman: At the parties' request, the status hearing set for 11/15/18 is stricken and reset to 11/19/18 at 9:15 a.m. Mailed notice (ao.) (Entered: 11/07/2018)
<input type="checkbox"/>	Online	53	11/19/2018	MINUTE entry before the Honorable M. David Weisman: Status hearing held. Defendant intends to move forward with its summary judgment motion and was advised that an additional summary judgment motion will not be allowed. The Court sets the following briefing schedule on Defendant's motion for summary judgment 45: Plaintiff's response shall be filed by 12/19/18; reply by 1/9/19. Ruling date set for 2/6/19 at 9:15 a.m. Plaintiff shall file a Rule 55(d) motion promptly, if appropriate. Mailed notice (ao.) (Entered: 11/19/2018)
<input type="checkbox"/>	Online	54	12/11/2018	NOTICE of Motion by Samantha Ditore for presentment of before Honorable M. David Weisman on 12/17/2018 at 09:15 AM. (Ditore, Samantha) (Entered: 12/11/2018)
<input type="checkbox"/>	Online	55	12/11/2018	MOTION by Plaintiff Robert Douglas White for leave to file Second Amended Complaint (Attachments: # 1 Exhibit A)(Ditore, Samantha) (Entered: 12/11/2018)
<input type="checkbox"/>	Online	56	12/12/2018	MINUTE entry before the Honorable M. David Weisman: Plaintiff's motion for leave to file second amended complaint 55 is entered and briefed and follows: Defendant's response shall be filed by 1/3/19; Plaintiff's reply shall be filed by 1/14/19. Ruling on motion hearing set for 1/24/19 at 9:15 a.m. Briefing schedule on Defendant's motion for summary judgment 45 is stayed pending

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Citywide Title:

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	Online	57	01/03/2019	RESPONSE by Citywide Title Corporation to MOTION by Plaintiff Robert Douglas White for leave to file Second Amended Complaint 55 (Attachments: # 1 Exhibit A , # 2 Exhibit B , # 3 Certificate of Service)(Platt, Jeffrey) (Entered: 01/03/2019)
	Online	58	01/14/2019	REPLY by Robert Douglas White to response to motion 57 (Attachments: # 1 Exhibit A)(Ditore, Samantha) (Entered: 01/14/2019)
	Online	59	01/16/2019	ORDER: This case is before the Court on plaintiffs motion to file a second amended complaint. For the reasons set forth below, the motion 55 is denied. Ruling on motion hearing set for 1/24/19 is stricken. Plaintiffs response to defendants motion for summary judgment is due February 1, 2019, defendants reply is due February 15, 2019, and the hearing on the motion is set for March 19, 2019 at 9:15 a.m. (For further details see order.) Signed by the Honorable M. David Weisman on 1/16/2019. Mailed notice (ao.) (Entered: 01/16/2019)
	Online	60	02/01/2019	MEMORANDUM by Robert Douglas White in Opposition to motion for summary judgment 45 (Ditore, Samantha) (Entered: 02/01/2019)
	Online	61	02/01/2019	RULE 56 (c) Statement Plaintiffs Combined Response to Citywide's Statement of Material Facts and Plaintiffs Statement of Additional Material Facts (Attachments: # 1 Exhibit A , # 2 Exhibit B , # 3 Exhibit C - redacted)(Ditore, Samantha) (Entered: 02/01/2019)
	Online	62	02/15/2019	REPLY by Citywide Title Corporation to memorandum in opposition to motion 60 for Summary Judgment on Count II of Plaintiffs Amended Complaint (Platt, Jeffrey) (Entered: 02/15/2019)
	Online	63	03/12/2019	ORDER: For the reasons set forth in this order, the Court denies defendants motion for summary judgment 45. Ruling on motion hearing set for 3/19/19 at 9:15 a.m. is converted to a status hearing. (For further details see order.) Signed by the Honorable M. David Weisman on 3/12/2019. Mailed notice (ao.) (Entered: 03/12/2019)
	Online	64	03/12/2019	MINUTE entry before the Honorable M. David Weisman: Status hearing set for 3/19/19 at 9:15 a.m. Mailed notice (ao.) (Entered: 03/12/2019)
	Online	65	03/19/2019	MINUTE entry before the Honorable M. David Weisman: Status hearing held. MIDP disclosures shall be served by 4/2/19. Written discovery shall be proposed by 4/19/19. Any additional written discovery issued must be by agreement or with leave of court. Status hearing set for 5/29/19 at 9:15 a.m. to discuss deposition scheduling. Parties should also be prepared to address whether a settlement conference would be productive, and, if so, whether they have a non objection to this Court conducting the settlement conference. Mailed notice

