

2020 CF8551
141

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report			1 Arrest 2 NTA.	3. Request for Warrant 4. Request for Capias	3	Juvenile	
Agency ORI Number FLO 5 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 19-023990				
Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type	Multiple Clearance Indicator
Location of Arrest (including Name of Business) Warrant Request					Location of Offense (Business Name, Address) Warrant Request				
Date of arrest Warrant Request		Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle		
Name (Last, First, Middle) Cohen, David Bruce					Alias (Name, DOB, Soc. Sec. #, Etc.)				
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex M	Date of Birth 08/14/1962	Height 6'2	Weight 200	Eye Color Blue	Hair Color Grey	Complexion Med	Build Med	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Unknown					Marital Status unknown	Religion unknown	Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Unk. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Local Address (Street, Apt. Number) 12794 Hyland Circle		(City) Boca Raton	(State) FL	(zip) 33428	Phone (561) 665-0466	Residence Type: 1. City 3. Florida 2. County 4. Out of State			
Permanent Address (Street, Apt. Number) 12794 Hyland Circle		(City) Boca Raton	(State) FL	(zip) 33428	Phone (561) 665-0466	Address Source DAVID			
Business Address (Name, Street) 8177 Glades Road #103		(City) Boca Raton	(State) FL	(zip) 33434	Phone ()	Occupation			
D/L Number, State C500-162-62-294-0, FL		Soc. Sec. Num.	INS Number		Place of Birth (City, State) New York		Citizenship		
Co-Defendant Name (Last, First, Middle)					Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
Co-Defendant Name (Last, First, Middle)					Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Name (Last) (First) (Middle)			Residence Phone				
Address (Street, Apt. Number)		(City) (State) (zip)			Business Phone				
Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/ processed within Dept. and Released. <input type="checkbox"/> 2. TOT-HRS/DYS <input type="checkbox"/> 3. Incarcerated					
Released To: (Name)		Relationship			Date	Time			
The above address was provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address. Yes, by: (Name) No: (Reason)					School Attended		Grade		
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property			Value of Property				
Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine		
B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv		P. Paraphernalia/ U. Unknown S. Synthetic Z. Other					
Charge Description Organized Scheme to Defraud (over \$50,000)		Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 817.034(4a1)		Violation of ORD #			
Drug Activity N/A	Drug Type N/A	Amount / Unit N/A	Offense # 19-023990	Warrant / Capias Number		Bond			
Charge Description Grand Theft (over \$100,000)		Counts 2	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 812.014(1) and (2a)		Violation of ORD #			
Drug Activity N/A	Drug Type N/A	Amount / Unit N/A	Offense # 19-023990	Warrant / Capias Number		Bond			
Charge Description Money Laundering (over \$100,000)		Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 896.101(3) and (5c)		Violation of ORD #			
Drug Activity N/A	Drug Type N/A	Amount / Unit N/A	Offense # 19-023990	Warrant / Capias Number		Bond			
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond			
Location (Court, Room Number, Address)									
Court Date and Time									
Month	Day	Year	Time	A.M.		P.M.			
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED									
Signature of Defendant (or Juvenile and Parent/ Custodian)					Date Signed				
HOLD for other Agency Name		Signature of Arresting Officer <i>Amy Thomas</i>			Name Verification (Printed by Arrestee)				
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:			Name of Arresting Officer (Print) Detective Amy Thomas		I.D. # 9175		
Intake Deputy		I.D. #	Pouch #	Transporting Officer		I.D. #	Agency		
Witness here if suspect signed with an "X"							PAGE 1 OF 1		



**PALM BEACH COUNTY SHERIFF'S OFFICE
PROBABLE CAUSE AFFIDAVIT**

OBTS

Charge Type [3] 1. Arrest 3. Request for Warrant Juvenile
2. N.T.A. 4. Request for Capias

Agency ORI Number FL0500000 Agency Report # 19-023990

Charge Type: [X] Felony [] Misdemeanor [] Ordinance
[] Traffic Felony [] Traffic Misdemeanor [] Other

Special Notes:

Defendant: **David Bruce Cohen**
Alias: Race: White Sex: Male DOB: 8/14/1962

Charge(s): Organized Scheme to Defraud over \$50,000 817.034(4a1)
Grand Theft over \$100,000 812.014(1) and (2a)
Money Laundering over \$100,000 896.101 (3) and (5c)

Victim: Tania Deutsch
Local Address: 3076 Hemlock Falls Hawley, PA 18428

Local Phone: 570-257-4305 (home) or 570-228-8154 (cell) Occupation:
Business Address:
Business Phone Address Source: verbal

The undersigned certifies and swears that he has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The person taken into custody
[] committed the below acts in my presence.
[] confessed to _____
admitting to the above facts.
[] was observed by _____ who told _____ that he/she
saw
the arrested person commit the below acts.

