

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE DISTRICT COURT

NO. _____

STATE OF NEW MEXICO
VS.
Paul R. Krebs
[REDACTED] 1956
XXX-XX [REDACTED]
LKA: 7022 Starshine St NE
Albuquerque, NM 87111

SW 2018 00011

SEARCH WARRANT

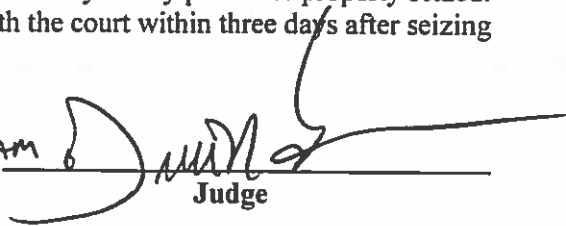
THE STATE OF NEW MEXICO TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT: Proof by Affidavit for Search Warrant having been submitted to me by, Special Agent Antonio Vargas, I am satisfied that the person named/described and/or property described in the Affidavit are located where alleged in the Affidavit, and I find that grounds exist for the issuance of the Search Warrant. A copy of the Affidavit is attached and made a part of this Search Warrant.

The facts tending to establish the foregoing grounds for issuance of a search warrant are set forth in the AFFIDAVIT for Search Warrant, which is attached to and hereby made a part of the Search Warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person and/or the place described in the AFFIDAVIT, commencing between the hours of 6:00 a.m. and 10:00 p.m. [unless I have specifically authorized a nighttime search as stated below], and continuing thereafter until completed, for the person and/or property described in the affidavit, serving this warrant together with a copy of the affidavit, and making the search and if the person and/or property is found there, to seize it, and hold for safekeeping until further order of the court.

EXECUTING OFFICER(S) are directed to prepare a written inventory of any person or property seized. You are further directed to file a return and written inventory with the court within three days after seizing the property described after execution of this Search Warrant.

Dated this 24th day of September, 2018 at 11:20 hours AM



Judge

AUTHORIZATION FOR NIGHTTIME SEARCH

I further find that reasonable cause has been shown for nighttime execution of this Warrant. I authorize execution of this Search Warrant at any time of the day or night for the following reasons:

JUDGE

DATE

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AFFIDAVIT FOR SEARCH WARRANT

Affiant states he is a full-time, salaried, law enforcement officer, currently employed with the New Mexico Office of the Attorney General, assigned to the Special Investigations Division as a Special Agent in the Anti-Money Laundering Unit. Affiant has accumulated approximately 7 years of law enforcement experience. Affiant's duties include follow-up investigations on all felony and property crimes to include fraud, forgery, and embezzlement, theft of identity, racketeering, and money laundering crimes. Affiant has received training and has experience in the writing and executing of search and arrest warrants. Affiant is also familiar and has been trained in the county and state laws governing these offenses. Affiant has investigated and has knowledge of the facts in this case.

I, Special Agent Antonio Vargas, being duly sworn, on my oath, state that I have reason to believe that on the following described premises, vehicle(s), property and/or person(s) of:

J.P. Morgan Chase customer account(s) belonging to:

Name: Paul R. Krebs

Address: 7022 Starshine St NE
Albuquerque, NM 87111

Or

1528 Muirfield Rd
Bowling Green, OH 43402

DOB: ██████/1956

SSN: ██████████

Credit Card ending in 5596

IN THE STATE OF NEW MEXICO, COUNTY OF BERNALILLO, THERE IS NOW BEING CONCEALED CERTAIN PROPERTY, NAMELY:

Items to be Searched for and Seized:

Executing Officers/Detectives and all successor investigation Officers/Detectives are authorized to seize, search, and analyze:

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All **CERTIFIED** records associated with **J.P. Morgan Chase customer account(s)**, for all open or closed credit card accounts bearing the signatory authority of and/or in the name of the above identified individual, including the application for credit, and for the date range of May 1, 2017 to July 31, 2017, which include, but are not limited to:

1. Copies of all account signature cards pertaining to the above mentioned accounts identifying users and/or signers; identifying the dates when users/signers were added or removed;
2. Copies of all monthly account statements pertaining to the above mentioned accounts;
3. Copies of all charge tickets and supporting documents associated with the above mentioned accounts;
4. Copies of all supporting documents associated with above mentioned accounts, including;
 - a. Bank checks
 - b. Personal checks
 - c. Money orders
 - d. Cashier's checks
 - e. Wire transfers in
 - f. Wire transfers out
5. Copies of all drafts and checks, to include the front and back of checks and drafts drawn on the above mentioned accounts;
6. Copies of all debit and credit memos, purchases of bank checks, cashier's checks, teller checks, traveler's checks or money order drafts, including records revealing the date of transaction and source of payment for the checks and/or money orders;
7. Copies of all transactions associated with each debit or credit between the above listed dates;
8. Copies of all loan documents obtained under the name of Paul Krebs, if loan account was closed during this time period please state when and the reason for closure;

