

CR 11 00309

JF

HRL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MAY 11 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

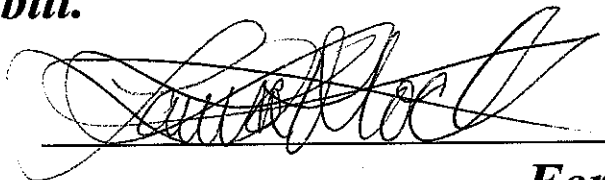
VS.

FAUZIA LODHI

INDICTMENT

SEE ATTACHMENT

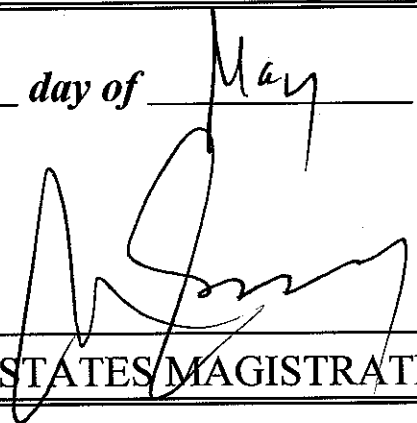
A true bill.



Foreperson

Filed in open court this 11 day of May

A.D. 2011



UNITED STATES MAGISTRATE JUDGE

Bail \$ No Bail Arrest Warrant

DOCUMENT NO. 11 CS# INITIALS
DISTRICT COURT
CRIMINAL CASE PROCESSING

ATTACHMENT TO COVER SHEET SHEET
U.S.
v.
FAUZIA LODHI

COUNT ONE: Title 18, United States Code, Sections § 1343 –Wire Fraud;

COUNTS TWO THROUGH TWELVE: Title 18, United States Code, Section1341 –Mail Fraud

COUNT THIRTEEN: Title 18, United States Code, Sections 844(i) & (2) – Malicious Use of Fire, Aid and Abet

COUNT FOURTEEN: Title 18, United States Code, Sections 844(h)(1) & (2) – Use of Fire in Commission of Federal Felony, Aid and Abet

Filed

MAY 11 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JF

UNITED STATES OF AMERICA,

Plaintiff,

v.

FAUZIA LODHI,

Defendant.

CR 11 00309

VIOLATIONS: 18 U.S.C. § 1343 –Wire
Fraud; 18 U.S.C. § 1341 –Mail Fraud; 18
U.S.C. § 844(i) – Malicious Use of Fire; 18
U.S.C. § 844(h)(1) – Use of Fire in
Commission of Federal Felony; 18 U.S.C. §
2 – Aiding and Abetting.

HRL
HRL

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

Background

At all times relevant to this Indictment:

1. FAUZIA LODHI (“the defendant”) was the owner and operator of “Postal Express,” a post office box and shipping business located at 801 West El Camino Real, Mountain View, California.

2. State Farm Insurance (“State Farm”) was an insurance company headquartered in Bloomington, ^{Illinois} Indiana, with offices and agents throughout the United States. State Farm maintained an Insurance Support Center (“ISC”), which stored data on insurance claims, in

INDICTMENT

1 Tempe, Arizona.

2 3. On or about April 17, 2006, the defendant entered into a business insurance policy
3 agreement on behalf of Postal Express with State Farm which included coverage for the loss of
4 business personal property and business income due to fire.

5 4. On or about May 17, 2006, a fire occurred in the building housing Postal Express.
6 The fire was determined to be incendiary, and to have started inside the premises of Postal
7 Express.

8 5. On or about May 18, 2006, the defendant submitted a claim under the State Farm
9 insurance policy for business income interruption payments and loss of business personal
10 property for Postal Express.

11 The Scheme and Artifice to Defraud

12 6. The defendant intentionally provided falsely inflated inventory and revenue
13 statements, including falsely asserting that personal loans were business income, to a State Farm
14 insurance agent in order to induce State Farm to insure Postal Express for business interruption
15 and loss of business personal property in excess of what the defendant then and there well knew
16 to be the actual value of the business.

17 7. The defendant, having secured an insurance policy far in excess of the actual
18 worth of the revenue and business personal property at Postal Express, intentionally caused the
19 setting of a fire inside the building housing Postal Express in order to collect on the inflated
20 insurance policy.

21 8. The defendant submitted insurance claims to State Farm based on the falsely
22 inflated inventory and revenue statements. The defendant intentionally misrepresented the
23 amount of business interruption insurance payments and loss of business personal property
24 insurance payments to which she was entitled under her State Farm insurance policy. The
25 defendant immediately used the fraudulently obtained business interruption payments to satisfy
26 her outstanding debts.

27 COUNT ONE: (18 U.S.C. §1343 – Wire Fraud)

28 9. The factual allegations contained in Paragraphs One through Eight above are

1 incorporated herein as if set forth in full.

2 10. On or about May 18, 2006, in the Northern District of California and
3 elsewhere, the defendant,

4 FAUZIA LODHI,

5 for the purpose of executing a scheme to defraud by means of material false and fraudulent
6 representations that would reasonably influence a person to part with money and property, as
7 described above, and attempting to do so, transmitted and caused to be transmitted by means of
8 wire in interstate commerce, writings and signals, specifically, a fire claim was transmitted
9 electronically from California to the ISC in Tempe, Arizona.

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

11 COUNTS TWO THROUGH TWELVE - (18 U.S.C. §1343 – Mail Fraud)

12 11. The factual allegations contained in Paragraphs One through Eight above are
13 incorporated herein as if set forth in full.