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	Online	66	04/02/2019	CERTIFICATE of Service Plaintiffs MIDP Disclosures (Ditore, Samantha) (Entered: 04/02/2019)
	Online	67	04/03/2019	CERTIFICATE of Service Defendants MIDP Disclosures (Platt, Jeffrey) (Entered: 04/03/2019)
	Online	68	04/19/2019	CERTIFICATE of Service Plaintiffs Initial Discovery Requests (Ditore, Samantha) (Entered: 04/19/2019)
	Online	69	05/13/2019	CERTIFICATE of Service of Discovery Responses by Jeffrey Robert Platt on behalf of Citywide Title Corporation (Platt, Jeffrey) (Entered: 05/13/2019)
	Online	70	05/13/2019	CERTIFICATE of Service of Plaintiffs Discovery Responses by Samantha Ditore on behalf of Robert Douglas White (Ditore, Samantha) (Entered: 05/13/2019)
	Online	71	05/29/2019	MINUTE entry before the Honorable M. David Weisman: Status hearing held. Parties reported on the status of discovery and addressed anticipated depositions. Defendants are not interested in a settlement conference at this time. Status hearing set for 6/19/19 at 9:15 a.m. to discuss deposition scheduling and expert discovery, if necessary. Mailed notice (ao.) (Entered: 05/30/2019)
	Online	72	06/18/2019	MINUTE entry before the Honorable M. David Weisman: Status hearing held. Parties reported on the status of discovery and the litigation generally. Plaintiff intends on filing a motion for leave to add a defendant. Status hearing set for 8/21/19 at 9:15 a.m. Mailed notice (ao.) (Entered: 06/18/2019)
	Online	73	07/09/2019	MOTION by Defendant Citywide Title Corporation for disclosure Unopposed Motion to Authorize Disclosure by Comcast (Attachments: # 1 Exhibit A , # 2 Exhibit B)(Platt, Jeffrey) (Entered: 07/09/2019)
	Online	74	07/09/2019	Notice of Motion for Unopposed Motion to Authorize Disclosure by Comcast NOTICE of Motion by Jeffrey Robert Platt for presentment of motion for disclosure 73 before Honorable M. David Weisman on 7/23/2019 at 09:15 AM. (Platt, Jeffrey) (Entered: 07/09/2019)
	Online	75	07/10/2019	MINUTE entry before the Honorable M. David Weisman: Defendants unopposed motion to authorize disclosure by comcast 73 is granted. Parties shall submit a proposed order to the Courts proposed order email at Proposed_Order_Weisman@ind.uscourts.gov by 7/11/19. Motion hearing set for 7/23/19 is still denied. Mailed notice (ao.) (Entered: 07/10/2019)

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<input type="checkbox"/>	Online	77	07/18/2019	NOTICE OF EMAIL NOTIFICATION FAILURE, for document# 60 to 61 sent to Attorney Michelle V Dohira returned as: Unknown address error. Mailed to Attorney Michelle V Dohira a letter re: bounce back email and a Notification of Change of Address form. Notices have been set to No. Counsel must email the Clerk's Office at Docketing_ILND@ind.uscourts.gov when a Notification of Change of Address has been filed to ensure electronic notification is reset. (m.c.) (Entered: 07/18/2019)
<input type="checkbox"/>	Runner		08/21/2019	ORAL MOTION by Defendant Citywide Title Corporation for leave to file a subsequent motion for summary judgment. (ao.) (Entered: 08/21/2019)
<input type="checkbox"/>	Online	78	08/21/2019	MINUTE entry before the Honorable M. David Weisman: Status hearing held. Parties reported on the status of discovery. Fact discovery shall close on 9/27/19. Plaintiff shall submit a proposed order to Proposed_Order_Weisman@ind.uscourts.gov as to Comcast disclosure by COB on 8/21/19. Status hearing set for 10/15/19 at 9:15 a.m. to confirm that fact discovery has been completed and discuss whether expert discovery will be necessary. Defendant's oral motion for leave to file a subsequent motion for summary judgment is denied without prejudice based on Plaintiff's objection. Defendant may file a written motion for leave to file a motion for summary judgment and notice the motion for presentment on 10/15/19 at 9:15 a.m. Mailed notice (ao.) (Entered: 08/21/2019)
<input type="checkbox"/>	Online	79	08/21/2019	ORDER: The Court finds that no objection has been filed by the subscriber(s) relative to the e-mail address of gbodg533@comcast.net. As such, Comcast is ordered to disclose to counsel for the Defendant the records requested in Defendant's subpoena to Comcast relative to this e-mail account, including but not limited to, any personally identifiable information, within fourteen (14) days or no later than September 4, 2019. Signed by the Honorable M. David Weisman on 8/21/2019. Mailed notice (ao.) (Entered: 08/21/2019)