[X] was found to have committed the below acts, resulting from my (described) investigation.

On 1/9/19 Tania Deutsch reported to the Palm Beach County Sheriff's Office that she invested \$1.2 million with ECP Capital Partners Inc. She did not receive any paperwork or returns of her investment. The company was not returning her phone calls. Deutsch also reported these allegations to the Office of Financial Regulation and an investigation was conducted by OFR Inv. Dan Sotler. During the course of Inv. Sotler's investigation Deutsch alleged the following: She invested \$1,200,000 and \$250,000 with ECP Capital Partners Inc. which is controlled by David Bruce Cohen. In November 2016 Cohen induced her to invest \$1,200,000 in a cannabis company, Mass Alternative Care Inc. based out of Massachusetts. She was to receive an 8% return. The interest would accrue for 24 months. She was to receive her first dividend payment in December 2018. She has not received any payments. In August 2017 Cohen induced her to invest \$250,000 in a townhouse project. She was to receive a 12% return. The promissory note was to mature on July 1, 2019 and the principal and accrued interest would become due on the same date.

During the course of his investigation, Inv. Sotler found that Cohen was not a registered dealer, investment advisor, or associated person. None of the firms associated to him were registered as issuers. Inv. Sotler learned Mass Alternative Care, Inc. is owned by Cal Funding LLC. Inv. Sotler spoke with Michael Schneider, Legal Counsel for Mass Alternative Care, Inc. and Cal Funding, LLC. Schneider advised that neither Mass Alternative Care, Inc. nor Cal Funding, LLC had any firm in Florida or a person residing in Pennsylvania (Deutsch's main residence is in PA), as an investor. Schneider had affidavits provided by Kevin Collins, the President of Mass Alternative Care Inc., and John Turgeon, the Manager of Cal Funding, LLC. The affidavits stated, "I attest, to the best of my knowledge and belief, that there are no entities organized in Florida, individuals in Florida, or individuals in Pennsylvania that are investors in the Company." The affidavits were dated 4/17/18 and were notarized by Schneider. Inv. Sotler also subpoenaed bank records which showed the funds provided by Deutsch were not spent in the manner described to her.

Inv. Sotler referred this case to the Palm Beach County Sheriff's Office Financial Crimes Unit. In July 2019 I was assigned to investigate the allegations. Inv. Sotler provided me a copy of documents and evidence gathered during his investigation.

A search via Sunbiz showed ECP Capital Partners Inc. filed Electronic Articles of Incorporation on 9/20/13. Cohen was listed as the Registered Agent and the Vice President. As of the 2017 Florida Profit Corporation Annual Report, Cohen was listed as the President and the Registered Agent.

On 8/6/19 I obtained a sworn statement from Deutsch. During the statement she advised the following: she invested \$1,200,000 with ECP Capital Partners that was meant to be an investment with Mass Alternative Care, a marijuana company out of Massachusetts. Prior to investing the money, Cohen provided her with literature relating to Mass Alternative Care. She wired money for the investment from her TD Ameritrade account on 11/1/16. Cohen explained to her it was going to be a five-year investment. The first two years she would not receive anything. The interest was going to be 8 percent which would accrue, and at the end of the 24 months she was supposed to get the interest for the first two years (around \$192,000). The investment was going to mature

on 11/1/2018. She never received a return on the investment. She attempted to obtain annual financial reports for ECP and Mass Alternative Care, all projects for both companies, and the date Mass Alternative would be going public from Cohen but was unsuccessful. Cohen provided her with a Shareholder Loan Agreement three or four weeks after her investment as she was telling him she needed some type of paperwork. He did not have her sign the papers (it should be noted the date on the paperwork was 1/4/17).

I asked her if she read the Shareholder Loan Agreement and if it appeared to be what she agreed to. She advised she read it and it did appear to be what she agreed to. I told her the paperwork appeared to make it a loan between her and ECP Capital Partners not Mass Alternative Care. I asked her if it was her understanding she was loaning to the company and he was going to invest it. She said yes, that she received an email from Cohen and that is what it said. The email she was referring to was dated 10/17/16 and stated the following:

“Tania,

Please find attached information on the Cannabis project that my firm has invested in as per our conversation.

We are also investing in Florida projects and Pennsylvania opportunities when it passes to be legal in each state.

Kindly confirm receipt of this email and the one(1) attachment.

