

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

SEALED

UNITED STATES OF AMERICA

v.

CASE NO. 8:08-cr-172-T-26EAJ

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman
a/k/a Larry Hart
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
SIMON ANDREW ODONI,
ROGER LEE SHOSS,
and
NICOLETTE LOISEL

18 U.S.C. § 1349
18 U.S.C. § 1956(h)
18 U.S.C. § 1957
18 U.S.C. § 1341
18 U.S.C. § 1343
18 U.S.C. § 981(a)(1)(C) (Forfeiture)
18 U.S.C. § 982(a)(1) (Forfeiture)
18 U.S.C. § 2461(c) (Forfeiture)

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE

(Conspiracy to Commit Mail and Wire Fraud)

Introduction

At times material to this Superseding Indictment:

A. Definitions

1. The Committee on Uniform Securities Identification Procedures ("CUSIP") administered a system that uniformly and uniquely identifies most securities, specifically U.S. and Canadian registered stocks and U.S. government and municipal bonds, through the use of what are known as CUSIP numbers. CUSIP numbers, which appear

S-19

on the face of securities, were issued by the CUSIP Bureau, which was operated by Standard and Poor's on behalf of the American Bankers Association in New York, New York.

2. The National Association of Securities Dealers ("NASD") was a self-regulatory organization of the securities industry responsible for the operation and regulation of the NASDAQ Stock Market and the Over-The-Counter markets. It also administered exams for investments professionals, such as the Series 7 exam. The United States Securities and Exchange Commission ("SEC") had oversight of the NASD. In 2007, the NASD merged with the New York Stock Exchange's Regulation Committee to form the Financial Industry Regulatory Authority ("FINRA").

3. The National Association of Securities Dealers Automated Quotation System ("NASDAQ") was an electronic stock market that used a computerized system to provide brokers and dealers with price quotes. The NASDAQ was comprised of two separate markets: (1) the NASDAQ National Market, which traded the largest and most active securities, and (2) the NASDAQ Smallcap Market, which listed a smaller number of emerging growth companies. For a company to trade on the NASDAQ, it had to meet a number of listing requirements, such as having a minimum market capitalization and number of publicly-held shares. NASDAQ had a department called Corporate Data Operations, which handled the assignment and re-assignment of trading symbols for securities.

4. The Over-The-Counter Bulletin Board ("OTC Bulletin Board") was a quotation medium for market makers, that is, market participants who quote securities, provided by the NASD. The issuers who were quoted on the OTC Bulletin Board were

required to report to the SEC or another regulatory authority. Typically, OTC Bulletin Board issuers were smaller issuers.

5. The Pink Sheets was a privately-owned, electronic quotation medium for market makers. If a market maker wanted to quote a security on the Pink Sheets, that market maker was first required to file a form, known as a 15c2-11 Form, with the NASD, later known as FINRA, in accordance with Rule 15c2-11, promulgated pursuant to the Securities Exchange Act of 1934. This was a one-time filing requirement. Once the form was filed and a company became Pink-Sheets eligible, the market maker could quote that security on the Pink Sheets. Thirty (30) days later, any market maker could quote that security. Generally, once a company became Pink-Sheets eligible, it remained Pink-Sheets eligible. There was no requirement of any further or ongoing due diligence or filings.

6. A Transfer Agent was a trust company, bank, or similar financial institution assigned by an issuer of securities to maintain records of investors and account balances and transactions, to cancel and issue certificates, to process investor mailings, and to deal with any associated problems, such as lost or stolen certificates. Companies that had publicly-traded securities typically used transfer agents to keep track of individuals and entities that owned their stocks and bonds. Although most transfer agents were banks or trust companies, sometimes a company acted as its own transfer agent.

7. A Stock Subscription Agreement was a document used by individuals and entities who sold stock to investors. A thorough subscription agreement protected both the issuer of stock and prospective investors by disclosing all material information,

including the risks associated with investing in the stock, such that a prospective investor could make an informed decision about whether or not to invest. A subscription agreement could also solicit information concerning a prospective investor's sophistication, past investment experience, income, net worth, and other relevant information. The issuer could use this information to determine whether the prospective investor was a so-called "accredited investor" to which certain unregistered securities could be offered for sale under certain circumstances.

