

DO NOT REPLY TO THIS EMAIL.

**U.S. Department of Justice**

USAO - District of Utah  
Victim Witness Program  
185 South State Street  
Suite 300  
Salt Lake City, UT 84111  
Phone: (801) 524-5682  
Fax: (801) 325-3261

[\_\_\_\_\_]

Re: United States v. Defendant(s) CURTIS DeYOUNG  
Case Number 2014R00323 and Court Docket Number 15-CR-00104

Dear [\_\_\_\_\_]:

The enclosed information is provided by the United States Department of Justice Victim Notification System (VNS). As a victim witness professional, my role is to assist you with information and services during the prosecution of this case. I am contacting you because you were identified by law enforcement as a victim during the investigation of the above criminal case.

Charges have been filed against defendant(s) CURTIS DeYOUNG. The lead prosecutor for this case is Jacob Strain. The main charge is categorized as Other White Collar Crime/Fraud. The Indictment charges the defendant, CURTIS LYNN DEYOUNG, with *Mail Fraud*.

***Due to the high volume of victims in this case, this is the only written notification you will receive. To continue to receive notice on this case, be sure to provide us with your email address (instructions included in this letter).***

***Of course you may call our office at any time to request an update or additional information.***

Defendant, DEYOUNG, acted as President and CEO of American Pensions Services, Inc. (APS), and exercised control over APS and its finances.

As a third-party administrator, neither APS or defendant DEYOUNG, had discretionary authority or discretionary control over the APS customer funds.

The Defendant, DEYOUNG, devised and intended to devise a scheme and artifice to defraud and to obtain money and property from APS customers by means of false and fraudulent pretenses.

The scheme to defraud was for defendant DEYOUNG to profit by misappropriating the funds of more than 5,000 APS customers held in two of the three APS bank accounts known as the "Master Trust" accounts which co-mingled all APS customer cash, including cash deposited in customer IRS accounts and cash generated from customer IRS investments. Defendant DEYOUNG misappropriated more than

approximately \$24 million dollars from the Master Trust accounts to make personal high-risk, unsecured investments. The defendant DEYOUNG, misappropriated this money without notifying APS customers, knowing that it was not money he had earned; it did not belong to him, and that he intended to use for purposes not authorized by APS customers.

Victims of all crimes under federal investigation are entitled to services under the Victims' Rights and Restitution Act, including notification of court events. For further details, please refer to Title 42 United States Code section 10607 or the brochure posted at <https://www.notify.usdoj.gov>.

Now that charges have been filed in federal court, victims of the charges filed are, in addition, entitled to the following rights, according to the Crime Victims' Rights Act, Title 18 United States Code section 3771: (1) The right to be reasonably protected from the accused; (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused; (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding; (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding; (5) The reasonable right to confer with the attorney for the Government in the case; (6) The right to full and timely restitution as provided in law; (7) The right to proceedings free from unreasonable delay; and (8) The right to be treated with fairness and with respect for the victim's dignity and privacy.

Please understand that these rights apply only to victims of the counts charged in federal court, and thus you may not be able to exercise all of these rights if the crime of which you are a victim was not charged. In any event, we will continue to provide you with notifications and services unless you tell us not to. We will make our best efforts to ensure you are provided the rights and services to which you are entitled. It is important to keep in mind that the defendant(s) are presumed innocent until proven guilty and that presumption requires both the Court and our office to take certain steps to ensure that justice is served. While our office cannot act as your attorney or provide you with legal advice, you can seek the advice of an attorney with respect to the rights above or other related legal matters.

Additionally, please be aware that most criminal cases are resolved by a plea agreement between the United States Attorney's Office and the defendant. You should also know that it is not unusual for a defendant to seek to negotiate a plea agreement shortly before a trial is scheduled to begin. Plea agreements can be made at any time and as late as the morning of trial, leaving little or no opportunity to provide notice to you of the date and time of the plea hearing. If the court schedules a plea hearing in this case, we will use our best efforts to notify you of available information as soon as practicable. If you want to inform the prosecutor of your views regarding potential plea agreements, or any other aspect of the case, please contact the prosecutor assigned to this case or me.

Defendant(s), CURTIS DeYOUNG has been scheduled for his or her first appearance in Court on March 25, 2015, 03:00 PM at Rm 8.400, NEW Federal Courthouse, 351 South West Temple, Salt Lake City, UT before Judge Evelyn Furse. The purpose of this hearing is to advise the defendant of the nature of the criminal charges and to determine if they have an attorney to represent them.