Best,

David”

I asked if she was supposed to be receiving stock in the company in relation to the investment. She advised that is what the note says. I asked if that was said in the conversation, which she advised no. I asked what her understanding was in regards to what she was going to receive in return. She said she was going to receive five years’ interest plus the principal at the end of the five years. I asked if she ever gave Cohen permission to use the funds for his own personal finances. She advised, “Never.” She was asked in regards to how he worded things in their conversation, if he ever mentioned the words loan or borrow. She could not remember. She advised because she read what private equity companies do and how Cohen said the money would be dispersed she thought that is what private equity companies do. She believed she was making a loan for his company to invest and then give her the interest after they took their part. Her intention was to invest money.

It was asked if the documents Cohen provided her weeks later in regards to a loan were not accurate, that she wanted to invest the money. She said she did not know. She advised the only thing she knows is her money was going to be invested in the cannabis business. It was going to be invested through his company because according to Cohen the cannabis company did not take private investors; only companies could invest and the company was not a private company where shares could be purchased. Cohen told her it was the only way she could do it. He told her if she did it on her own she would not be able to do it with the money she had.

Deutsch made a second investment with Cohen around August 2017. Cohen saw she was going to buy a lot for \$200,000. He told her it was a bad investment. They had dinner and he brought a blue print of an investment (she provided a copy of this blue print which I later refer to as a site plan). He said it was going to be fantastic, that she

only needed \$250,000 to invest. She wrote him a check made out to ECP Capital Partners for \$250,000. The memo section stated, "For Real Estate." The check was dated 7/20/17. The development she was investing in was supposed to be in West Palm Beach. She advised the name was written on the blue print. Cohen told her the company already had the lot but they needed investors to build the townhouses. The company that was supposed to build the town houses was in Boca. Her \$250,000 was going to be used for development. Cohen provided her with a promissory note after she had already made the investment. The note was dated 8/1/17. I asked if her investment was into ECP Capital. She advised it was because Cohen was the middle company and her investment was made through Cohen's company.

She believed Cohen was supposed to start paying her around three months after she invested the money. According to the promissory note it matured on 7/1/19. She never received any money. She never signed the promissory note, Cohen just gave it to her. She did not read the note very well because she was dealing with her son who was sick. I asked her if Cohen explained it to her. She said he told her 12 percent. She did not think he explained the entire note to her. She thought it was going to be like the first investment, where she was not to get anything for 24 months which is why she did not question that he was not paying her. I asked her what exactly Cohen told her the \$250,000 was for. She advised his company was going to invest in town houses in West Palm Beach development. He did not provide updates on the development, and she did not ask. She denied it was an investment in ECP to grow the company. She advised Cohen was the middle company that invested her money for her into the development. She described his company as a private equity company. She described that in a private equity company the owner invests around 20 percent. Because he invests the 20 percent his share is bigger as the other investors provide less than 20 percent. Cohen told her that her money was supposed to go towards the town house development.

She gave Cohen access to her TD Ameritrade accounts to manage, and he lost the majority of the money. At one point she had \$2 million and it went down to \$300,000. I asked if Cohen told her he was a licensed stock broker. She advised Cohen told her he used to invest money as a broker for people but he does not anymore. When asked if Cohen said he was a professional trader she said he said he used to invest in stocks for people, that he used to work in the field. He did not do it anymore because he is busy with other things but he could help her. When asked if he gave her the impression that he was a licensed professional stock trader she said yes. She believed he was a licensed professional.

She made attempts to obtain annual financial reports for ECP and Mass Alternative Care, all projects for both companies, and the date Mass Alternative would be going public from Cohen. Her attempts were unsuccessful.

She talked to Cohen at his office approximately a month prior to providing the statement. She told him she wanted her money, that she was not sure if he even invested with the cannabis business. She told him she wanted him to get all her interest and her principal. He told her he was trying, that he had houses that just sold. She told him she asked him in the note she wrote him to see his account books and the cannabis account books and he never responded. He said he could show it to her now. She told him it was too late. He asked if they could have lunch tomorrow. She just looked at him and walked out. She said he looked a little scared but it could have been because he has never seen her that mad.

She has seen Cohen many times over the past few years. I showed her a familiarization photo of him which was from DAVID. She identified him and signed the picture. She is willing to prosecute in the case.

The above is a brief synopsis of the interview. For complete details refer to the interview which was turned into PBSO Evidence.

