

STATE OF MICHIGAN
IN THE 16TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF MACOMB

DANA NESSEL, ATTORNEY GENERAL
OF THE STATE OF MICHIGAN, *ex rel*
The People of the State of Michigan,

No. 21- -CZ

Petitioner,

v

HON.

UNKNOWN, UNKNOWN a/k/a KRISTIN
HOLLIDAY,

Respondent.

Darrin F. Fowler (P53464)
Assistant Attorney General
Michigan Dep't of Attorney General
Corporate Oversight Division
P.O. Box 30736
Lansing, MI 48909
(517) 335-7632
FowlerD1@michigan.gov

**ATTORNEY GENERAL'S *EX PARTE* PETITION FOR CIVIL
INVESTIGATIVE SUBPOENAS**

I. Parties, Legal Authority, and Venue

1. The Michigan Department of Attorney General (“Attorney General”) is authorized to file an *ex parte* petition with the Circuit Court requesting issuance of investigative subpoenas pursuant to Section 7 of the Michigan Consumer Protection Act (“MCPA”). That statute provides in pertinent part:

Upon the *ex parte* application of the attorney general to the circuit court in the county where the defendant is established or conducts business or, if the defendant is not established in this state, in Ingham county, the circuit court, if it finds probable cause to believe a person has engaged, is engaging, or is about to engage in a method, act, or practice which is unlawful under this act, may, after *ex parte* hearing, issue a subpoena compelling a person to appear before the attorney general and answer under oath questions relating to an alleged violation of this act The subpoena may compel a person to produce the books, records, papers, documents, or things relating to a violation of this act. . . . [MCL 445.907(1).]

2. The true identity of the Respondent in this matter is unknown. This person has used the alias Kristin Holliday on Facebook, and in social media. The purpose of this investigation is to ascertain the Unknown Respondent's true identity. This Petition has been captioned in the manner anticipated by MCR 2.106(C) and MCR 2.201(D).

3. As detailed below, the person using the Kristin Holliday alias targeted residents of Macomb County, Michigan in a scam that violates the MCPA. This makes this Court an appropriate venue for this Petition.

II. Factual Background

4. On August 9, 2021 the Attorney General received an email from a Michigan resident named Lauren [REDACTED]. Lauren advised the Attorney General that someone named Kristin Holliday was selling blank vaccine cards on the Moms2MomsSwap-Macomb County marketplace for \$25. Lauren provided screen shots validating her complaint. (Lauren's email and screen shots, **Attachment A**).

5. The availability of vaccines that are safe and effective in limiting the spread and severity of the Coronavirus have had the unfortunate side effect of

creating a black market for fake vaccination cards, and for real vaccination cards that can be filled in with false information by the purchaser. Such cards are desired by persons who want to engage in more normalized work, educational, and social opportunities without accepting the obligations we all owe to each other in living in a civil society. The problems surrounding this black market have been detailed in numerous recent media stories.¹

6. Fake vaccination cards pose a serious public health threat and endanger the lives of Michiganders. Thus, upon receiving Lauren's complaint, the Attorney General made further inquiry. The report of Special Agent Jeff Campbell is included as **Attachment B** to this Petition to show this investigation.

7. As detailed in Special Agent Campbell's report, the Kristin Holliday identity appears to be a false one. The Facebook profile for Kristin Holliday is: <https://www.facebook.com/kristin.holliday.94>. According to the profile, Holliday lives in St. Clair Shores, Michigan and is formerly of Clearwater, Florida. But, using both publicly available and law enforcement databases, Special Agent Campbell was not able to find anyone by that name ever living in either location.

¹ (Diaz, Jaclyn, *Fake COVID Vaccine Cards Are Being Sold Online. Using One Is A Crime* (June 8, 2021), NPR, available at <https://www.npr.org/2021/06/08/1004264531/fake-covid-vaccine-cards-keep-getting-sold-online-using-one-is-a-crime>)

(Marnin, Julia, *Fake COVID Vaccine Cards Can Be Bought Online for as Little as \$25, Worrying Officials* (August 9, 2021), Newsweek, available at <https://www.msn.com/en-us/news/us/fake-covid-vaccine-cards-can-be-bought-online-for-as-little-as-2425-worrying-officials/ar-AAN75Hz?ocid=uxbndlbing>)

Special Agent Campbell points out “Kristin Holliday” is a common name, shared by real people in Michigan and throughout the country, but none of whom appear associated with the Facebook profile. (Id.).

