

FILED IN OPEN COURT
U.S.D.C. - Atlanta

DEC 11 2023

Kevin P. Weimer, Clerk
By Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

BARBARA FURLOW-SMILES
A/K/A BARBARA FURLOW

Criminal Information

No. 1:23-CR-0389

THE UNITED STATES ATTORNEY CHARGES THAT:

**Count One
(Wire Fraud)**

1. Beginning on a date unknown, but from at least in or about January 2017, and continuing through in or about September 2021, in the Northern District of Georgia and elsewhere, the defendant, BARBARA FURLOW-SMILES a/k/a Barbara Furlow, knowingly devised and intended to devise a scheme and artifice to defraud Facebook, Inc., now known as Meta Platforms, Inc., and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by omission of material facts, well knowing and having reason to know that the pretenses, representations, and promises were and would be false and fraudulent when made and caused to be made and that the omissions were and would be material.

Background

At times relevant to this Information:

2. Facebook, Inc., was an American multinational technology company based in Menlo Park, California. In or about October 2021, Facebook, Inc. changed its company name to Meta Platforms, Inc., doing business as Meta. Meta owns and operates Facebook, Instagram, Threads, and WhatsApp, among other products and services. Facebook is an online social media and social networking service, which can be accessed using the Internet. Meta is one of the largest technology companies in the United States.

3. Defendant FURLOW-SMILES was the Lead Strategist, Global Head of Employee Resource Groups and Diversity Engagement at Facebook, Inc., hereinafter referred to as Facebook. She led Diversity, Equity, and Inclusion (DEI) programs at Facebook and was responsible for developing and executing DEI initiatives, operations, and engagement programs.

4. In her position as a program manager, defendant FURLOW-SMILES was given company credit cards that were supposed to be used only for legitimate corporate expenses, such as paying vendors to provide goods and services for diversity events. She also had the authority to submit purchase requisitions and approve invoices for authorized vendors of Facebook.

Scheme to Defraud

5. Defendant FURLOW-SMILES used her position at Facebook to steal more than \$4 million from the company. She caused Facebook to pay numerous individuals for goods and services that were not provided to the company and then had those individuals kick back fraudulent proceeds to her, often in cash.

6. In furtherance of her scheme, defendant FURLOW-SMILES linked PayPal, Venmo, and Cash App accounts to the credit cards that Facebook provided her for work-related expenses. Using these accounts, she paid friends, relatives, and other associates for goods and services purportedly provided to Facebook, when in fact the good and services were never provided. These transactions resulted in fraudulent charges on her Facebook credit cards. Most of these individuals did not know that the payments they received came from Facebook.

7. To conceal her scheme, defendant FURLOW-SMILES submitted fraudulent expense reports to Facebook in support of the bogus credit card charges. In these reports, she falsely claimed that her associates or their businesses provided goods and services to Facebook for various programs and events, when in fact they had not.

8. After her associates received payments from Facebook, they kicked back the vast majority of the money to defendant FURLOW-SMILES. The associates paid these kickbacks in cash and through transfers to accounts held in her husband's and others' names. Associates paid the cash kickbacks in person and by Federal Express or mail, sometimes wrapping the cash in other items, such as T-shirts. Defendant FURLOW-SMILES also directed associates to pay each other, or others to whom she owed money, to conceal her involvement in the scheme.

9. Defendant FURLOW-SMILES recruited numerous individuals to receive money and pay kickbacks as part of the scheme. These individuals included friends, relatives, former interns from a prior job, nannies and babysitters, a hair

stylist, and her university tutor. She also caused Facebook to make payments for her benefit to others who did not pay kickbacks. For example, defendant FURLOW-SMILES caused Facebook to pay nearly \$10,000 to an artist for specialty portraits and more than \$18,000 to a preschool for tuition.

10. In addition to using her corporate credit cards to obtain fraudulent proceeds, in furtherance of her scheme, defendant FURLOW-SMILES also caused Facebook to onboard several vendors that were owned and operated by friends and associates who paid her kickbacks.

11. After Facebook approved contracts for these vendors, defendant FURLOW-SMILES approved purchase requisitions for the vendors purportedly to order goods and services from them on behalf of Facebook. Once she approved the requisitions, Facebook generated purchase orders for the vendors.

12. Defendant FURLOW-SMILES then approved fraudulent and inflated invoices to charge against the purchase orders. Facebook paid the invoices once she approved them. After payment, defendant FURLOW-SMILES directed the vendors to return a portion of the money they had received to her. These kickbacks were paid in cash, in transfers to accounts held in her husband's name, and in transfers to others associated with defendant FURLOW-SMILES.

13. In total, defendant FURLOW-SMILES stole more than \$4 million from Facebook based on fictitious charges and fraudulent invoices for which goods and services were not provided to Facebook. She used the money to live a luxury

lifestyle that she otherwise could not have afforded but for the illicit proceeds of her fraud scheme.

Execution of the Scheme to Defraud

14. To execute this scheme to defraud, defendant FURLOW-SMILES caused the transmission of interstate wire communications. Among other executions of the scheme, on or about July 30, 2021, in the Northern District of Georgia and elsewhere, defendant FURLOW-SMILES, for the purpose of executing and attempting to execute the scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, promises, and omissions, with the intent to defraud, did cause to be transmitted by means of a wire communication in interstate commerce certain writings, signs, signals, pictures, and sounds; that is, defendant FURLOW-SMILES paid an individual through PayPal, which was charged to her Facebook credit card, in the approximate amount of \$14,406.30, causing an interstate wire transmission.

All in violation of Title 18, United States Code, Section 1343.

Forfeiture Provision

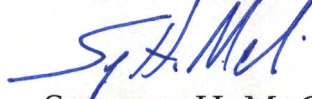
15. As a result of committing the wire fraud offense alleged in this Criminal Information, in violation of Title 18, United States Code, Section 1343, the defendant, BARBARA FURLOW-SMILES a/k/a Barbara Furlow, shall forfeit to the United States all property, real and personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

16. If, as a result of any act or omission of defendant FURLOW-SMILES, property subject to forfeiture

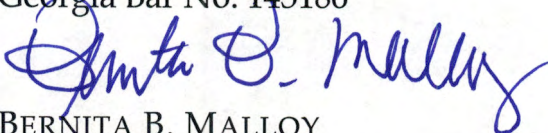
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property, which cannot be divided without difficulty,

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of other property of the defendant up to the value of the forfeitable property described above.

RYAN K. BUCHANAN
United States Attorney



STEPHEN H. MCCLAIN
Assistant United States Attorney
Georgia Bar No. 143186



BERNITA B. MALLOY
Assistant United States Attorney
Georgia Bar No. 718905

600 U.S. Courthouse
75 Ted Turner Drive SW
Atlanta, GA 30303
404-581-6000; Fax: 404-581-6181