Because of the Court's schedule, hearing dates could change on very short notice. If you plan on attending, you may want to call the VNS Call Center or check the website to confirm the date and time.

Please note, there is a 24-hour delay in information transfer to the website.

You may be contacted by individuals seeking to talk with you about the case. Before indictment, special agents and other law enforcement officers gather the facts and background, and the agents have an obligation to conduct follow-up investigation as necessary. As a result, the agents and law enforcement officers may contact you to ask questions or obtain information. Although we did not provide the defendant's attorney with your contact information, they may obtain it from another source. The defense attorney(s) in this case, a staff member or a defense investigator may contact you on behalf of the defendant for an interview. A defense attorney has a right to attempt to interview you; however, you are under no obligation to speak with the defense attorney or other defense representative if you do not wish to do so. As a victim and witness, you have the right to consult with a private attorney of your choice before making the decision to speak with any investigator, and you may accept or decline the request to be interviewed. If you are contacted by any person associated with the defendant(s) in this case, we would appreciate you advising us of whether or not you have agreed to speak with the representative.

You may also have an Assistant United States Attorney present during an interview. If you would like an Assistant United States Attorney to be present, please call me so that I can coordinate that for you. Before any interview, whether by an agent or representative of the United States Attorney's Office or by a representative of the defense, you should ask to see the person's photo identification.

Through the Victim Notification System (VNS) we will continue to provide you with updated scheduling and event information as the case proceeds through the criminal justice system. You may obtain current information about this case on the VNS website at <https://www.notify.usdoj.gov> or from the VNS Call Center at 1-866-DOJ-4YOU (1-866-365-4968) (TDD/TTY: 1-866-228-4619) (International: 1-502-213-2767). In addition, you may use the Call Center or Internet to update your contact information and/or change your decision about participation in the notification program.

The email address VNS currently has for you is [\_\_\_\_\_]. If this address is correct and you have not received an email from VNS within four days of the date of this letter, please check your junk/spam folder and accept emails from [fedemail@vns.usdoj.gov](mailto:fedemail@vns.usdoj.gov). If the email address provided above is incorrect, please update the email address by accessing the VNS Web site. This email address has not been verified in VNS and future emails will not contain details about the nature of the notification. To receive subsequent emails with the full text of the notification you must verify this email address by accessing the VNS Internet web page using the login information provided above.

Once you have verified/updated your email address, most, if not all, future notifications will be provided by email and not by letter. If you do not verify your email address, VNS will continue (in most cases) to send letter and email notifications. However, when an email address is not verified, future emails will not contain details about the nature of the notification. In order to continue to receive notifications, it is your responsibility to keep your contact information current.

You will use your Victim Identification Number (VIN) '[\_\_\_\_\_]' and Personal Identification Number (PIN) '[\_\_\_\_\_]' anytime you contact the Call Center and the first time you log into VNS on the website. If you are receiving notifications with multiple victim ID/PIN codes please contact the VNS Call Center. In addition, the first time you access the VNS website, you will be prompted to enter your last name (or business name) as currently contained in VNS. The name you should enter is [\_\_\_\_\_].

Remember, VNS is an automated system and cannot answer questions. If you have other questions which involve this matter, please contact this office at the number listed above.

Sincerely,

Carlie Christensen  
United States Attorney

Georgene Doster  
Victim Witness Assistant

If you do not want to receive email notifications from the Victim Notification System (VNS) please log into the VNS Web site at <https://www.notify.usdoj.gov>, select "My Information", remove your email address and click the "update" button. If you remove your email address, you will continue to receive letters from VNS except in those case which have large numbers of victims. To change your email address, select "My Information", provide a new address and click the "update" button.

If you do not want to receive any notifications in your case, select "Stop Receiving Notifications" and follow the instructions on the screen.

If you believe you have received this email in error, please contact the office listed at top of the email message.

Please note, if this is the first notification you have received from VNS you will need to wait 4-8 hours from receipt of this email before you can login to the VNS Internet site (<https://www.notify.usdoj.gov>). In addition, it will also be 4-8 hours before any documents which may have been uploaded to VNS as part of this notification are available under the "Downloads/Links" section on the Web page.

Please call the Victim Notification System (VNS) Help Desk at phone number 1-866-625-1631 for assistance and questions.

Attachments have been referenced with this notification and are available on the VNS Internet site (or will be available within 8 hours). After you log into the website select "Downloads/Links" to view the attachments.