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IN THE FIRST JUDICIAL DISTRICT COURT  
CACHE COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,  
vs.

BRUCE W ANDERSON  
12758 NORTH HIGH CREEK RD  
COVE, UT 84320  
DOB: 10/03/1942

Defendant.

**INFORMATION**

Case No.

Judge

OTN #:

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The undersigned Donald G. Linton, Deputy Cache County Attorney, under oath states on information and belief that the defendant, in Cache County, State of Utah, committed the following crime(s):

**COUNT 1:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about November, 2001, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann

Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and

(B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 2:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about January, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and

(B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 3:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about May, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a

fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and

(B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 4:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about June, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and

(B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 5:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about June, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in

an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and  
(B) in connection with that violation, the violator knowingly accepted any money representing:  
(I) equity in a person's home;  
(II) a withdrawal from any individual retirement account; or  
(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 6:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about July, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and  
(B) in connection with that violation, the violator knowingly accepted any money representing:  
(I) equity in a person's home;  
(II) a withdrawal from any individual retirement account; or  
(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 7:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about August, 2003, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of

the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and (B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 8:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about November, 2003, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and (B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 9:**

SECURITIES FRAUD, a second degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about November, 2003, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a

material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21. (A) at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000; and

(B) in connection with that violation, the violator knowingly accepted any money representing:

(I) equity in a person's home;

(II) a withdrawal from any individual retirement account; or

(III) a withdrawal from any qualified retirement plan as defined in the Internal Revenue Code.

**COUNT 10:**

SECURITIES FRAUD, a third degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about May, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21 and, at the time the crime was committed, the property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000.

**COUNT 11:**

SECURITIES FRAUD, a third degree felony, in violation of Utah Code Ann. § 61-1-1, as follows:

That BRUCE W ANDERSON on or about September, 2002, Commencing on or about January 2002, in the State of Utah, County of Cache, the defendant, in connection with the offer, sale, or purchase of a security, directly or indirectly, did: (1) employ a device, scheme, or artifice to defraud; (2) made an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or (3) engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon any person; in violation of Utah Code Ann Section 61-1-1 and 61-1-21 and, at the time the crime was committed, the

property, money, or thing unlawfully obtained or sought to be obtained was worth less than \$10,000.

**COUNT 12:**

EXPLOITATION OF A DISABLED OR ELDER ADULT, a second degree felony, in violation of Utah Code Ann. § 76-5-111(4)(b)(i), as follows:

That BRUCE W ANDERSON on or about November, 2001, (i) was in a position of trust and confidence, or had a business relationship, with the disabled or elder adult and intentionally or knowingly, by deception or intimidation, obtained or used, or endeavored to obtain or use, the disabled or elder adult's funds, credit, assets, or other property with the intent to temporarily or permanently deprive the disabled or elder adult of the use, benefit, or possession of his property, for the benefit of someone other than the disabled or elder adult;

(ii) knew or should have known that the disabled or elder adult lacked the capacity to consent, and intentionally or knowingly obtained or used, or endeavored to obtain or use, or assisted another in obtaining or using or endeavoring to obtain or use, the disabled or elder adult's funds, assets, or property with the intent to temporarily or permanently deprive the disabled or elder adult of the use, benefit, or possession of his property for the benefit of someone other than the disabled or elder adult;

(iii) intentionally or knowingly used or managed the resources of a disabled or elder adult for the profit or advantage of someone other than the disabled or elder adult in an unjust or improper manner;

(iv) intentionally or knowingly used a disabled or elder adult's power of attorney or guardianship for the profit or advantage of someone other than the disabled or elder adult in an unjust or improper manner;

(v) intentionally or knowingly involved a disabled or elder adult who lacked the capacity to consent in the facilitation or furtherance of any criminal activity; or

(vi) intentionally or knowingly committed sexual exploitation of a disabled or elder adult. The aggregate value of the resources used or profit made was or exceeds \$5,000.

**COUNT 13:**

EXPLOITATION OF A DISABLED OR ELDER ADULT, a second degree felony, in violation of Utah Code Ann. § 76-5-111(4)(b)(i), as follows:

That BRUCE W ANDERSON on or about August, 2003, (i) was in a position of trust and confidence, or had a business relationship, with the disabled or elder adult and intentionally or knowingly, by deception or intimidation, obtained or used, or endeavored to obtain or use, the disabled or elder adult's funds, credit, assets, or other property with the intent to temporarily or permanently deprive the disabled or elder adult of the use,

benefit, or possession of his property, for the benefit of someone other than the disabled or elder adult;

(ii) knew or should have known that the disabled or elder adult lacked the capacity to consent, and intentionally or knowingly obtained or used, or endeavored to obtain or use, or assisted another in obtaining or using or endeavoring to obtain or use, the disabled or elder adult's funds, assets, or property with the intent to temporarily or permanently deprive the disabled or elder adult of the use, benefit, or possession of his property for the benefit of someone other than the disabled or elder adult;

(iii) intentionally or knowingly used or managed the resources of a disabled or elder adult for the profit or advantage of someone other than the disabled or elder adult in an unjust or improper manner;

(iv) intentionally or knowingly used a disabled or elder adult's power of attorney or guardianship for the profit or advantage of someone other than the disabled or elder adult in an unjust or improper manner;

(v) intentionally or knowingly involved a disabled or elder adult who lacked the capacity to consent in the facilitation or furtherance of any criminal activity; or

(vi) intentionally or knowingly committed sexual exploitation of a disabled or elder adult. The aggregate value of the resources used or profit made was or exceeds \$5,000.

**COUNT 14:**

PATTERN OF UNLAWFUL ACTIVITY, a second degree felony, in violation of Utah Code Ann. § 76-10-1603, as follows:

That BRUCE W ANDERSON on or about 2001-2003, having received any proceeds derived, whether directly or indirectly, from a pattern of unlawful activity in which he has participated as a principal, did use or invest, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or the establishment or operation of, any enterprise;

or did, through a pattern of unlawful activity, acquire or maintain, directly or indirectly, any interest in or control of any enterprise;

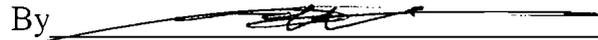
or, having been employed by or associated with any enterprise, conduct or participate, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity;

or conspired to violate any of the above provisions.

This information is based on evidence obtained from the following witness(es):  
Jonny Stewart, Div of Securities

Authorized this November 27, 2006 for presentment and filing:

By

  
Donald G. Linton

Deputy Cache County Attorney

Presented and filed this \_\_\_\_\_ day of \_\_\_\_\_, 2006.