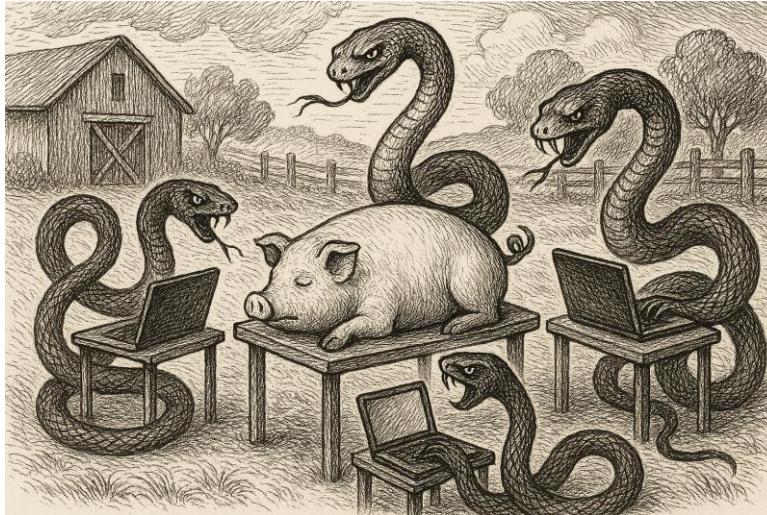


Defanging the Serpents: Loosening the Pig Butchering Squeeze

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White Knight Pig Butchering Resources.docx



Sha Zhu Pan

This paper is published as an attachment for section 7 in the presentation, “2025 Elder Law Update of Legislative, Judicial, Administrative, and Strategy Materials for Virginia Elder Law Attorneys” in the VACLE 2025 Advanced Elder Law Seminar presented on September 11, 2025.¹

- I. This work is presented and best used in conjunction with the writer’s paper entitled, *Fighting Internet Financial Exploitation: Being Shield and Sword* (2025). The work is presently available through the VACLE [at this link](#) or by calling VACLE at 800-979-8253.
- II. Time is your enemy but the thief’s best friend in romance frauds often known as “[Pig Butchering](#).”

By the time a client has engaged you it’s almost certain that the fraud has [progressed to at least the “squeeze” stage](#), and the criminal is racing to the final stage, the “[cut](#).”

¹ [2025 Virginia Elder Law Recent Developments \(Virginia Law Foundation, September 11, 2025\)](#), **Password Required.** [Syllabus](#) from the Virginia Law Foundation.



Defanging the Serpents: Loosening the Pig Butchering Squeeze**Counsel must stop the money flow as soon as possible.²**

This Client Interview Protocol may be helpful in meeting the lawyer's duty to obtain the least restrictive and expensive alternative to litigation to protect the impaired person.

Caveat: When the lawyer is representing a third party to protect the impaired person (usually leading to a conservatorship), the lawyer is adverse to the impaired person.

Before meeting with the impaired person (identified in the pleading set and this Protocol as the Respondent), the lawyer must disclose and identify himself as being the petitioner's lawyer only. He must establish that the identification and disclosure was made *before* any communication with the impaired person to fend off any disqualification motion in the circuit court.³

Fraud Victim Interview Notes

Respondent Name: _____

Date: _____

Interviewer: _____

When the interviewer is the lawyer for a third party (often a family member or a facility charged with the care of the impaired person), has the interviewer disclosed this and made clear that the impaired person is not under any compulsion to meet with him, that he will not represent the impaired person, and that nothing the impaired person discloses will form or be considered protected by the attorney-client privilege?

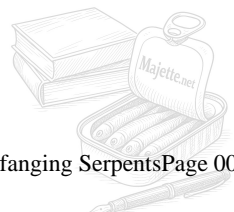
Yes

Time of disclosure: _____

No

² "As soon as possible" means after counsel has made reasonable inquiry and concluded that the contemplated action and allegations in the notice and pleading set are well grounded in fact and warranted by existing law. See RPC 3.1 *Meritorious Claims And Contentions*, providing that a "lawyer shall not bring ... or assert or controvert an issue ... unless there is a basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law."