The site plan provided by Deutsch stated "A Cannatelli Home Development" at the top of the page. The right side of the page detailed it to be a 124 Town House Master Plan, Forest Lake, in Royal Palm Beach, Florida. The right side of the page also showed it was completed by Barretta & Brewer Associates, Inc. I made contact with Daniel Brewer who confirmed he is the architect who drew the site plan. He provided a sworn recorded statement advised the following: He drew the site plan. The project was designed to be part of a housing concept for 13 acres in Royal Palm beach. Edward Cannatelli and Franck Pesce were also part of the development project. However, the owners of the property solicited another developer and did not go with Cannatelli and Pesce.

The above is a synopsis of the statement. For complete details refer to the statement.

I met with Cannatelli and Pesce and showed them the site plan. They were both familiar with the site plan. I showed them pictures of Cohen, Bixby, and Peter Scott (the signers on the ECP Capital Partners bank account). They both knew Cohen and Bixby. I obtained sworn statements from Cannatelli and Pesce.

Cannatelli advised the following: He is familiar with the site plan; It was a project they were entertaining in the past. As of a year and a half ago they stopped being involved with the project as they were outbid for the project. They never took investors for the project. No one was authorized to bring an investor on board. I asked what the process was when the company takes an investor. He advised they would have to have a contract on the property. They cannot take investors on a property they do not have ownership of. I asked if they had ownership of this particular property which they did not. They had a letter of intent but never had an official contract. In referring back to my general question on investors, he advised their attorney would draft an equity investment agreement. They would work with the investors attorney, come to an agreement, and then the funds would be held in escrow until the project was processed. The funds would be returned based on the allocation of sales.

I asked if anyone would take an investment on their behalf outside of their attorneys. He advised if they did it would be against their authorization. He advised they did not give anyone permission to take an investment.

I showed him the pictures of Cohen and Bixby again and he confirmed he identified them. He denied Cohen ever personally invested in any of their projects. He was unsure if Cohen brought investors to them and advised that would be a question for Pesce. He advised he knows Cohen brought a banker to the site with Pesce. Cohen introduced them to some people, but no one ever said they wanted to do a deal.

I asked if Cohen ever approached him and said he was going to take the funds on the investors behalf. He said no. I asked if that was something they would have entertained. He advised "Absolutely not." He further advised if Cohen had an investor a contract would have been brought to their attorney. He said they could not have taken an investment because they did not have a contract. If someone brought them a referral or

brought someone to the project who was willing to put up an equity stake the person would get a referral fee; however, that fee would be paid at closing.

I asked if Cohen had the permission or the rights to take investments on the property related to the site plan. He advised, "No."

The above is a synopsis of the statement. For complete details refer to the statement which was turned into PBSO Evidence.

Pesce advised the following: He knew the site plan as it was a piece of property that Cannatelli Builders was looking at for possible purchase. Nothing came to fruition on the project. They had draft contracts with the seller of the property, but the contracts were never executed.

He confirmed he recognized two of the people in the pictures I showed prior to the statement. He named them as David Cohen and Michael Bixby. He knew them as part of networking for people that bring in investors, purchasers, or anything related to project development.

In relation to the property in Royal Palm I asked if they ever got to the point where they took investors. He said, "No." I asked if Bixby or Cohen were involved in the process of bringing investors to them for the project. He believed he met with Cohen and a banker for dead financing. He did not believe they ever brought equity investors for the project.

I asked what the process is if someone does bring an equity investor. He advised first they meet with the investor directly. They provide information to the investor so the investor can vet the information themselves. If investor does want to move forward an agreement is put together between Cannatelli and the investor. The agreement would be prepared by their attorney. The money for the investment would be posted in escrow with their attorney. I confirmed that if someone brought an investor the person would not personally handle the funds. I asked if Cohen entered into an agreement with someone if he would have had the ability to take the funds. He advised no. He advised in that scenario Cohen would get nothing more than a finder fee and would be paid at closing.

I asked if they authorized anyone to take investments related to the site plan. He advised no. He advised they have people who can go out and talk about a project, but the only ones who are authorized to make any type of legal representation are him and Cannatelli. I asked if he was aware of any investments taken by Cohen. He was not. I asked if there were every any investments on the particular site plan. He advised no investments were made because the contract was never executed and the project went to another developer.

The above is a synopsis of the statement. For complete details refer to the statement which was turned into PBSO Evidence.

Inv. Sotler obtained subpoenaed records from JP Morgan Chase Bank regarding Cohen and ECP Capital Partners, Inc. The ECP Capital Partners account, ending in [REDACTED] was opened on 7/1/16 with Cohen, Bixby, and Peter Scott as authorized signers. Scott and Bixby were both removed from the account on 3/13/19 by Cohen. Cohen maintained a personal account with JPMorgan Chase which ended in 3610. I obtained subpoenaed records from TD Ameritrade and Charles Schwab.