8. The Securities Act of 1933, Regulation D, Rule 504 provided an exemption from the registration requirements of the Securities Act of 1933 for certain offerings of up to \$1,000,000 of securities in any 12-month period to accredited investors.

9. The Securities Act of 1933, Regulation S (commonly referred to as "Reg-S") securities were U.S. securities available to foreign investors, with few exceptions. If purchased by foreign investors, Reg-S securities were restricted and could not be re-sold or transferred to other investors unless and until certain regulatory requirements were satisfied. Normally, Reg-S securities could not be re-sold for a period of one year or more.

10. A Publicly-Traded Shell Company existed in name only and/or was not operated for itself; it had no independent assets or operations, but was used by its owners to conduct specific business or maintain control of other companies or assets. A publicly-traded shell company was valuable when it was listed on a stock exchange because it provided a cheap way for another company to acquire a listing by "reversing" into the shell company.

B. The Individuals

11. PAUL ROBERT GUNTER, who was residing in the Middle District of Florida, directed and controlled those functions essential to operation of the fraud scheme which occurred in the Middle District of Florida, and participated as a principal in the organization and operation of those functions which occurred elsewhere. Together with his daughter, ZIBIAH JOY GUNTER, and others, PAUL ROBERT GUNTER facilitated the sale of restricted shares of common stock of hijacked publicly-traded shell companies by, among other things, aiding in the provision of logistical support to boiler rooms overseas, receiving funds wired by victim-investors outside the United States who purchased said stock, sending to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disbursing such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

12. ZIBIAH JOY GUNTER, who was residing in the Middle District of Florida, directed and performed administrative and operational functions essential to the fraud scheme. Together with her father, PAUL ROBERT GUNTER, and others, ZIBIAH JOY GUNTER facilitated the sale of restricted shares of common stock of hijacked publicly-traded shell companies by, among other things, receiving information from boiler rooms overseas and preparing documentation evidencing orders for stock placed by victim-investors outside the United States with said boiler rooms, receiving funds wired by such victim-investors who purchased said stock, sending to such victim-investors via private commercial carriers and other means stock certificates and

other documentation concerning stock sales, and disbursing such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

13. LAWRENCE S. HARTMAN, a/k/a Larry Hartman, a/k/a Larry Hart, a/k/a Lawrence Scott Hartman-Grosser, an attorney licensed to practice law in New York, was residing in the Middle District of Florida and elsewhere, and caused the acquisition of dormant, publicly-traded shell companies, including, but not limited to, 3E International Corp., Webgalaxy, Inc., Pacific Chemical, Inc., and Greensmart Corporation, participated in establishing infrastructure utilized in the promotion and sale of restricted shares of common stock to victim-investors outside the United States, caused the preparation and transmission of worthless stock certificates and related correspondence sent to victim-investors outside the United States, and caused the transmission of victim-investors' funds to accounts in his name, the name of a family member, and the names of entities he controlled.

14. RICHARD SINCLAIR POPE, a citizen of the United Kingdom, was residing in Spain and elsewhere, and traveled to the Middle District of Florida and elsewhere in connection with the fraud scheme. RICHARD SINCLAIR POPE participated as a principal in those functions essential to operation of the fraud scheme which occurred in Europe. Together with others, RICHARD SINCLAIR POPE facilitated the sale of restricted shares of common stock of hijacked publicly-traded shell companies by, among other things, participating in the establishment of infrastructure utilized in the promotion and sale of restricted shares of common stock to victim-investors outside the United States, and participating in the ongoing operation of boiler rooms overseas. RICHARD SINCLAIR POPE also caused the transmission of

victim-investors' funds to accounts in his name, accounts in the names of entities he controlled, and other accounts worldwide in order to perpetuate the scheme and for other purposes.

15. SIMON ANDREW ODONI, a citizen of the United Kingdom, was residing in the Dominican Republic and elsewhere, and traveled to the Middle District of Florida and elsewhere in connection with the fraud scheme. SIMON ANDREW ODONI facilitated the sale of restricted shares of common stock of hijacked publicly-traded shell companies by, among other things, participating in the establishment and operation of infrastructure utilized in the promotion and sale of restricted shares of common stock to victim-investors outside the United States, serving as President of Nanoforce, Inc., establishing bank accounts to handle the flow of United States and other currencies, and causing the transmission of victim-investors' funds to various accounts worldwide in order to perpetuate the scheme and for other purposes.