8. Further, Special Agent Campbell performed Google image searches and found the Facebook profile for Kristin Holliday uses stock photos, including one commonly used in marketing Hawaiian vacations. (Id.).

9. The Kristin Holliday profile on Facebook is less than two years old, contains scant information, and has no linked friends. As Special Agent Campbell observes, it contains just enough information to give a superficial impression of being that of a real person. But, in his professional experience, it bears all the hallmarks of being a fake profile created for the purpose of committing fraud. (Id.).

10. Based on this investigation, it appears the Kristin Holliday persona was created not to undermine the public health, but to financially exploit the residents of Macomb County. A very short history of sales of varying products was created to that end. (Attachment A).

11. The person using the Kristin Holliday persona used the Mom2MomSwap-Macomb County marketplace in an effort to entice purchasers of a good that would likely never be delivered. During this pandemic, undersigned counsel has seen a growing trend by which fraudsters are taking a grass roots

approach to their schemes by infiltrating neighborhood chat groups and other local social media.²

12. Such fraudsters are taking advantage of our desire to trust our neighbors.

13. The MCPA defines unfair and deceptive trade practices that are outlawed in the State of Michigan. See MCL 445.903. Among the prohibited practices are “[c]ausing a probability of confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services.” MCL 445.903(1)(a). As detailed in Special Agent Campbell’s report, there is probable cause to believe a person named Kristin Holliday is not the true source of the blank vaccine cards, holders, and other items being sold in the Mom2MomSwap marketplace.

14. The MCPA also prohibits “[u]sing deceptive representations or deceptive designations of geographic origin in connection with goods or services.” MCL 445.903(1)(b). Here, as Special Agent Campbell’s report details, it appears the person using the Kristin Holliday persona is not from St. Clair Shores, but is instead falsely using that geographic location in the Facebook profile to entice consumers from Macomb County to hand over their money.

² (Thompson, Carol, *Fake puppies, price gouging and hoax COVID cures: a year in coronavirus scams* (May 4, 2021), Lansing State Journal, available at <https://www.lansingstatejournal.com/story/news/2021/05/04/avoid-online-scams-increase-covid-coronavirus-pandemic/7318443002/>)

15. Also illegal under the MCPA is “[r]epresenting that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has sponsorship, approval, status, affiliation, or connection that he or she does not have.” MCL 445.903(1)(c). In crafting the Kristin Holliday profile on Facebook, the person perpetuating this fraud sought to create the illusion that blank, but otherwise legitimate, vaccination cards were available by claiming an affiliation to Doctors Without Borders. Since the identity itself is a false one, there is probable cause to believe this representation is also false.

16. Finally, the MCPA also prohibits “[a]dvertising or representing goods or services with intent not to dispose of those goods or services as advertised or represented.” MCL 445.903(1)(g). Based on Special Agent Campbell’s report, and his professional experience as detailed therein, there is probable cause to believe the postings Lauren shared with the Attorney General were made not to actually traffic blank vaccination cards, but to induce Macomb County residents to pay for something that would never be delivered. However deplorable such a purchase would itself be, the attempted fraud here is inexcusable.

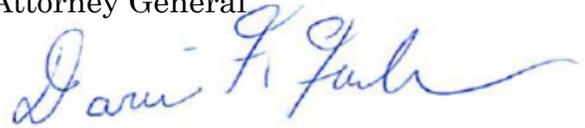
17. The Attorney General has brought this Petition for the purpose of opening an investigation into this matter. Authorization is sought for a subpoena to Facebook to learn the identity of the person creating the Kristin Holliday profile described above, and any other relevant information. Further, authorization to

issue additional subpoenas based on what is learned through this effort is requested.

18. Accordingly, the Attorney General respectfully requests authorization to issues subpoenas pursuant to the proposed order submitted as **Attachment C**.