THE FACTS TENDING TO ESTABLISH THE GROUNDS FOR ISSUANCE OF THIS SEARCH WARRANTS ARE AS FOLLOWS:

On May 25, 2018 Attorney General of New Mexico Hector H. Balderas informed then Interim President of the University of New Mexico (UNM), Chaouki Abdallah, that a formal inquiry was being initiated based on public disclosures related to UNM Vice President of Athletics Paul Krebs and a June 19, 2015 through June 25, 2015 golf trip to Scotland. The inquiry would be done to ensure compliance with the

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Government Conduct Act (GCA) NMSA 1978, Section 10-16-14(E) which requires all public officials to conduct themselves in an ethical manner in advancement of the public trust.

The following information was identified during the inquiry by Attorney General of New Mexico Hector H. Balderas, and all referenced emails were obtained voluntarily from UNM after a records request was made by The Office of The Attorney General:

In September 2014, VP of Athletics Paul Krebs began discussion with Anthony Travel, a sports travel management company specializing in university athletics, regarding a "fundraising trip" to Scotland.

As Vice-President of Athletics, Paul Krebs was only authorized to sign game contracts and contracts for rental of athletic facilities for the University; however, on October 29, 2014, a contract between Anthony Travel and The University of New Mexico was signed by Paul Krebs, acting as a representative of UNM. The signing of the contract appears to be a violation of UNM Contracts Signature Authority and Review Policy 2010. The purpose of the contract was to provide golf packages for a "golf tour" in Scotland. The agreement was for twenty-four (24) golf packages; two of which were for two athletics department employees, Paul Krebs and Craig Neal. The signing of the contract placed UNM in debt to Anthony Travel for \$247,176. The following day, on October 30, 2014, Paul Krebs informs Anthony travel that the trip is "good to go" and that a signed contract as well as a check from the UNM "Lobo Club" totaling \$49,500, twenty-five percent (25%) of the total cost, would be sent to Anthony Travel to pay the deposit of the trip.

The UNM Athletics department was unable to fill all twenty-four (24) packages, and was responsible for: (1) refunding the Lobo Club \$13,625.00, (2) paying Paul Krebs roundtrip airfare of \$1,190.00, (3) as well as paying for the remaining six (6) packages at \$8,189 each (two UNM employees, one UNM Foundation employee, and 3 donors), for a total cost of \$63,949.00. Prior to being made aware that they would be unable to fill all twenty-four (24) packages, The UNM Athletics Department paid Anthony Travel for three participants of the "Golf Tour", VP of Athletics Paul Krebs, Head Men's Basketball Coach Craig Neal and UNM Foundation employee Kole McKamey. The UNM Athletics Department then paid for three local "donors" to participate in the "golf tour", again at \$8,189 each which totaled \$24,567.00. Even after paying for the three additional donor packages, The UNM Athletics Department still had not fulfilled the twenty-four (24) tour package commitment in the contract, forcing The UNM Athletics Department to pay for one (1) unreserved "golf tour" package plus fees, which was withheld from the

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Lobo Club deposit. The UNM Athletics Department refunded the Lobo Club the total cost in the amount of \$13,625.00.

All payments made to Anthony Travel from The UNM Athletics Department were made using a UNM purchasing card. Per The UNM Athletics Department Business Manual, purchasing cards utilized by UNM have a set spending limit of \$10,000. Rita Chavez, administrative assistant to Paul Krebs, and Paul Krebs were both aware of the purchasing card restrictions and appear to have structured the payments to Anthony Travel in a manner that suggests they were trying to avoid needing higher approval from the University. The University of New Mexico employee contract signed by Paul Krebs June 12, 2014 states "This appointment is governed by applicable policies as stated in the University Regents Policy Manual and The University business Policies and Procedures Manual, as they are amended from time to time, published and distributed by the University, and by relevant federal and state laws and regulations." The contract goes on to say "Mr. Krebs is responsible for maintaining complete knowledge of and full compliance with the policies, rules, and regulations of the University (particularly those described in the Department of Athletics policies and Procedures Manual) and shall, through the use of diligent, good faith efforts, ensure that all coaches or any other employees for whom he is administratively responsible are knowledgeable and comply with the above policies, rules, and regulations". The "golf tour" was purchased using incremental payments in order to avoid the \$10,000 limit, violating UNM policy. Each golf package was purchased separately and on separate dates. The descriptions listed for the purchases were also misleading and appear to be used in order to avoid inquiry. Paul Krebs golf package was listed as a trip to a "Men's Bball Tournament in Ireland", Craig Neal's package was shown as a "Trip w/ MBBall", and Kole McKamey's package was shown as "VP Travel". Three purchases for local "donors" were listed as "Donor Cultivation for MBBall". The University of New Mexico also has a policy stating that any foreign travel requires approval from "the person who is in a position of authority over the traveler", however, the purchases using the purchasing card were listed as "out-of-state travel" as opposed to foreign travel, circumventing the need for approval of a supervisor.