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Wire Fraud in Real Estate - Top Defenses

- Lack of jurisdiction
- Failure to state a cause of action (all or partial counts)
- Preclusion by UCC Article 4A
- Lack of duty (simple negligence or fiduciary)
- Contributory negligence

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Today's Topics

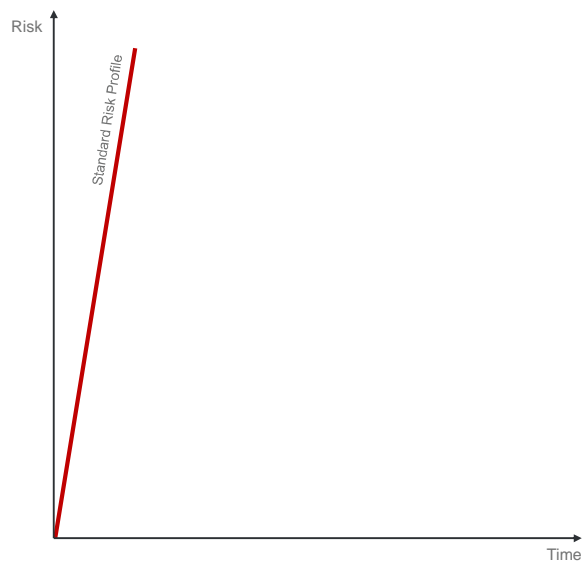
The New Era of Wire Fraud

- The Cybercrime Pandemic
- Wire Fraud Trends
- Allocating Fault in the Courts

Managing and Offsetting Risk

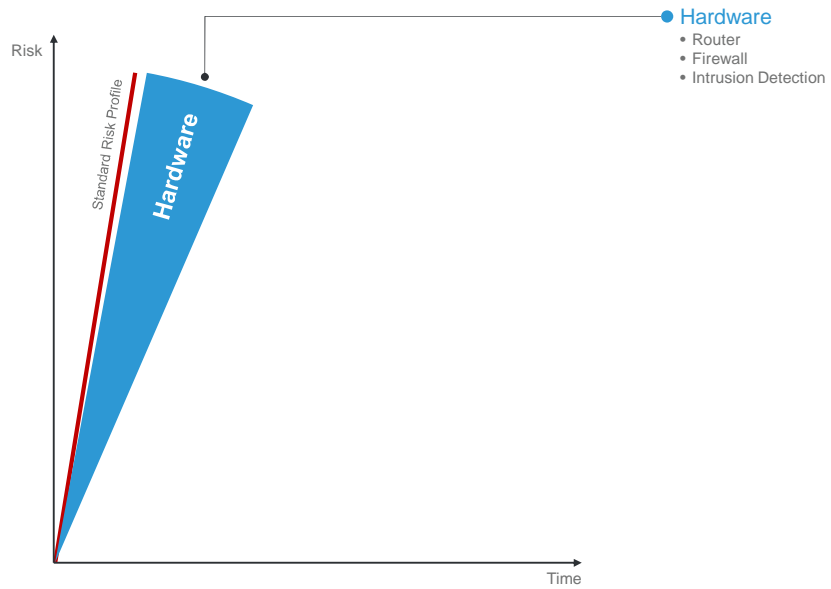
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Managing Risk – A “Layered” Approach