Respectfully submitted,

DANA NESSEL
Attorney General



Darrin F. Fowler (P53464)
Assistant Attorney General
Michigan Dep't of Attorney General
Attorney for Petitioner
Corporate Oversight Division
P.O. Box 30736
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(517) 335-7632
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Dated: August 26, 2021

*Dana Nessel, Attorney General of the State of Michigan, ex rel The People of
the State of Michigan v Unknown, Unknown a/k/a Kristin Holliday*

ATTACHMENT A

Consumer Complaint and Screen Shots

Subject: FW: Fraudulent vaccine cards

From: Lauren [REDACTED] <[lauren \[REDACTED\]](mailto:lauren[REDACTED]@miag@michigan.gov)>
Sent: Monday, August 9, 2021
To: Michigan Attorney General <miag@michigan.gov>
Subject: Fraudulent vaccine cards

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Hello,

I'm not sure where exactly this should "officially" be reported, but was hoping sending it here would help get it where it needed to go.

There is a woman posting fraudulent (blank) covid vaccine cards on the "Mom2MomSwap- Macomb County" page on Facebook.

I will post the link, but incase it has been removed, I have also attached screenshots and information of the poster.

Post: <https://www.facebook.com/marketplace/item/219709626742103/>

Posters profile:

<https://www.facebook.com/kristin.holliday.94>

Thank you,

Lauren [REDACTED]



🔍 Search



Kristin Holliday

📧 Message



🏥 Works at **Doctors Without Borders/ Médecins Sans Frontières (MSF)**

🎓 Studied at **Florida State University**

🏠 Lives in **St. Clair, Michigan**

📍 From **Clearwater, Florida**

⋮ See Kristin's About Info

Friends





Kristin Holliday



Follow



Message



Block



More

Things in Common

Also member of **Mom2MomSwap - Macomb County**

Badges

Based on Kristin's activity in Mom2MomSwap - Macomb County



Highly Rated

4-stars or higher rating from at least 4 buyers

[See Kristin's Badges](#)

Seller Rating



Based on 11 ratings



What They Do Well

These are their strengths, according to feedback from others on Facebook.

Pricing (8)

Item Description (8)

Punctuality (5)

+ See All

About



Facebook member since 2020



11 Marketplace followers

Recent group listings



CDC Blank Card and Card Holder

\$25

3 hours ago

Kristin's Listings

[Share](#)