In early May 2017, local news stations began to cover the "golf tour" negatively, questioning Paul Krebs use of public funds. Several emails between Paul Krebs and fellow UNM employees show his intent to cover up his involvement in the use of public funds for The University of New Mexico to pay for an overseas golfing tour for himself and others.

May 6, 2017 Paul Krebs explains in one email that he was "not forthcoming with the press re Scotland", and "misled them, and our donors on our actual expenses". Paul Krebs goes on to say "I thought no one would find out. Wrong move."

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May 11, 2017 Paul Krebs responded to an email from Kaley Espindola referencing then acting University President Abdallah's speech to the Board of regents regarding the Athletics Department's budget and reinstatement of the ski team and states "deleting all texts and emails".

May 18, 2017, an "anonymous" donation was made to the UNM Foundation with the purpose of paying The University of New Mexico Athletics Department back for the cost it incurred from the Scotland Trip. \$25,000 was paid to the UNM Foundation with direction that it be used for the Athletics department as stated in an email from Paul Krebs on May 24, 2017 stating "The 25k donated to cover the Scotland trip is in the Foundation and ready to be transferred to our department.

May 23, 2017, Paul Krebs made a statement saying "While it is two years after the fact, it is a situation that has been corrected". Emails between Paul and Marjori Krebs suggest that the \$25,000 appears to be an attempt to cover up the violations made by then Vice-President of Athletics Paul Krebs.

May 23, 2017, questions arise from the media regarding the anonymous donation. Several public records requests were made and not met.

Along with the media requests for the information regarding the donation, the Office of the State Auditor asked for verification of where the donation came from in a meeting with The UNM Foundation on July 25, 2017.

On July 26, 2017 at 2:01 pm, counsel for The UNM Foundation Pat Allen advised that the donor had been contacted and stated that the donation was to be used to "support the stewardship and development efforts associated with the athletic department 2015 fundraising trip to Scotland". At 2:12 p.m. Paul Krebs emails his wife Marjori Krebs advising her that he needs her to print and deliver a letter to Larry Ryan at The UNM Foundation saying "Larry is expecting this". He gives Marjori directions to The UNM Foundation's office and tells her that there "should be no name, return address or anything associated with us on the letter or envelope. Should not be traceable if public". Paul Krebs also tells Marjori "Delete everything I sent when done so nothing discoverable in IPRA request. Including from your delete file, Thanks".

According to the e-mail sent from Paul Krebs, the letter Marjori is to deliver to Larry Ryan with The UNM Foundation was to say "Larry, I am writing to document the purpose of my \$25,000 donation to the

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UNM Foundation. The money was given to support the stewardship and development efforts associated with the Athletics Department 2015 fundraising trip to Scotland. Please notify me if you need further explanation or information. Thank you, The Donor”.

Contact was made with Larry Ryan, Vice-President of University Development with The UNM Foundation, on August 23, 2018. A meeting was set up with Mr. Ryan and The UNM Foundation General Counsel, Pat Allen for August 27, 2018. Mr. Ryan explained that there are several ways to donate to the UNM Foundation. When asked about the specific anonymous donation, Mr. Ryan confirmed that he had direct involvement with the donation. He stated a “donor” called in and asked to make an “unrestricted gift” to athletics to help cover the Scotland “gap”. He confirmed that the donor intended the “gift” to support the financial losses from the Scotland Trip. Mr. Ryan stated that the donation was a credit card donation over the telephone. He said he took the credit card information during a phone call he received in the evening, so he gave the information to gift processors, Annette Hazen and Mona Pino, the following morning so they could enter the donation into UNM Foundation’s donor database. Mr. Ryan did say that he knew who the donor of the \$25,000 was, however, he could not disclose that information to anyone.

Mr. Ryan stated he did not know the process but did say that any donation has to go into their “gift processing system, their donor database”. I asked Mr. Ryan if there was ever any contact made other than the phone call, if there was any discussion made in person or if anyone came The UNM Foundation regarding the anonymous donation. Mr. Ryan said “no, this was just a phone call” contradicting the emails sent from Paul Krebs to his wife Marjori giving her direction on who and where to take his letter explaining his “anonymous donation”. I asked Mr. Ryan if he had any involvement with the donation after the initial phone call and he said “no.....no, only when they needed a letter acknowledging the gift for their taxes.” He stated the donor asked for a tax receipt directly from Mr. Ryan, via another telephone call, sometime at the beginning of the year in 2018. Mr. Ryan said that the discussion with the donor, and their intention for where the donation was to be sent, was only over the phone and stated there was never anything in writing from the donor, again contradicting the email and letter from Paul and Marjori Krebs. Mr. Ryan confirmed that the \$25,000 donation he took over the telephone and processed the following day at The UNM Foundation, was the only donation received with the purpose of compensating UNM or the Athletics Department for the losses suffered due to the Scotland trip. Larry Ryan and Pat Allen were asked if they would be willing to provide a copy of the credit card transaction as well as the receipt issued to the “donor” for tax purposes. Later that day, Pat Allen did send a copy of the credit card transaction, but redacted the name of the person who gave the donation.