³ See LEO 1769, Conflict - Whether An Attorney Can Represent The Daughter In Gaining Guardianship Of Incompetent Mother Who Is Currently A Client In Another Matter.



Defanging the Serpents: Loosening the Pig Butchering Squeeze

Start time of interview: _____

Section 1: Cognitive & Psychological Screening

Purpose: Identify cognitive or emotional factors that may impair ability to detect fraudulent actions.

Indicator	Interview Questions	Notes
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“Have you ever been told by a doctor, a social worker, or a therapist that you might have ever suffered with any of these conditions?”

Depression

For example, feeling helpless and complying with demands by other people.

Anxiety Disorders

For example, making quick decisions due to fear of what might happen if you don’t act right away?

PTSD

History

For example, trusting someone who promises you safety from something that happened to you in the past?

Borderline Personality Disorder

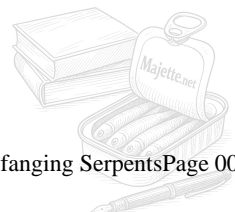
For example, are you ever impulsive in granting trust to strangers?

Narcissistic Personality Disorder

For example, believing in people that tell you that you that what they want money for is something only really smart people can understand, and others are just not wise enough to understand.?

Anti-Social Personality Disorder

“[Adults] with antisocial personality disorder fail to conform to social norms with respect to lawful behavior



Defanging the Serpents: Loosening the Pig Butchering Squeeze

(Criterion A1). They may repeatedly perform acts that are grounds for arrest (whether they are arrested or not), such as destroying property, harassing others, stealing, or pursuing illegal occupations. People with this disorder disregard the wishes, rights, or feelings of others. They are frequently deceitful and manipulative in order to gain personal profit or pleasure (e.g., to obtain money, sex, or power) (Criterion A2). They may repeatedly lie, use an alias, con others, or malingering. A pattern of impulsivity may be manifested by a failure to plan ahead (Criterion A3). Decisions are made on the spur of the moment, without forethought and without consideration for the consequences to self or others; this may lead to sudden changes of jobs, residences, or relationships.”

Dementia and Neurocognitive Decline

For example, difficulty recognizing unrealistic promises because your memory is not what it used to be, or because you get confused when you talk with someone asking for money?⁴

Autism Spectrum Disorder

For example, misinterpreting things that are said so that sometimes you have felt out of place or looked down on?

ADHD⁵

For example, having trouble reading things or reading things in a way that they may not have been intended?

⁴ [DSM-5](#) requires “[e]vidence of significant cognitive decline from a previous level of performance in one or more cognitive domains (complex attention, executive function, learning and memory, language, perceptual-motor, or social cognition) based on: 1. *Concern of the individual, a knowledgeable informant, or the clinician that there has been a significant decline in cognitive function;* and 2. *A substantial impairment in cognitive performance, preferably documented by standardized neuropsychological testing or, in its absence, another quantified clinical assessment. B. The cognitive deficits interfere with independence in everyday activities (i.e., at a minimum, requiring assistance with complex instrumental activities of daily living such as paying bills or managing medications).”*

⁵ [Id., describing ADHD](#) as “a neurodevelopmental disorder defined by impairing levels of inattention, disorganization, and/or hyperactivity-impulsivity. Inattention and disorganization entail inability to stay on task, seeming not to listen, and losing materials, at levels that are inconsistent with age or developmental level.”



Defanging the Serpents: Loosening the Pig Butchering Squeeze

OCD

For example, having trouble in not looking at your email or phone for messages even when you understand that it would be better to cut off calls and messages from someone you don't care for or understand is not interested in your best interest.?

“Have you ever been told by a doctor, a social worker, or a therapist that you are sometimes depressed or sad?”

- Yes
- No Unsure

If so, explain in a few words.

“Have you ever been told by a doctor, a social worker, or a therapist that you sometimes believe people are there to help you when they are not?”