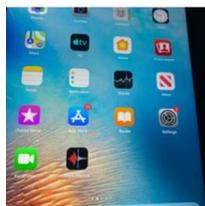
CDC Blank Card and Card Holder

\$25



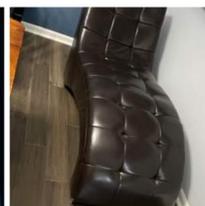
Apple iPhone 5s 16GB

\$40



iPad Air

\$60



Chase lounge chair

\$60 ~~\$80~~

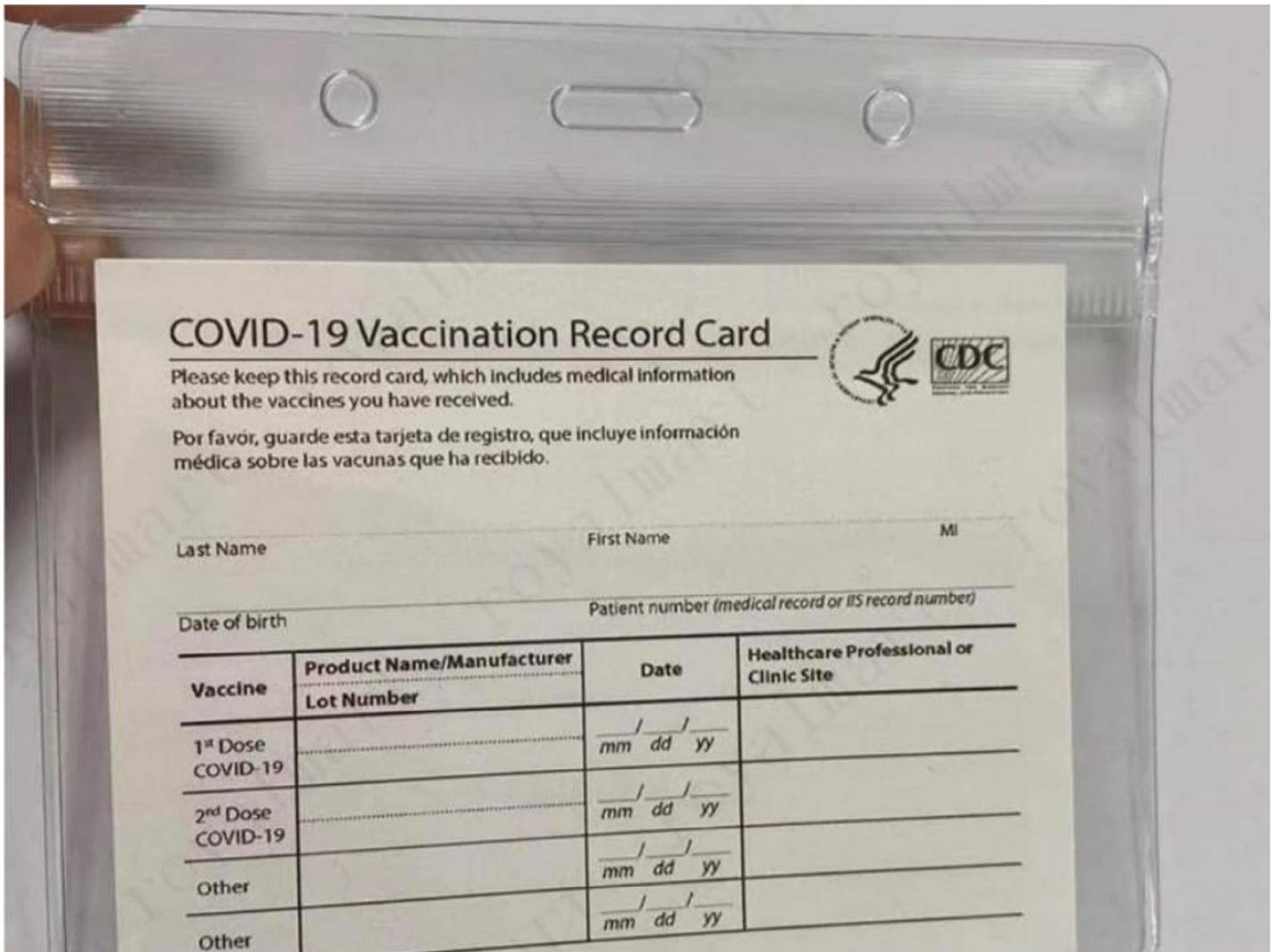


Mom2MomSwap - Macomb County



Kristin Holliday · 3h ·

Covid Vaccination Blank Card and card Holder, CDC Vaccination Card Protector 4 X 3 Inches Immunization Record Vaccine Card Holder Waterproof Clear Vinyl Plastic Sleeve with Type Resealable Zip, If interested send DM.



COVID-19 Vaccination Record Card



Please keep this record card, which includes medical information about the vaccines you have received.

Por favor, guarde esta tarjeta de registro, que incluye información médica sobre las vacunas que ha recibido.

Last Name _____ First Name _____ MI _____

Date of birth _____ Patient number (medical record or IIS record number) _____

Vaccine	Product Name/Manufacturer Lot Number	Date	Healthcare Professional or Clinic Site
1 st Dose COVID-19		mm / dd / yy	
2 nd Dose COVID-19		mm / dd / yy	
Other		mm / dd / yy	
Other		mm / dd / yy	

\$25 · MACOMB, MI

CDC Blank Card and Card Holder

Ships for \$9.00 with Purchase Protection

[BUY NOW](#)

8

6 Comments

*Dana Nessel, Attorney General of the State of Michigan, ex rel The People of
the State of Michigan v Unknown, Unknown a/k/a Kristin Holliday*

ATTACHMENT B

Special Agent Initial Report



POLICE REPORT

ORIGINAL DATE 8/9/21	ATTY GEN LEGAL FILES NUMBER 2021-0327312-A
DATE OF THIS REPORT 8/20/21	DIVISION AND UNIT ASSIGNED CID - CORPORATE OVERSIGHT

SPECIAL AGENT NAME Jeff Campbell	AAG ASSIGNED Darrin Fowler	CASE STATUS Open
STREET ADDRESS AND CITY OF INVESTIGATOR OFFICE Williams Building - 525 W. Ottawa St. Lansing, MI 48909		REPORT NUMBER AND REPORT TYPE #1 – Initial Report

Report Type

Initial Report – Report #1

Venue:

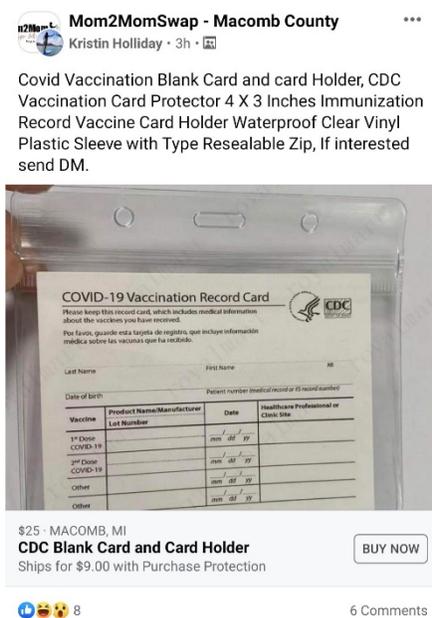
Macomb County, MI

Complainant:

Lauren [REDACTED]

Initial Information:

On 8/20/21, I was assigned to look into a complaint that was emailed to the Attorney General’s Corporate Oversight Division email address by Lauren [REDACTED]. In her complaint, Ms. [REDACTED] advised of a woman who had posted a fraudulent/blank COVID vaccination card for sale on the “Mom2MomSwap – Macomb County” Facebook page. In her complaint email dated 8/9/21, Ms. [REDACTED] included a link to the post about the blank vaccination card. This link is <https://www.facebook.com/marketplace/item/219709626742103/>. She also included a link to the poster’s Facebook profile, which is <https://www.facebook.com/kristin.holliday.94>. Ms. [REDACTED] also included three screenshots of the post she was referring to in her complaint. These are included with the file for this complaint. A copy of the sales post screenshot is included below:



Page 1 of 3	INVESTIGATED BY Special Agent Jeff Campbell	REPORTED BY <i>Jeffrey J. Campbell</i>	APPROVED BY: <i>[Signature]</i>
			DATE APPROVED: 08/23/2021



POLICE REPORT

ORIGINAL DATE 8/9/21	ATTY GEN LEGAL FILES NUMBER 2021-0327312-A
DATE OF THIS REPORT 8/20/21	DIVISION AND UNIT ASSIGNED CID - CORPORATE OVERSIGHT

Initial Investigation:

I checked the link sent by Ms. [REDACTED] and found that this particular advertisement on Facebook Marketplace was no longer active. The page indicated that the listing was either sold or expired. I searched Facebook Marketplace for similar postings but was not able to locate one posted similar to the listing found by Ms. [REDACTED] anywhere in Michigan on 8/20/21. I was not able to search the "Mom2MomSwap – Macomb County" page because this is a private Facebook group and not publicly viewable by non-members.

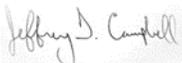
I found that the link to the Facebook profile of <https://www.facebook.com/kristin.holliday.94> was still active as of this report. I noticed that this page had very little publicly available information listed, and included some generic photos posted between 1/29/2020 and 5/24/21. The Intro section listed Kristin Holliday as working for Doctors Without Borders, studied at Florida State University, living in St. Clair, MI and originally from Clearwater, FL.

I searched for Kristin Holliday in both publicly available databases as well as law enforcement databases available to me, but found nobody by the name of Kristin Holliday living in St. Clair, MI. I was also unable to find anyone by that name as having lived in Clearwater, FL. I found several people of the same name living elsewhere in Michigan, and numerous people named Kristin Holliday elsewhere in the United States, but I was unable to link any of them to this particular Facebook page.

I searched several of the images I saw on the Kristin Holliday Facebook page. In Google Images, I searched the profile photo that was posted on the page on 5/24/21 depicting a male and female on paddle boards in the water, giving each other a "high five". This exact same photo is used as a cover photo on several different international travel websites advertising travel to Hawaii. Some of these websites include <https://www.visittheusa.co.uk/state/hawaii>, <https://www.gousa.in/state/hawaii>, and <https://www.visittheusa.fr/state/hawai>. I also searched for the other photos posted on the Facebook page, but was not able to locate exact matches to the ones posted on the Kristin Holliday profile.

Based on my experience investigating various internet-based scams, this Facebook page is similar to others I have seen used to commit fraud. For example, this page uses a common name (Kristin Holliday), and uses generic, stock photos frequently available on the internet. There is also very little posting history, status update history, and no "friends" currently connected with this account. This leads me to believe that the person(s) behind this profile put just enough information into it to make it appear to be a legitimate Facebook page for a real person. These observations, along with the fact that I am not able to find anyone by the name of Kristin Holliday living in or near St. Clair that appears to be connected to this page leads me to believe that it was created for the purpose of committing fraud.