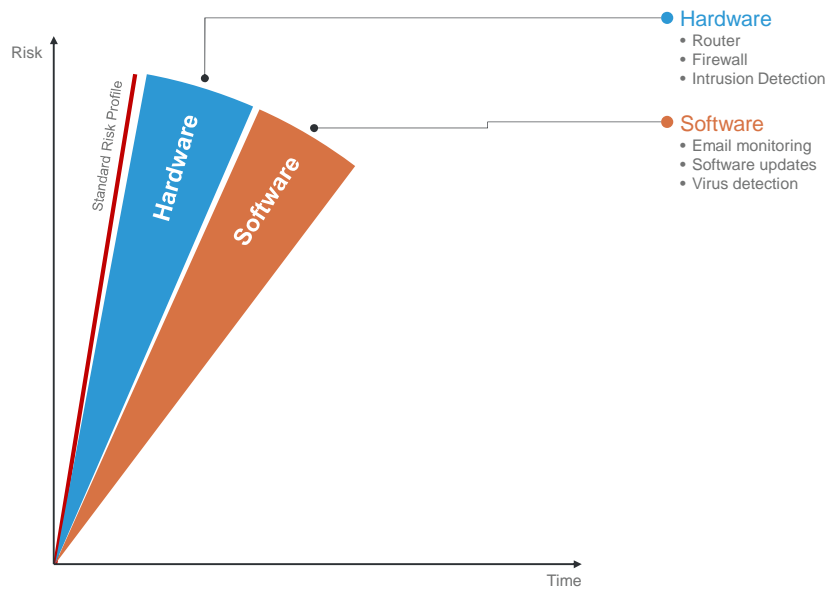
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Managing Risk – A “Layered” Approach



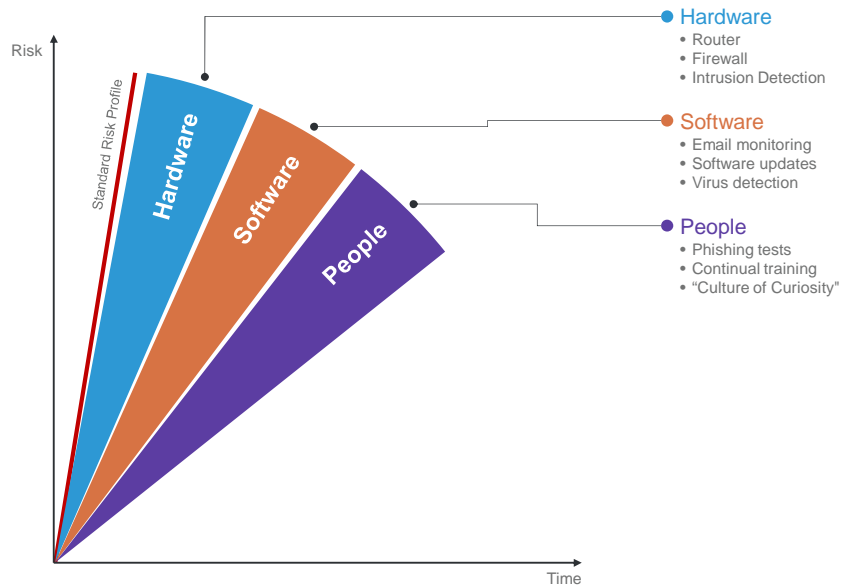
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Managing Risk – A “Layered” Approach



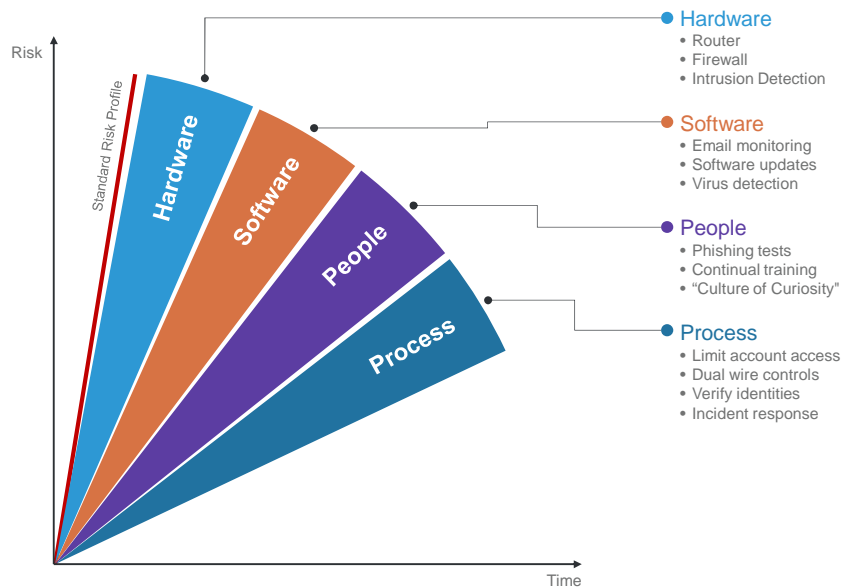
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Managing Risk – A “Layered” Approach