- Yes
- No Unsure

If so, explain in a few words.

“Have you ever thought someone you have never met in person is in love with you?”

- Yes
- No Unsure

If so, explain in a few words when? Who? Why do you think so?

Memory & Attention

“Do you find yourself forgetting recent conversations, appointments or things you intended to do, like turning off the stove or stopping running water in the sink?”

- Yes
- No Unsure

Judgment & Reasoning

“Have you ever made a financial decision you later regretted because it felt rushed or unclear?”

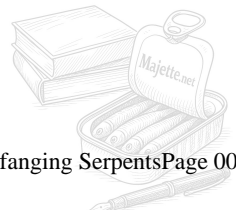
- Yes
- No Unsure

Emotional Vulnerability

“Do you often feel lonely, anxious, or overly trusting of strangers?”

- Yes
- No Unsure

Section 2: Digital Literacy & Technology Use



Defanging the Serpents: Loosening the Pig Butchering Squeeze

Purpose: Assess familiarity and attachment with digital platforms and fraud schemes.

Indicator	Interview Questions	Notes
Known Financial Institutions	<p>“I understand that you have resources in several accounts. These include the following banks, insurance companies, investment funds, and other companies:</p> <p>Are there any others?”</p> <p>May [lawyer’s client trying to help respondent] communicate with these companies to review your accounts and ask about any suspicious activity?</p>	
Device Familiarity	<p>“How comfortable are you with email, smartphones, or social media?”</p>	<p><input type="checkbox"/> Very <input type="checkbox"/> Some <input type="checkbox"/> Not at all.</p>
Fraud Awareness	<p>“Can you describe any common online frauds or scams you’ve heard about?” Which ones have you heard about?</p>	<p><input type="checkbox"/> Aware <input type="checkbox"/> Unaware</p>
Password sharing	<p>“Have you ever been asked to give your computer or phone passwords to anyone that you have never met in person?”</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p>
Exchange of Phones and Computers	<p>If so, explain in a few words how this came about.</p> <p>“If [client trying to help respondent] asked, would you exchange your present phone for another with a different telephone number?”</p> <p>“If [client trying to help respondent] asked, would you allow us to change your email to</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p>



Defanging the Serpents: Loosening the Pig Butchering Squeeze

another email address and look at your computer files?”

Has anyone you’ve never met asked you to let him or her borrow your phone or laptop?

If so, explain in a few words how this came about.

Section 3: Social & Environmental Risk Factors

Purpose: Identify external conditions that may increase exposure to fraud.

Indicator	Interview Questions	Notes
Isolation	<p>“Do you live alone? If not, please name the persons with whom you live, and how they are known to you (family, friends).”</p> <p>How often do you talk with or see your family or friends?”</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Caregiver Influence	<p>“Do you rely on someone else to help with your financial decisions and maintenance of your computer or smart phone?”</p> <p>Upon whom do you rely?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partial</p>
Financial Stress	<p>“Are you worried about money or looking for ways to increase your income quickly?”</p> <p>If so, explain in a few words why.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Section 4: Behavior

Purpose: Detect patterns of past or potential fraud victimization.

Behavior	Interview Questions	Notes
Unexplained Transactions	<p>“Have you been asked to send money or gift cards to someone you have never met in person?”</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Secretive Communication	<p>“Do you ever hide emails or calls from people claiming to be officials or tech support?”</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>



Defanging the Serpents: Loosening the Pig Butchering Squeeze

Prior Victimization

If so, explain in a few words why, and who asked you to hide these things.

“Have you been tricked out of money before by anyone on the telephone or on the internet? Have you been asked to give personal info (like your Social Security number or bank account number) to strangers?”

Yes No Multiple Times

Section 5: Protective Measures & Legal Safeguards
Purpose: Review existing protections and identify gaps.

