

Online scam targets lawyers

By **DICK HOGAN** • dhogan@news-press.com •
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The prospective homebuyer from Canada, was eager to have Fort Myers-based attorney Kevin Jursinski represent him.

He even sent Jursinski a \$155,000 cashier's check on a Canadian bank to be deposited in the lawyer's trust account as a down payment on a house in the Bella Terra community in Estero.

But the buyer's story didn't make complete sense. For one thing, he was offering \$480,000 cash — easily \$200,000 more than the property was worth.

For another, he claimed not to be able to wire the money to Jursinski on the closing date for the sale — the usual procedure.

In today's battered economy, even lawyers are being set up. In this Lee County case, it was too good to be true — and it wasn't.

The check looked real, but it was actually a careful forgery.

The Canadian's true intention was to call off the deal after the check was deposited — then tell Jursinski to keep \$5,000 for his fee and send a check back to the buyer for the remaining \$150,000.

By the time the check bounced, Jursinski's legitimate check would have been cashed and the "buyer" long gone.

Tallahassee-based Florida Department of Law Enforcement communications coordinator Keith Kameg said what happened is a variation on what's known as the "Nigerian Oil Scam" that originated decades ago as Nigerian con men gulled Westerners with the hope of making quick money on shady deals in the country's notoriously corrupt oil industry.

Schemes similar to the one targeting lawyers regularly come through the state, he said — a good rule of thumb is "You should always know where the money's coming from."

Jursinski didn't bite, alerted by the inconsistencies and in a questioning frame of mind because he'd just read a Florida Bar News outlining a wave of

similar scams aimed at attorneys around the state recently.

Not all attorneys are so wary. The Florida Bar story outlines the case of Sarasota lawyer Brandon Daniels, who deposited a \$289,000 fake cashier's check into his trust account in a similar scam.

Jursinski said he suspects more attorneys are being targeted because they typically have large amounts in their trust accounts — money temporarily entrusted to the attorney by clients.

Besides, he said, times are hard for attorneys as well as the rest of society these days — perhaps leading some lawyers to lower their guard when presented with an easy fee.

"It's harder to get clients, it's harder to get money, so they say, 'Here's the money, let's do it,'" Jursinski said.

Still, he said, the scammers are bold even for con men. "They went right to the top of the food chain, attorneys, who are supposed to be detail oriented, to know what's wrong."

The Florida Bar auditor says in the Bar News article that Daniels' was the fourth case he's investigated — the attorney deposited the checks but the scheme was discovered before the money disappeared.

Bar spokeswoman Karen Kirksey said no cases have come up since the article was published Oct. 1. "We don't have anything new to report."



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Jursinski said he suspects more attorneys have been burned but quietly weighed the pros and cons of going public and decided to keep quiet.

"If these guys clipped you for 20 grand, I don't know if I'm going to go and say 'I couldn't protect myself,'" he said. "If you can't protect yourself, how can you protect your clients?"

Scam tips

- You are responsible and liable for items you cash or deposit into your account, whether they are a check, money order, transfer, etc.
- Don't accept payments for more than the amount of the service with the expectation that you send the buyer the difference.
- Don't accept checks from individuals you've only met online.
- Don't accept jobs in which you are paid or receive commission for facilitating money transfers through your account.
- Be wary of offers of mortgage modification, foreclosure rescue, or short sale scams involving money-back guarantees, title transfers, up-front fees, or high pressure sales tactics.
- No matter how urgent someone claims a deal or job offer is, you should research and confirm its legitimacy.

SOURCE: Wells Fargo

File downloads

- Fraudulent check and proposal



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