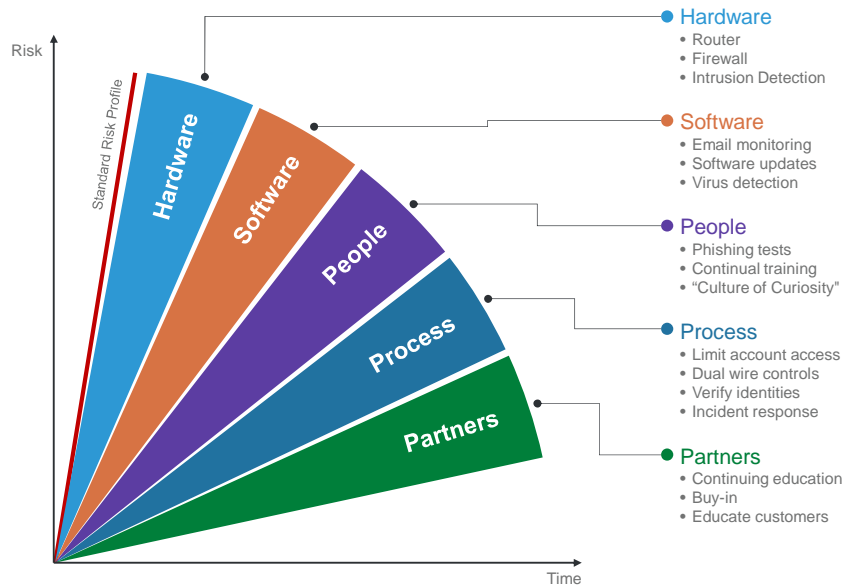
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Managing Risk – A “Layered” Approach



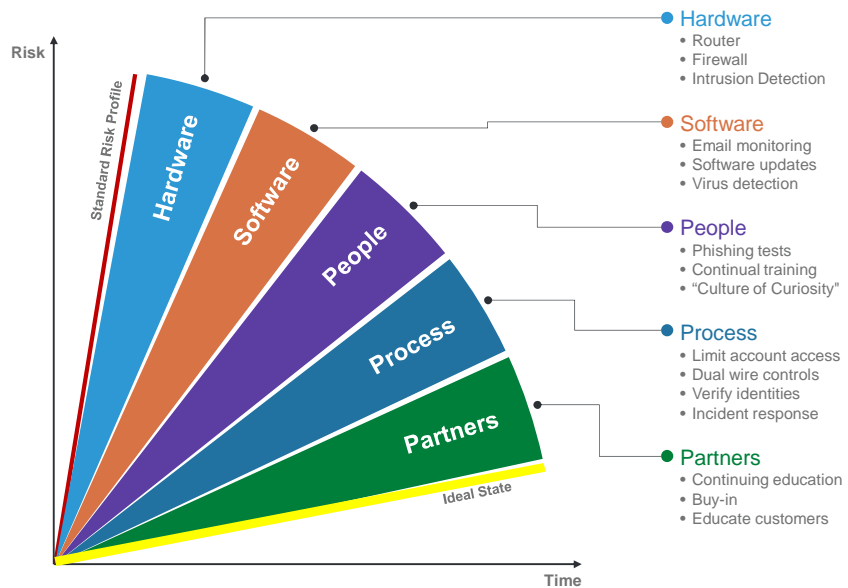
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Managing Risk – A “Layered” Approach