On 8/20/21, I sent a preservation request to Facebook, asking for the preservation of all records pertaining to <https://www.facebook.com/kristin.holliday.94>. I recommend that the Corporate

Page 2 of 3	INVESTIGATED BY Special Agent Jeff Campbell	REPORTED BY 	APPROVED BY: 
			DATE APPROVED: 08/23/2021



STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

POLICE REPORT

ORIGINAL DATE 8/9/21	ATTY GEN LEGAL FILES NUMBER 2021-0327312-A
DATE OF THIS REPORT 8/20/21	DIVISION AND UNIT ASSIGNED CID - CORPORATE OVERSIGHT

Oversight Division seek a court ordered subpoena for information from Facebook that may lead to the identity of the person(s) who created this profile to further this investigation.

Investigator Bio:

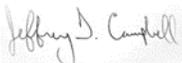
I have been employed as a Special Agent with the Michigan Department of Attorney General since 3/23/2020 and in that time, have been trained in the procedures in which investigations are conducted by the Michigan Department of Attorney General. I became certified as a law enforcement officer in 1994 within the State of Michigan after completing the recognition of prior training and experience program through the Michigan Commission on Law Enforcement Standards. Prior to employment with the Michigan Attorney General, I was a sworn law enforcement officer and investigator for the Eaton County Sheriff's Office in Eaton County, Michigan from March of 1995 through March of 2020. I was assigned to the department's Detective Bureau from 2000 through 2003 and again as commander of the Detective Bureau from 2017 through March of 2020. I have received numerous hours of in-service training to expand his knowledge of criminal investigation and have also conducted hundreds of felony and misdemeanor criminal investigations including but not limited to, homicide, robbery, financial exploitation of the elderly, fraud, embezzlement, theft, organized crime, and securities fraud.

Evidence:

1. Electronic folder containing 3 screenshots of the Facebook post and profile information provided by the complainant.
2. Electronic folder containing Facebook profile photos and screenshot collected by SA Jeff Campbell (5 files).

Status:

Open, investigation continuing.

Page 3 of 3	INVESTIGATED BY Special Agent Jeff Campbell	REPORTED BY 	APPROVED BY: 
			DATE APPROVED: 08/23/2021

*Dana Nessel, Attorney General of the State of Michigan, ex rel The People of
the State of Michigan v Unknown, Unknown a/k/a Kristin Holliday*

ATTACHMENT C

Proposed Order Authorizing Issuance of Civil Investigative Subpoenas

STATE OF MICHIGAN
IN THE 16TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF MACOMB

DANA NESSEL, ATTORNEY GENERAL
OF THE STATE OF MICHIGAN, *ex rel*
The People of the State of Michigan,

Petitioner,

No. 21-

-CZ

v

HON.

UNKNOWN, UNKNOWN a/k/a KRISTIN
HOLLIDAY,

Respondent.

Darrin F. Fowler (P53464)
Assistant Attorney General
Michigan Dep't of Attorney General
Corporate Oversight Division
P.O. Box 30736
Lansing, MI 48909
(517) 335-7632
FowlerD1@michigan.gov

**ORDER AUTHORIZING ISSUANCE OF CIVIL INVESTIGATIVE
SUBPOENAS**

At a session of said Court, held on
_____, 2021, in the County of Macomb, Michigan.
Present: HON. _____

The Attorney General has presented this Court with an *Ex Parte* Petition for Civil Investigative Subpoenas related to an investigation of Respondent Unknown, Unknown a/k/a Kristin Holliday. Through the *Ex Parte* Petition, the Attorney General alleges that there is probable cause to believe Respondent has violated the Michigan Consumer Protection Act (“Act”), MCL 445.901 *et seq.*

Having had an opportunity to review these materials, this Court finds that probable cause exists to believe Respondent has violated the Act.

THEREFORE, IT IS ORDERED that the Attorney General, acting through her assistants, is authorized to issue a Subpoena to Facebook and additional subpoenas seeking testimony and documentation from persons and entities that are identified during the course of this investigation.

IT IS SO ORDERED.

Hon.
Circuit Court Judge