A review of bank records in this case confirmed the \$1,200,000 wired from Deutsch's TD Ameritrade account was received in the JPMorgan Chase account belonging to ECP Capital Partners Inc. (acct [REDACTED] on 11/1/16. The beginning monthly balance for the ECP Capital Partners account on 11/1/16 was \$1,359.67. The account

showed a \$4,000 cash deposit on 11/1/16. The \$4,000 deposit and the \$1,200,000 wire were the only source of funds into the account during November 2016. The ending balance for the month was \$217,194.43. On 11/2/16 \$600,000 was wired to JPMorgan Chase account ending in [REDACTED] which is a personal checking account belonging to Cohen. On 11/4/16 \$300,000 was transferred to Cohen's account ending in [REDACTED]. Cohen's personal account received additional transfers from ECP Capital Partners on 12/1/16 (\$3,000) and on 12/2/16 (\$50,000).

The following shows a more in depth flow of funds from the ECP Capital Partners Account after the receipt of the wire in November 2016:

Posted Date	Type	Received From/Payed To	Outgoing	Incoming
11/1/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$3,203.76	
11/1/2016	Domestic Wire In	Tania Del Carmen Deutsch		\$1,200,000.00
11/1/2016	ATM Cash Deposit	Cash		\$4,000.00
11/2/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$4,000.00	
11/2/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$5,359.36	
11/2/2016	Internet/On-Line Transfer Debit	Transfer to JP Morgan Chase Bank Acct. # [REDACTED]	\$600,000.00	
11/3/2016	Maintenance/Service Fee	Maintenance/Service Charge Fee	\$20.00	
11/4/2016	Internet/On-Line Transfer Debit	Transfer to JP Morgan Chase Bank Acct. # [REDACTED]	\$300,000.00	
11/7/2016	Check Paid	Fat Cat Media, LLC for "Loan to Company"	\$2,000.00	
11/7/2016	Check Paid	Red Emerald Holdings, LLC [Michael Bixby]	\$3,000.00	
11/7/2016	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
11/9/2016	Internet Check Card Purchase	Google Domains [Domain Registration]	\$10.00	
11/14/2016	Check Card Purchase	Enterprise Rent-a-Car	\$10.00	
11/14/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$4,472.67	
11/14/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$547.76	
11/17/2016	Check Paid	Pagos, LLC	\$15,000.00	
11/17/2016	Auto Loan Payment	Payment to Chase Auto Loan [REDACTED]	\$561.53	
11/18/2016	Check Paid	Karen Parkin for "Debt repayment"	\$10,000.00	
11/18/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$417.32	
11/18/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$675.45	
11/21/2016	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
11/23/2016	Internet Payment	Jeff Levin Payment	\$1,000.00	
11/28/2016	Check Paid	Pagos, LLC for "Merchant Advance"	\$10,000.00	
11/28/2016	Check Paid	Karen Parkin for "loan repayment"	\$10,000.00	
11/28/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$2,391.39	
11/29/2016	Check Paid	Apex Event Services, LLC	\$15,000.00	
12/1/2016	Internet/On-Line Transfer Debit	Transfer to JP Morgan Chase Bank Acct. # [REDACTED]	\$3,000.00	
12/1/2016	Wire Out	European Auto Body, Inc.	\$15,000.00	
12/1/2016	Check Paid	Peter K. Scott for "Loan Payment"	\$600.00	
12/2/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$1,017.06	
12/2/2016	Internet/On-Line Transfer Debit	Transfer to JP Morgan Chase Bank Acct. # [REDACTED]	\$50,000.00	
12/2/2016	Check Paid	Karen Parkin for "loan repayment (partial)"	\$10,000.00	
12/6/2016	Internet Payment	Capital One Credit Card Payment	\$602.00	
12/6/2016	Check Paid	Laureen Pannullo	\$750.00	