14 12. On or about the dates set forth in the separate counts below, in the Northern
15 District of California and elsewhere, the defendant,

16 FAUZIA LODHI,

17 for the purpose of executing a scheme to defraud by means of material false and fraudulent
18 representations that would reasonably influence a person to part with money and property, as
19 described above, and attempting to do so, knowingly caused to be delivered by mail insurance
20 checks constituting payments for business income interruption from State Farm to the defendant
21 as follows:

Count	Date	Check Number	Amount
2	6/2/2006	280433	\$15,000
3	8/4/2006	282051	\$1,228
4	9/7/2006	282746	\$4,658
5	10/3/2006	283304	\$4,658
6	11/10/2006	284123	\$4,658
7	12/8/2006	284605	\$4,658
8	1/3/2007	350165	\$4,658

1	9	2/2/2007	350879	\$4,658
2	10	2/28/2007	351597	\$4,658
3	11	3/28/2007	352399	\$4,658
4	12	6/1/2007	353281	\$1,404

5
6 All in violation of Title 18, United States Code, Section 1343.

7 COUNT THIRTEEN: (18 U.S.C. §§ 844(i) & 2 – Malicious Use of Fire, Aiding and Abetting)

8 13. The factual allegations contained in Paragraphs One through Eight above are
9 incorporated herein as if set forth in full.

10 14. On or about May 17, 2006, in the Northern District of California, the
11 defendant,

12 FAUZIA LODHI,

13 maliciously damaged and destroyed, and attempted to damage and destroy, by means of fire, the
14 building at 801 West El Camino Real, Mountain View, California, used in interstate commerce.

15 All in violation of Title 18, United States Code, Section 844(i) & 2.

16 COUNT FOURTEEN: (18 U.S.C. §§ 844(h)(1) & 2 – Use of Fire in Commission of Federal
17 Felony, Aiding and Abetting)

18 15. The factual allegations contained in Paragraphs One through Eight above are
19 incorporated herein as if set forth in full.

20 16. On or about May 17, 2006, in the Northern District of California, the
21 defendant,

22 FAUZIA LODHI,

23 knowingly used fire to commit mail fraud in violation of Title 18 United State Code, Section
24 1341, and wire fraud in violation of Title 18

25 ///

26 ///

27 ///

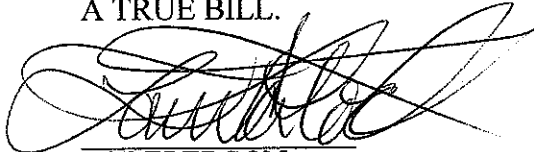
28

1 United States Code, Section 1343, with each felony separately prosecutable in a court of the
2 United States.


3 All in violation of Title 18, United States Code, Sections 844(h)(1) & 2.

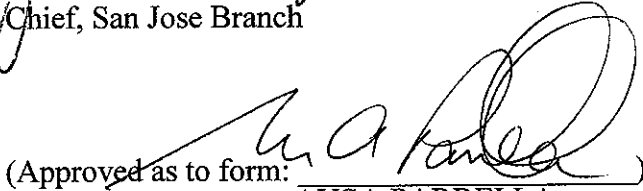
4 DATED: 5/11/2011

A TRUE BILL.


FOREPERSON

8 MELINDA HAAG
United States Attorney

10 
11 JEFFREY D. NEDROW
Chief, San Jose Branch

12 
14 (Approved as to form: AUSA PARRELLA)

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate location
NORTHERN DISTRICT OF CALIFORNIA
Filed

OFFENSE CHARGED

*SEE ATTACHMENT

Leasing

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

*SEE ATTACHMENT

CR 11 00309

DEFENDANT - U.S.

MAY 11 2011

FAUZIA LODHI

DISTRICT COURT NUMBER

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

JF

HRL

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction
 - 6) Awaiting trial on other charges } Fed'l State
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING
Name of Complainant Agency, or Person (& Title, if any)

S/A CYNTHIA CUNNINGHAM-ATF

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of: **SHOW DOCKET NO.**

U.S. Att'y Defense } **MAGISTRATE CASE NO.**

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on THIS FORM MELINDA HAAG
 U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned) MATTHEW A. PARRELLA

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

**Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: _____

Before Judge: _____

Comments: _____

ATTACHMENT TO PENALTY SHEET
U.S.
v.
FAUZIA LODHI

COUNT ONE: Title 18, United States Code, Sections § 1343 –Wire Fraud;

PENALTIES:

Maximum Term of Imprisonment: 20 years.
Maximum Fine: \$250,000
Maximum Term of Supervised Release: 3 years

COUNTS TWO THROUGH TWELVE: Title 18, United States Code, Section1341 –Mail Fraud

PENALTIES:

Maximum Term of Imprisonment: 20 years
Maximum Fine: \$250,000
Maximum Term of Supervised Release: 3 years

COUNT THIRTEEN: Title 18, United States Code, Sections 844(i) & (2) – Malicious Use of Fire, Aid and Abet

PENALTIES:

Maximum Term of Imprisonment: 20 years.
Maximum Fine: \$250,000
Maximum Term of Supervised Release: 3 years

COUNT FOURTEEN: Title 18, United States Code, Sections 844(h)(1) & (2) – Use of Fire in Commission of Federal Felony, Aid and Abet

PENALTIES:

Term of Imprisonment: 10 yrs consecutive to predicate felony sentence
Maximum Fine: \$250,000
Maximum Term of Supervised Release: 3 years