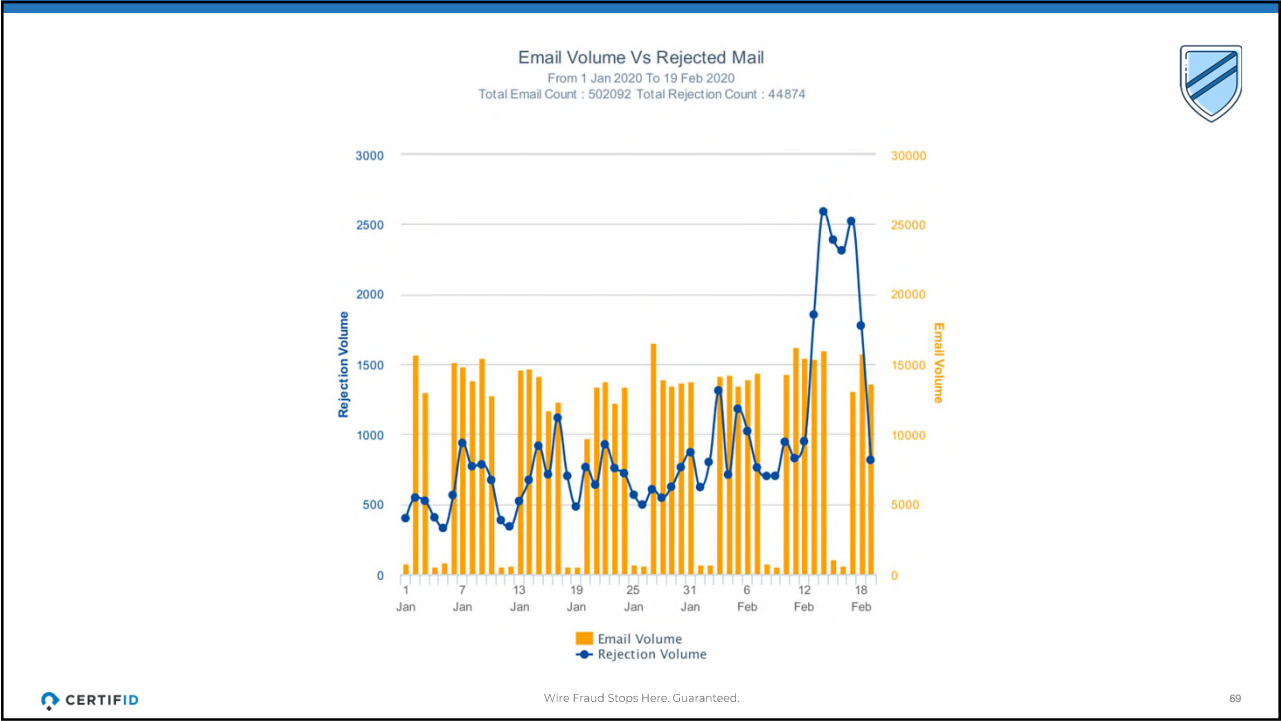


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Managing Risk – A “Layered” Approach



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Offsetting Risk through Insurance...

CERTIFID

**Problem: Title agents and attorneys
want higher insurance coverage limits.**

**To provide coverage, insurance
companies require some form of risk
mitigation.**

71

Current state of insurance coverage

- Coverage can be found on different policies
- Intent of the policy and language
- Amounts for relevant coverage is typically \$100,000 and \$250,000
- Availability of excess insurance
- Recovery of funds through FBI (ic3.gov)
- Requirement of implementing risk management practices

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Three Pillars of Value to Agents of The Fund



**Secure exchange of
wiring instructions**



**Identity verification
without meeting the
customer**



**\$1 Million per-wire
Guarantee**

74



CertifID is an easy-to-use, digital solution to securely share wiring information and guarantee each transfer up to \$1 million.

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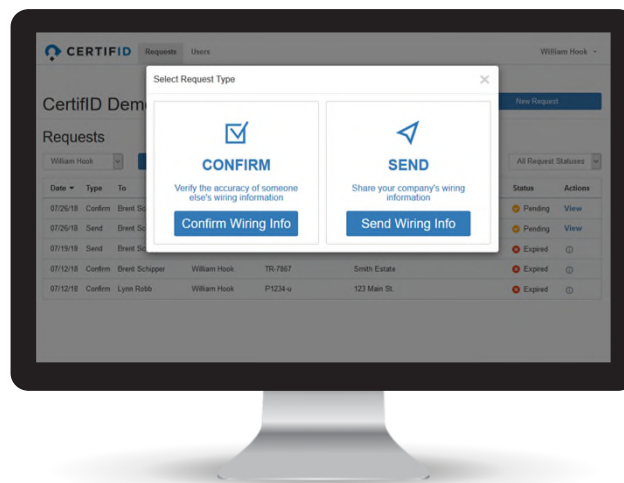
How CertifID Works