12/7/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$1,017.06	
12/8/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$1,017.06	
12/12/2016	Internet Check Card Purchase	Google Domains [Domain Registration]	\$10.00	
12/12/2016	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
12/12/2016	Check Paid	Karen Parkin for "loan payment (partial)"	\$10,000.00	
12/12/2016	Check Paid	Law Offices of Jonathan S. Resnick for "Merchant Agreement"	\$50,000.00	
12/13/2016	Wire Out	European Auto Body, Inc.	\$9,500.00	
12/14/2016	Check Card Purchase	Best Buy	\$707.52	
12/14/2016	Check Card Purchase	Office Depot	\$6.14	
12/14/2016	Deposit	Helen Christine Johnson Foundation, Inc.		\$1,500.00
12/15/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$2,907.36	
12/15/2016	Check Paid	Pagos, LLC	\$10,000.00	
12/15/2016	Check Paid	Prime 1 Capital	\$2,800.00	
12/16/2016	Check Card Purchase	Jimmy the Greek Taverna	\$23.77	
12/19/2016	Auto Loan Payment	Payment to Chase Auto Loan [REDACTED]	\$561.53	
12/19/2016	Check Paid	Karen Parkin for "loan payment (partial)"	\$10,000.00	
12/20/2016	Internet Payment	Payment to Chase Credit Card [REDACTED]	\$3,568.35	
12/22/2016	Internet Payment	Jeff Levin Payment	\$1,000.00	
12/27/2016	ATM Withdrawal	ATM Withdrawal	\$800.00	
12/28/2016	Wire Out	Walter G. Woods P.A. [Law Firm]	\$125,000.00	
12/28/2016	Internet/On-Line Transfer	Transfer from JP Morgan Chase Bank Acct. # [REDACTED]		\$100,000.00
12/29/2016	Internet Payment	Comenity Credit Card Payment	\$2,848.16	
12/29/2016	Internet/On-Line Transfer Credit	Transfer from JP Morgan Chase Bank Acct. # [REDACTED]		\$3,000.00
12/30/2016	Check Paid	Peter K. Scott for "Loan Payment"	\$650.00	
12/30/2016	Check Paid	Red Emerald Holdings, LLC [Michael Bixby]	\$3,000.00	
12/30/2016	Check Paid	David B. Cohen Florida Community Bank Acct. # [REDACTED]	\$3,000.00	
		Totals:	\$1,307,805.25	\$1,308,500.00

(The above chart is based CFIS analysis information provided by Inv. Sotler)

It should be noted none of the funds received were sent to the company Cohen advised Deutsch she would be investing in. The Chase auto loan which received payment lists the borrower as David B Cohen. The Chase credit card ending in [REDACTED] which received payment shows the account belongs to David Cohen. The Chase credit card ending in [REDACTED] which received payment shows the account belongs to David Cohen.

Cohen's personal account ending in [REDACTED] had a beginning balance of \$1,699.76 on 11/1/16. \$600,000 was transferred in from ECP Capital Partners on 11/2/16. \$300,000 was transferred into the account from ECP Capital Partners on 11/4/16. \$3,000 was transferred in from ECP Capital Partners on 12/1/16. \$50,000 was transferred in from ECP Capital Partners on 12/2/16. Payments were made to European Autobody Inc. (\$115,000 and \$500 on 11/4/16). On 12/1/16 a payment of \$133,000 was made to Michelle Suskauer, Esquire, a Criminal Defense attorney in Palm Beach County. Transfers were made to OptionsXpress Inc. (\$600,000 on 11/4/16, \$50,000 on 11/14/16, and \$50,000 on 12/2/16). Subpoenaed records from OptionsXpress, Inc. showed it to be a Charles Schwab account held by Cohen. Transactions from this account also included payments to the following: Miller & Son's Services, Inc. (pest control), US Treasury,

wire fees, Clerk of the Court, AZ Remodeling & Plumbing, Inc., Synchrony Bank, and DHS Cooling.

The funds transferred to Cohen's OptionsXpress account were used to purchase stock options. None of the stocks purchased were related to the investment Deutsch was told her funds would be for. On a daily occurrence there were numerous sales and purchases of stocks in the account. Between 2016 and 2017 a large portion of the funds were transferred back to Cohen's personal account and used to pay for what appeared to be personal transactions including credit cards, loan payments, and attorney fees. Often times the transfers out of OptionsXpress occurred after Cohen's personal account or business account had a negative balance. By October 2017 there were no funds in the OptionsXpress account.

The bank records confirmed check 415 from Deutsch's TD Ameritrade account to ECP Capital Partners for \$250,000 was deposited into the ECP Capital Partners Inc. account. The check memo section stated "For Real Estate" and had a smiley face next to it. The check was dated 7/20/17. The back of the check was stamped for deposit only. ECP Capital Partners Inc. with account number ending in [REDACTED] was also stamped on the back of the check. The funds provided by Deutsch were commingled with other funds the majority of which were transferred into the account from Cohen's personal account ending in [REDACTED]. The following shows the flow of the money in the business account:

Post Date	Type/Check Number	Received From/Paid To	Outgoing	Incoming
7/18/2017				
7/18/2017	Internet/On-Line Transfer Credit	Transfer from JP Morgan Chase Bank Acct. # [REDACTED]		\$1,000.00
7/19/2017	Internet/On-Line Transfer Credit	Transfer from JP Morgan Chase Bank Acct. # [REDACTED]		\$55,000.00
7/20/2017	Deposit	Tania Del Carmen Deutsch		\$250,000.00
7/20/2017	Deposit	Lott & Fischer, PL		\$971.93
7/20/2017	Check Paid	Jonathan S. Resnick [Law Office-Pikesville, Maryland]	\$50,000.00	
7/20/2017	Internet Payment	Capital One Credit Card Payment	\$1,202.37	
7/21/2017	Check Paid	Red Emerald Resources Corp. [Michael Bixby]	\$1,000.00	
7/21/2017	Check Paid	Gregory Orr	\$360.00	
7/21/2017	Check Paid	Tim Gingras	\$790.00	
7/21/2017	Internet Payment	Payment to Account # [REDACTED] Chase Credit Card]	\$5,000.00	
7/21/2017	Auto Loan Payment	Acura Car Payment	\$383.58	
7/21/2017	ACH In	ECP Capital Partners, Inc. [Unknown Bank Acct.]		\$2,000.00
7/24/2017	Wire Out	ECP Capital Partners, Inc. [US Bank Acct.]	\$46,700.00	
7/24/2017	Internet Payment	Payment to Account [REDACTED] Chase Credit Card]	\$10,000.00	
7/25/2017	Internet Payment	Jeff Levin Payment	\$1,000.00	
7/25/2017	Internet/On-Line Transfer Debit	Transfer to JP Morgan Chase Bank Acct. # [REDACTED]	\$10,000.00	
7/25/2017	Internet Payment	Payment to Account [REDACTED] Chase Credit Card]	\$19,384.26	
7/26/2017	Check Paid	Young's Investment Firm, Inc.	\$400.00	
7/26/2017	Internet Payment	Barclay Bank Credit Card Payment	\$923.56	
7/26/2017	Internet Payment	Capital One Credit Card Payment	\$885.19	
7/27/2017	Internet/On-Line Transfer Debit	Peter K. Scott	\$650.00	
7/27/2017	Electronic Funds Transfer (EFT) Debit	Hyundai Genesis Car Payment	\$448.78	
7/28/2017	Check Paid	Stanley Pinkney	\$600.00	
7/28/2017	Check Paid	Gilma Trindade	\$850.00	

7/28/2017	Check Paid	Stanley Pinkney	\$870.00	
8/1/2017	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
8/2/2017	Wire Out	DAS, L.L.C d/b/a DAS Model Management	\$50,000.00	
8/2/2017	Internet Payment	Barclay Bank Credit Card Payment	\$886.49	
8/3/2017	Wire Out	Jonathan S. Resnick [Law Office-Pikesville, Maryland]	\$50,000.00	
8/3/2017	Maintenance/Service Charge Fee	Maintenance/Service Charge Fee	\$25.00	
8/4/2017	Check Card Purchase	Frank & Dino's Italian-American Restaurant	\$34.90	
8/7/2017	Internet Payment	Cove of Stonebridge Payment	\$715.00	
8/7/2017	Internet Payment	Cove of Stonebridge Payment	\$715.00	
8/7/2017	Internet Payment	Stonebridge Golf & Country Club	\$1,078.25	
8/7/2017	Internet Payment	Stonebridge Golf & Country Club	\$1,172.06	
8/9/2017	ACH In	Deluxe Checks		\$69.72
8/10/2017	Internet Payment	Lauren Pannullo	\$400.00	
8/11/2017	Auto Loan Payment	Payment to Account [REDACTED] Chase Auto Loan]	\$894.20	
8/11/2017	Auto Loan Payment	Payment to Account [REDACTED] Chase Auto Loan]	\$561.53	
8/11/2017	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
8/15/2017	Wire In	Jonathan S. Resnick [Law Office-Pikesville, Maryland]		\$3,250.00
8/15/2017	Internet Payment	Barclay Bank Credit Card Payment	\$924.01	
8/16/2017	Internet Payment	Payment to Account [REDACTED] Chase Credit Card]	\$1,530.44	
8/17/2017	Wire Out	ECP Capital Partners, Inc. [US Bank Acct.]	\$42,000.00	
8/22/2017	Wire Out	ECP Capital Partners, Inc. [US Bank Acct.]	\$7,750.00	
8/22/2017	Auto Loan Payment	Acura Car Payment	\$383.58	
8/23/2017	Internet/On-Line Transfer Credit	Transfer from JP Morgan Chase Bank Acct. # [REDACTED]		\$2,000.00
8/23/2017	Internet Payment	Payment to Account [REDACTED] Chase Credit Card]	\$798.07	
8/24/2017	Internet Payment	Capital One Credit Card Payment	\$2,296.76	
8/24/2017	Internet Payment	Barclay Bank Credit Card Payment	\$605.20	
8/25/2017	Internet Payment	Jeff Levin Payment	\$1,000.00	
8/25/2017	Internet/On-Line Transfer Debit	Peter K. Scott	\$650.00	
8/25/2017	Internet/On-Line Transfer Debit	Jim #####2210 Payment	\$250.00	
8/25/2017	Internet Payment	Florida Power & Light	\$267.39	
8/25/2017	Internet Payment	Florida Power & Light	\$120.49	
8/25/2017	Internet Payment	Florida Power & Light	\$103.15	
8/25/2017	Internet Payment	Florida Power & Light	\$55.42	
8/25/2017	Deposit	ECP Capital Partners, Inc. [Centennial Bank Acct.]		\$7,500.00
8/28/2017	ATM Deposit Check	Jonathan S. Resnick [Law Office-Pikesville, Maryland]		\$1,950.00
8/28/2017	Electronic Funds Transfer (EFT) Debit	Hyundai Genesis Car Payment	\$448.78	
8/31/2017	Check Card Purchase	Blue Martini Lounge	\$20.00	
		Totals:	\$317,633.46	\$323,741.65

