



Two More Refund Fraudsters Indicted Along With Matthew Bergwall

Brock David Fischer of Iowa, known online as "iFruit," and Miguel Angel Fortier Jr. of Wisconsin, who went by the alias "Destined," were charged with conspiracy to commit mail fraud in a federal indictment filed on June 18, 2024, in the U.S. District Court for the Middle District of Florida.

According to the indictment, Fischer and Fortier, along with several unnamed co-conspirators, ran an online service that sold access to a major shipping company's tracking platform. This access allegedly allowed customers to manipulate tracking information, creating the illusion that purchased items had been returned when, in fact, they remained in the buyers' possession.

Prosecutors allege that the scheme worked as follows:

- Conspirators gained unauthorized access to the tracking platform of a multinational shipping company.
- Customers of the fraudulent service would purchase items from various retailers.
- For a fee, the conspirators would enter false return information into the shipping company's system.
- Retailers, seeing the fabricated return data, would issue refunds to the customers.

The indictment states that this elaborate ruse resulted in nearly 10,000 fraudulent returns, causing retailers to lose more than \$8 million worth of merchandise.

The scheme allegedly targeted high-end electronics, jewelry, and designer clothing and accessories.

A Cross-Country Operation

While Fischer and Fortier hail from the Midwest, the indictment suggests a operation spanning multiple states. Other alleged conspirators were based in Florida, New York, and North Carolina, demonstrating the borderless nature of cybercrime.

If convicted, Fischer and Fortier face potential prison time and the forfeiture of any proceeds traced to the alleged scheme. The case serves as a stark reminder of the ongoing cat-and-mouse game between fraudsters and the e-commerce industry, with consumer trust and millions of dollars hanging in the balance.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:24 CR 276 VMC-UAM

BROCK DAVID FISCHER
a/k/a "iFruit," and
MIGUEL ANGEL FORTIER, JR.
a/k/a "Destined"

18 U.S.C. § 1349

INDICTMENT

The Grand Jury charges:

JUN 18 2024 PM 3:08
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COUNT ONE
(Mail Fraud Conspiracy)

A. Introduction

At times material to this Indictment:

1. Defendant BROCK DAVID FISCHER, a/k/a "iFruit," was a resident of Iowa. Defendant MIGUEL ANGEL FORTIER, JR., a/k/a "Destined," was a resident of Wisconsin. MATTHEW FREDERIC BERGWALL, a/k/a "MXB," was a resident of Florida. Conspirator #1, a/k/a "Haku," was a resident of New York. Conspirator #2 was a resident of North Carolina. FISCHER, FORTIER, BERGWALL, Conspirator #1, and Conspirator #2 are referred to collectively herein as "the Conspirators."

2. "The Victim Company" was a private, multinational shipping, receiving, and supply chain management company. The Victim Company served as a common carrier for hundreds of retailers all over the world.

3. The Conspirators acted as administrators for “the Service,” a chat room/marketplace on an encrypted messaging platform. The Service sold access to the Victim Company’s tracking platform. This access allowed the Conspirators to enter false and fraudulent tracking information, referred to herein as a “scan,” for merchandise shipped by the Victim Company on behalf of victim-retailers. Customers used the Service to obtain full refunds from victim-retailers while maintaining physical possession of merchandise ordered, such as high-end electronics, jewelry, and designer clothing and accessories.

4. This fraud scheme caused nearly 10,000 fraudulent returns and resulted in the victim-retailers losing more than \$8 million in merchandise.

B. The Conspiracy

5. Beginning on an unknown date, but no later than on or about December 28, 2021, and continuing through at least on or about April 14, 2022, in the Middle District of Florida and elsewhere, the defendants,

BROCK DAVID FISCHER
a/k/a “iFruit,” and
MIGUEL ANGEL FORTIER, JR.
a/k/a “Destined,”

did knowingly and willfully combine, conspire, confederate, and agree with others, both known and unknown to the Grand Jury, to commit mail fraud, in violation of 18 U.S.C. § 1341.

C. Manner and Means

6. The manner and means by which the Conspirators sought to accomplish the object of the conspiracy included, among others, the following:
 - a. It was part of the conspiracy that Conspirators would and did gain unauthorized access to the Victim Company's tracking platform.
 - b. It was further part of the conspiracy that Conspirators and others would and did order merchandise known to be shipped by the Victim Company from victim-retailers located in the Middle District of Florida and elsewhere.
 - c. It was further part of the conspiracy that Conspirators and others located in the Middle District of Florida and elsewhere would and did receive merchandise from victim-retailers that had been shipped by the Victim Company.
 - d. It was further part of the conspiracy that Conspirators would and did in exchange for payment cause false and fraudulent information to be entered into the Victim Company's tracking platform, making it appear as if merchandise purchased by Conspirators and others had been returned by the Victim Company, prompting victim-retailers to issue refunds.
 - e. It was further part of the conspiracy that Conspirators and others would and did receive refunds from victim-retailers for merchandise that had never been returned.
 - f. It was further part of the conspiracy that Conspirators and others would and did perform acts and make statements to misrepresent, hide, and conceal,

and cause to be misrepresented, hidden, and concealed, the purpose of the conspiracy and the acts committed in furtherance thereof.

All in violation of 18 U.S.C. § 1349.

FORFEITURE

1. The allegations contained in Count One of this Indictment are incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of conspiracy to violate 18 U.S.C. § 1341, in violation of 18 U.S.C. § 1349, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

3. The property to be forfeited includes, but is not limited to, a judgment in the amount of proceeds obtained from the offense.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property

under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1).

A TRUE BILL,



Foreperson

ROGER B. HANDBERG
United States Attorney

By: 
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By: 
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