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A previous warrant executed at The University of New Mexico Foundation revealed that the \$25,000 donation was given by a "Paul Krebs". Foundation records show the donor as "anonymous", however, the letter given to Marjori from Paul Krebs was located attached to the hard copy records of the donation. Vice-President of Development, Annette Hazen, confirmed that she remembered the donation and identified "Paul Krebs" as the donor. She stated she believed that Paul Krebs had contacted Mr. Ryan and provided him with his credit card information. She said Mr. Ryan contacted her in the evening and informed her that Paul Krebs wished to make a \$25,000 donation. Annette stated that Mr. Ryan provided her with Paul Krebs' card information which she held on to until the following morning when she processed the donation. Annette said that once a donation is processed, the card information is destroyed and stated that they do not keep any card or account information for security purposes. Annette also stated that she remembered completing a donation acknowledgment letter for Paul Krebs for tax purposes. She again confirmed that Mr. Ryan called her and informed her that Paul Krebs requested a tax receipt from The UNM Foundation for his taxes.

The \$25,000 donation was sent from The University of New Mexico Foundation to The University of New Mexico Athletics Department and placed in a contingency index controlled by the Vice President of Athletics, Paul Krebs.

Gift processor Mona Pino did provide a receipt for the donation which had the name Paul Krebs listed on it along with the credit/debit card type (Visa), last four digits of the card number, but no other identifying information. The last four digits of the credit card used to make the \$25,000 donation were 5596. Previous documents received from UNM include travel receipts that Paul Krebs provided the University of New Mexico in order to receive reimbursement for his travel expenses. One document is a receipt for airline tickets purchased by Paul Krebs using a Visa Credit Card ending in 5596. The receipt also showed the first six digits of the card number which is known as the Issuer Identification Number (IIN), previously known as bank identification number (BIN). The issuer identification number shows the credit card as a Visa Signature credit card issued by Chase Bank USA, N.A. I would like to see the **CERTIFIED** Chase credit card records and complete card information in order to further assist in positively identifying the source of the donated funds and also assist in positively identifying donor "Paul Krebs" and further investigate possible violations of the State of New Mexico Government Conduct Act (GCA) NMSA 1978, Section 10-16-14(E) which requires all public officials to conduct themselves in an ethical manner in advancement of the public trust as well as other crimes including violations of State of New Mexico Money Laundering statute NMSA 1978, Section 30-51-4, Fraud statute NMSA 1978, Section 30-16-6, and Embezzlement Statute NMSA 1978, Section 30-16-8.

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Based on the above information, and due to the circumstances, Affiant respectfully requests this search warrant be granted in order to examine the records listed above for any and all evidence, which may lead investigators to the offender(s) and or possible witnesses in this case under the auspices of the District Court, County of Bernalillo, State of New Mexico.

SUBSCRIBED AND SWORN TO BEFORE ME IN THE ABOVE NAMED COUNTY OF THE STATE OF NEW MEXICO, THIS 27th DAY OF September, 2018



JUDGE

District Court Judge

TITLE



AFFIANT

SPECIAL AGENT NMACO

TITLE

APPROVED BY ASSISTANT ATTORNEY GENERAL

Collin Bruney



ON 9/21/18

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RETURN OF INVENTORY

I received the attached Search Warrant on 24 SEP, 2018, and executed it on 24 SEP, 2018, at 12:45 (a.m.) (p.m.) I searched the person or premises described in the Warrant and left a copy of the Warrant with: J.P. MORGAN CHASE
(Name of the person searched or owner at the place of search)

Together with a copy of the inventory for the items seized. The following is an inventory of the property taken pursuant to the Warrant: _____

JP MORGAN CHASE CREDIT CARD RECORDS
FROM 5-1-17 THROUGH JULY-1-17

This inventory was made in the presence of _____ and _____
Applicant for search warrant owner or other witness

[Signature]
Signature of the Officer/Detective

Signature of Owner or Witness

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Return made this 16, day of October, 2018, at 11:22 (am/pm).



Judge/Clerk

After a careful search, I could not find at the place or on the person described, the property described in this warrant.

Signature of the Officer/Detective

Signature of Owner or Witness