Measure	Interview Questions	Notes
	“Is there someone authorized to be alerted about unusual financial activity?”	
Trusted Contact	If not, would you be willing to sign a paper giving financial institutions like your bank, pension plan, and insurance companies the power to talk to someone you name if they detect something fishy going on with your accounts?”	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Needs Setup
	If so, whom would you like to name?	
Legal Protections	“Do you have a power of attorney naming someone to help with your affairs for your benefit?”	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Needs Review
	If you want someone to do this for you, who?	
	“Do you have a trust paper that would let someone you choose – a “trustee” - have oversight on your accounts and real estate for your benefit?”	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Needs Review
	If you want someone to do this for you, who?	
	Do you have a lawyer to help with that? Who?	
	“If [client trying to help respondent] is willing to do so, may s/he ask a court to enter an order to stop withdrawals from your accounts if s/he thinks it is necessary to prevent you from being victimized?”	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Needs Review
	Do you have a lawyer to help with that? Who?	



Defanging the Serpents: Loosening the Pig Butchering Squeeze**Interviewer's Summary & Risk Level****Overall Risk Assessment:**

- Low Risk
 Moderate Risk
 High Risk

End time of interview: _____**Recommended Actions:**

- Refer for cognitive screening
- Refer to law enforcement.
- Draft, refer, or review estate planning documents
- Add trusted financial contact
- Exchange phone, computer, deliver computer and phone for forensic examination
- Set up digital security tools on present or new equipment
- File immediate conservatorship and motion for emergency injunction with SAR notices to all financial institutions.

Notes:

-
- III. The criminal's target is the victim's wealth lodged with [Financial Institutions](#) (FI's).⁶
- IV. FI's have duties under federal law to file federal reports of suspected fraud against their customers.
- Local bank and brokerage managers and 800 customer service numbers may try to be helpful, but in person meetings with laypeople often bear no fruit, and telephone notice is unreliable, particularly in light of the VSB Legal Ethics Opinions limiting *undisclosed* (one party consent) telephone recordings, e.g., [LEO 1814](#), [LEO 1738](#), and [LEO 1324](#) (withdrawn, 2025). *Disclosed* recording conversations are permitted, and in the writer's

⁶ See the embedded hyperlink and below for the defined financial institutions required by federal law to file reports as described below.



Defanging the Serpents: Loosening the Pig Butchering Squeeze

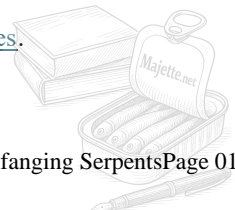
experience, they can make it clear from the beginning to the other party that you mean business.

- In all of the writer’s cases, it proved frustrating and ineffectual. Whether through fear of liability for disclosure⁷ or simple ignorance, they have been cordially but functionally unresponsive.
- **However, a written alert from the victim’s counsel triggers a duty to file a Suspicious Activity Report (SAR).**
- Written notice given to the FI (specifically to the FI’s registered agent, manager, and director of legal affairs) instantly places the entity on notice and should be dated and time stamped when written and transmitted by mail, email and fax when possible.
- Notifying the C suites (CEO and CLO) results in instructions, not requests, to freeze the accounts *quickly and efficiently*.⁸
- Email and fax records should be maintained to pinpoint the time the FI was placed on notice.⁹
- The following resources can be added to counsel’s notice and add an official gloss to the case. If push comes to litigation with the FI, they may be the basis for a finding of a wanton disregard [FinCEN Alert on Prevalent Virtual Currency Investment Fraud Commonly Known as “Pig Butchering”](#) (September 8, 2023).
 - [Red Flag Indicators](#) for letter alerting financial institutions during attorney’s investigation.
 - “A financial institution is required to file a SAR [Suspicious Activity Report] if it knows, suspects, or has **reason to suspect a transaction conducted or attempted by, at, or through the financial institution involves funds derived from illegal activity**; is intended or conducted to disguise funds derived from illegal activity; is designed to evade regulations promulgated under the BSA; lacks a business or apparent lawful purpose; or involves the use of the financial institution to

⁷ See footnote 8, *infra*.

