United States Attorney
Southern District of New York

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MANHATTAN U.S. ATTORNEY CHARGES OPERATOR OF LUXURY EYEWEAR WEBSITE WITH CYBERSTALKING, THREATENING, AND DEFRAUDING HIS CUSTOMERS

Defendant Allegedly Used Obscenity And Repeated Threats Of Violence Against Customers

PREET BHARARA, the United States Attorney for the Southern District of New York, and RONALD J. VERROCHIO, the Inspector-in-Charge of the New York Office of the U.S. Postal Inspection Service ("USPIS"), announced today that VITALY BORKER, a/k/a "Tony Russo," a/k/a "Stanley Bolds," the operator of "DecorMyEyes.com," a website through which he sold purported luxury eyeglasses, was arrested today for allegedly operating a scheme to defraud his customers by selling counterfeit and inferior quality goods and making unauthorized charges, and, when those victim customers complained, retaliating through a pattern of cyberstalking and threats.

Manhattan U.S. Attorney PREET BHARARA said: "Millions of people shop online and rightfully assume they are dealing with legitimate and honest vendors. Online consumers should never be in fear for their safety simply because they have chosen the convenience of Internet shopping. But that is what allegedly occurred in this case. Vitaly Borker, an alleged cyberbully and fraudster, cheated his customers, and when they complained, tried to intimidate them with obscenity and threats of serious violence. Especially during this holiday shopping season, today's arrest should send a message that we will protect online consumers and that victims of people like Borker are not alone. Along with our law enforcement partners, this Office will work

tirelessly to protect consumers from those who exploit their access to individuals through online sales."

New York USPIS Inspector-in-Charge RONALD J. VERROCHIO said: "The postal inspectors not only protect consumers from fraud, but also when merchants become abusive to customers."

According to the Complaint unsealed today in Manhattan federal court:

Since at least January 2007, BORKER has been the owner and operator of an online retailer of purported luxury eyewear, based in Brooklyn, New York, known as "DecorMyEyes.com." Based upon statements from numerous victims, emails and other documented communications involving BORKER, and well over 200 complaints filed with the Federal Trade Commission by victims in states across the United States as well as in countries abroad, BORKER allegedly engaged in a distinct pattern of conduct in which he defrauded his customers, and when those customers complained, he responded with threats and obscene conduct.

Specifically, DecorMyEyes.com customers complained that they purchased luxury eyewear that was often defective, damaged, used, counterfeit, and/or did not come with a promised "certificate of authenticity." On many occasions, BORKER also billed customers for unauthorized charges (such as a twenty percent "restocking fee"), failed to reimburse customers for returned or unfulfilled orders, or never sent merchandise for which customers had been charged. When those customers tried to return or exchange the merchandise, BORKER then subjected them to a campaign of aggressive, obscene, and intimidating conduct, either in his own name or using aliases. Among other things, he told them that he had their personal information, that he knew where they lived, and that he would visit horrific violence upon the complaining customers and their close family members.

* * *

The Complaint charges BORKER with one count each of cyberstalking, making interstate threats, mail fraud, and wire fraud. The cyberstalking and interstate threats charges each carry a maximum penalty of 5 years in prison, and the mail fraud and wire fraud charges each carry a maximum penalty of 20 years in prison.

BORKER, 34, was arrested this morning at his home in Brooklyn, New York. Federal agents conducted a search of BORKER's home during which they found several firearms and ammunition. BORKER is expected to be presented in Magistrate Court in Manhattan federal court.

Mr. BHARARA praised the work of the USPIS for its outstanding work in the investigation.

This case is being handled by the Office's Complex Frauds Unit. Assistant U.S. Attorney E. DANYA PERRY is in charge of the prosecution.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

10-379 ###