(The above chart is based CFIS analysis information provided by Inv. Sotler)

Based on the statements made by parties related to the Cannatelli Site Plan and the review of the above information, the \$250,000 provided by Deutsch did not go towards the town home development listed in the site plan provided by Cohen.

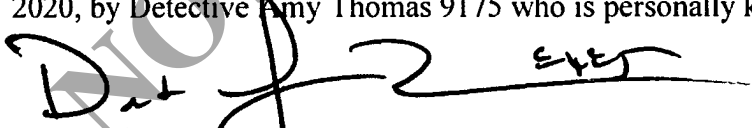
Attempts to interview Cohen and Bixby were unsuccessful. I interviewed Scott. He advised the following in a sworn statement: He knew David Cohen and Michael Bixby. He met Cohen through Bixby. Cohen represented himself as an investment banker. He loaned money to Cohen and opened a \$25,000 line of credit at the PNC. The line of credit was used specifically by Cohen. Cohen stopped paying back the money for the line of credit. Cohen also did not pay him back the money that was loaned to him. Cohen owes him money and civil litigation in process. He was not familiar with Deutsch. He had no knowledge of investments with a marijuana company. He was not aware of investments involving property development in Palm Beach County. He believes Cohen and Bixby wanted his name on the ECP Capital Partners account to show credibility. He denied benefitting from investments collected by ECP Capital Partners unless that money was used to pay him back without him knowing the source of the funds.

The above is a brief synopsis of Scott's statement. For complete details refer to the statement which I copied to a USB and turned into Evidence.

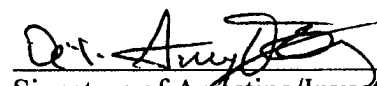
In summary, Deutsch provided \$1,200,000 to Cohen for what she believed to be an investment in a Mass Alternative Care Inc. Deutsch did not receive a return on the investment, she did not receive the return of her funds, affidavits from the company confirm they did not have an investor in Florida, and subpoenaed records showed the funds were not used for the investment Cohen explained to Deutsch. Deutsch provided \$250,000 to Cohen for what she believed was an investment into a town home development. Deutsch did not receive a return on the investment, she did not receive the return of her funds, sworn statements confirm Cohen did not have the right to take investments for the site plan he showed to Deutsch, and subpoenaed records showed the funds were not used for the investment explained to Deutsch. The funds received by Cohen were used to pay personal expenses and make personal investments. Based on the aforementioned, I find probable cause exists to charge David Cohen with Organized Scheme to Defraud \$50,000 or more per FSS 817.034(4a1) 2 counts of Grand Theft over \$100,000 per FSS 812.014(1) and (2a), and with Money Laundering over \$100,000 per FSS 896.101(3) and 5(c).

State of Florida
County of Palm Beach

The foregoing instrument was sworn to or affirmed before me this 14th day of October 2020, by Detective Amy Thomas 9175 who is personally known to me.



Notary Public/Clerk of Court/Officer (F.S.S. 117.10)
Detective Larry Nielsen ID 8485



Signature of Arresting/Investigating Officer
Name of Officer: Detective Amy Thomas 9175