⁸ A related but not wholly dissimilar situation is the “security freeze” governed for Virginia credit reporting agencies pursuant to Va. Code § 59.1-444.2. *Security freezes*. A security freeze is “a notice placed in a consumer’s credit report, at the request of the consumer and subject to certain exceptions, that prohibits the consumer reporting agency from releasing the consumer’s credit report or score relating to the extension of credit.” [In as little as fifteen minutes after an electronic request, the credit reporting agent must comply with the request.](#)

⁹ The writer’s website [include names, addresses, and in some cases registered agents for major Virginia entities.](#)



Defanging the Serpents: Loosening the Pig Butchering Squeeze

facilitate criminal activity, including pig butchering.¹⁰ All statutorily defined financial institutions may voluntarily report suspicious transactions under the existing suspicious activity reporting safe harbor.¹¹”

- U.S. Department of the Treasury’s Financial Crimes Enforcement Network (FinCEN) Suspicious Action Report filing request instructions are in the Alert, viz:

Suspicious Activity Report (SAR) Filing Request: FinCEN requests that financial institutions reference this alert in SAR field 2 (Filing Institution Note to FinCEN) and the narrative by including the key term “FIN-2023- PIGBUTCHERING” and selecting “Fraud-Other” under SAR field 34(z) with the description “Pig Butchering.”

<https://saas.filing.fincen.treas.gov/Help.html?search=FinCEN%20Report%20111>

FinCEN Report 111

Search filter	How do I attach supporting documentation to my FinCEN SAR discrete BSA form?
<input type="checkbox"/> Discrete Entry <input checked="" type="checkbox"/> How to File <input type="checkbox"/> Submission Status <input type="checkbox"/> How to Amend/Correct <input type="checkbox"/> Form Functionality <input type="checkbox"/> BSA ID	<p>A single Microsoft Excel-compatible comma separated values (CSV) file (no larger than 1 MB) providing details in tabular form of transactions subject to the suspicious activity discussed in Part V "Narrative Description" of your FinCEN SAR may be attached to your form by (1) prior to electronically signing the form, select "Add Attachment" from the form cover page, browse for and attach the CSV file you wish to include with your submission. Then, follow the standard steps to complete, sign, save, and submit the form.</p>

The FinCEN Suspicious Activity Report is “FinCEN Report 111.”

← Click

- Methodology of a Pig Butchering Fraud. This official FINCIN alert should be attached as an exhibit to the attorney’s letter. Nothing could be clearer to a trier of fact that the FI was given ample inquiry notice to act immediately so that potential claims against the FI for losses can be preserved and enhanced.
- Send copy of notice to the FBI and the SEC System, preserving a copy of your completed complaint.
 - FBI, Internet Crime Complaint Center (IC3), <https://www.ic3.gov>.¹²

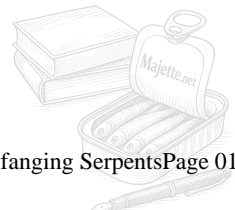
Beware that criminals are impersonating the IC3 itself.¹³

¹⁰ 31 CFR §§ [1020.320 \(Bank\)](#), [1021.320 \(Casinos and Card Clubs\)](#), [1022.320 \(Money Services\)](#)(often including credit and gift cards, [a favorite device of the criminals](#)), [1023.320 \(Brokers and Securities Dealers\)](#) (see also [definition for persons acting on behalf of an incapacitated person, e.g. agent or conservator](#)), [1024.320 \(Mutual Funds\)](#), [1025.320 \(Insurance Companies\)](#), [1026.320 \(Futures and Commodities Brokers\)](#), [1029.320 \(Loan and Finance Companies\)](#), and [1030.320 \(Government Sponsored Housing Enterprises\)](#).

¹¹ [31 U.S.C. § 5318\(g\)\(3\)](#). Financial institutions may report suspicious transactions regardless of amount involved and still take advantage of the safe harbor. Specific immunity language for the institution will be a balm to the FI and grease to the levers; it can be incorporated in your letter to the institution by [clicking and copying here](#).