How CertifID Works

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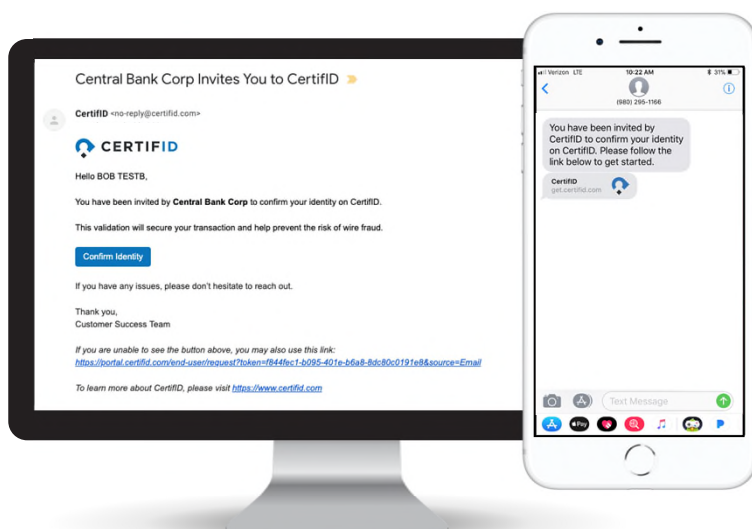
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Your Team:
**Protect Buyers
and Verify Sellers**



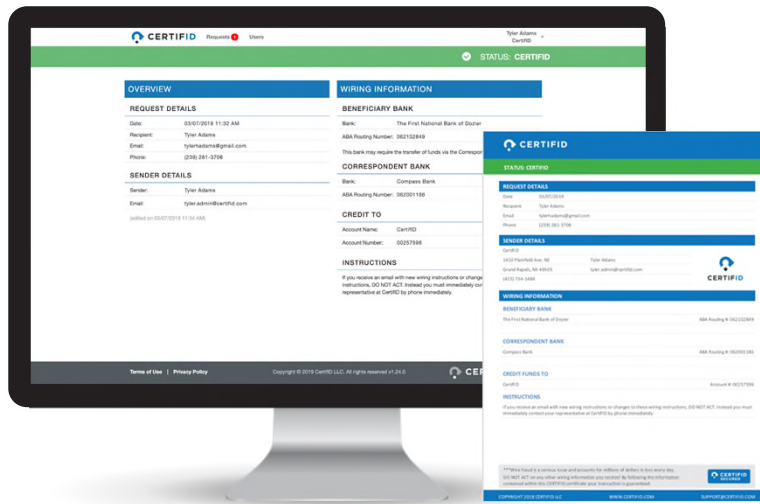
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Buyers and Sellers:
**Easy and Secure
Experience**



78

All Parties:
**Know Your
Funds are
Guaranteed**



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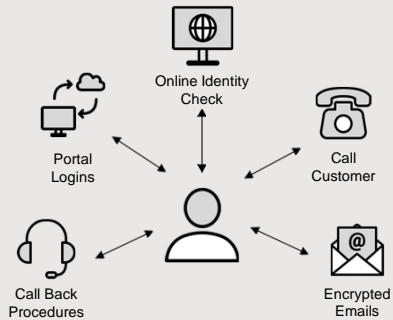
The CertifID Difference

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Transactions before CertifID



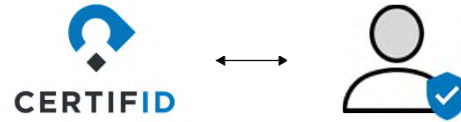
Multi-step manual process to attempt identity verification before wiring funds

Questionable, Risky Transfer with HIGH anxiety



Hours to Days

Transactions with CertifID



Through a simple automated process CertifID verifies customers

Transfer with Confidence and Peace of Mind



<1 Minute

81

81



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- <https://certifid.com/sign-up/>

2. Kickoff

- Customize your account (20 min)

3. Training

- Onboard your team (30 min)



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