¹² Direct link: <https://complaint.ic3.gov/>. **Do not provide complainant Personally Identifiable Information (PII) such as Social Security numbers or dates of birth anywhere in the form.**

¹³ [“FBI Warns of Scammers Impersonating the IC3,”](#) April 2025.

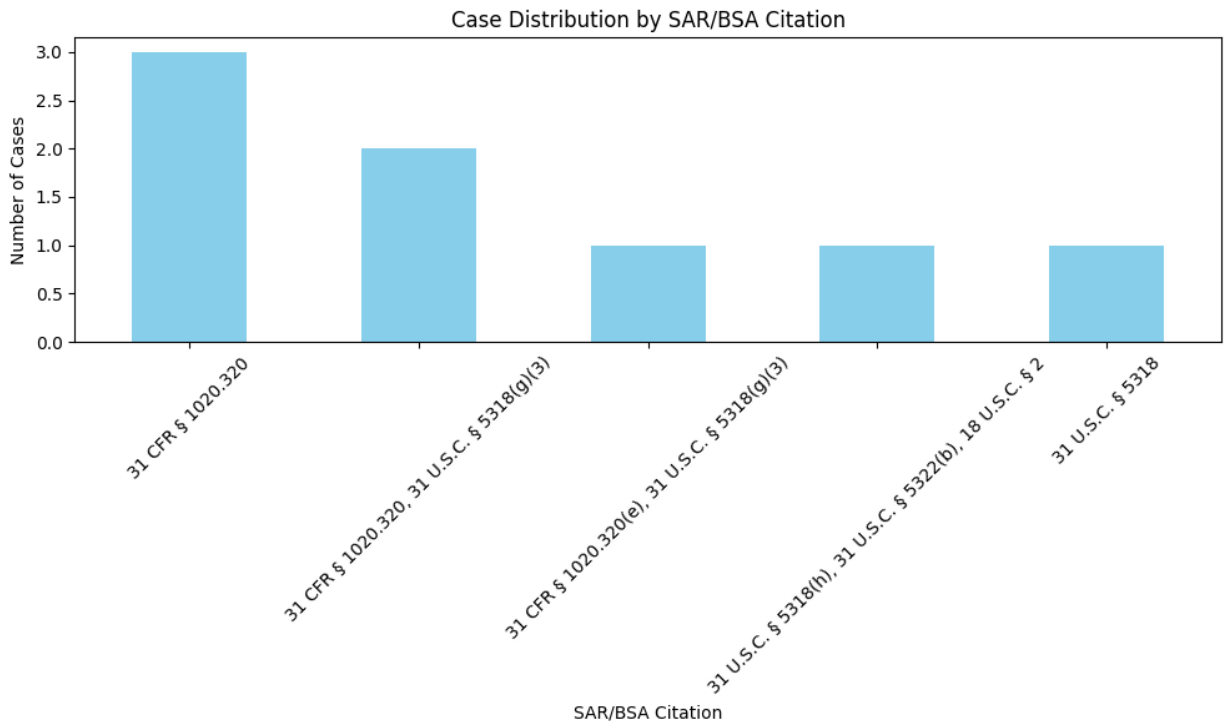


Defanging the Serpents: Loosening the Pig Butchering Squeeze

- Securities and Exchange Commission’s tips, complaints, and referrals (TCR) system, <https://www.sec.gov/tcr>.¹⁴
- Elder victims of pig butchering can report to the National Elder Fraud Hotline at 833-FRAUD-11 or 833-372-8311.

V. Further Materials at <https://majette.net/outlines/conference-links-4>.

- Further relevant materials are published at the cited link.
- The writer intends to publish additional materials relating to liability of Financial Institutions failing to protect customer interests which include citations for Suspicious Activity Reports.¹⁵
- Unverified (and possibly erroneous) tables for consideration:



Note: [31 CFR 1020.320](#) (banks cases).

¹⁴ Unless the fraud involves securities, this may be futile. However, the more eyes, the better.

¹⁵ Footnote 9, *supra*.



Defanging the Serpents: Loosening the Pig Butchering Squeeze