16. ROGER LEE SHOSS, an attorney licensed to practice law in Texas, was residing in Houston, Texas, and affiliated with the law firm of Shoss & Associates Attorneys & Counselors. ROGER LEE SHOSS participated in the hijacking of the identities, histories, and shareholder bases of dormant, publicly-traded shell companies, including, but not limited to, 3E International Corp., Webgalaxy, Inc., Pacific Chemical, Inc., and Greensmart Corporation.

17. NICOLETTE LOISEL, an attorney licensed to practice law in Texas, was residing in Houston, Texas, and affiliated with the law firm of Shoss & Associates Attorneys & Counselors. NICOLETTE LOISEL participated in the hijacking of the identities, histories, and shareholder bases of dormant, publicly-traded shell companies,

including, but not limited to, 3E International Corp., Webgalaxy, Inc., Pacific Chemical, Inc., and Greensmart Corporation.

C. The Entities

18. 3E INTERNATIONAL, INC. [hereinafter "3E 1998"], which was incorporated in the state of Delaware in 1998, was a publicly-traded company with a CUSIP number and a trading symbol. In 2003, 3E 1998 was voided by the Delaware Division of Corporations for non-payment of taxes.

19. 3E INTERNATIONAL, INC. [hereinafter "3E 2005"], which was incorporated in the state of Delaware in 2005, was not a publicly-traded company. 3E 2005 was a sham entity created by conspirators, and renamed MOBILESTREAM, INC., for the purpose of hijacking the CUSIP number and trading symbol of 3E 1998 and, thereby, 3E 1998's identity, history and shareholder base. The conspirators used 3E 2005, a/k/a MOBILESTREAM, INC., to, among other things, sell worthless shares of restricted common stock to victim-investors outside the United States.

20. MOBILESTREAM, INC. [hereinafter "MOBILESTREAM"] was a Delaware corporation, formerly known as 3E 2005, which conspirators created and fraudulently promoted, through boiler rooms overseas, as a legitimate oil and gas exploration company poised to increase significantly in value, but which was really an empty shell. Using the boiler rooms, the conspirators caused victim-investors outside the United States to wire millions of dollars of investment funds to the Middle District of Florida to purchase worthless shares of restricted common stock in MOBILESTREAM.

21. PACIFIC CHEMICAL INC. [hereinafter "PACIFIC CHEMICAL 1988"], which was incorporated in the state of Delaware in 1988, was a publicly-traded

company with a CUSIP number and a trading symbol. In 1999, PACIFIC CHEMICAL 1988 was voided by the Delaware Division of Corporations for non-payment of taxes.

22. PACIFIC CHEMICAL INC. [hereinafter "PACIFIC CHEMICAL 2005"], which was incorporated in the state of Delaware in 2005, was not a publicly-traded company. PACIFIC CHEMICAL 2005 was a sham entity created by conspirators, and renamed REGALTECH, INC., for the purpose of hijacking the CUSIP number and trading symbol of PACIFIC CHEMICAL 1988 and, thereby, PACIFIC CHEMICAL 1988's identity, history and shareholder base. The conspirators used PACIFIC CHEMICAL 2005, a/k/a REGALTECH, INC., to, among other things, sell worthless shares of restricted common stock to victim-investors outside the United States.

23. REGALTECH, INC. [hereinafter "REGALTECH"] was a Delaware corporation, formerly known as PACIFIC CHEMICAL 2005, which conspirators created and fraudulently promoted, through boiler rooms overseas, as a legitimate stem cell research company poised to increase significantly in value, but which was really an empty shell. Using the boiler rooms, the conspirators caused victim-investors outside the United States to wire millions of dollars of investment funds to the Middle District of Florida to purchase worthless shares of restricted common stock in REGALTECH.

24. WEBGALAXY, INC. [hereinafter "WEBGALAXY"], which was incorporated in the state of Nevada in 1979, was a publicly-traded company with a CUSIP number and a trading symbol. In 2004, WEBGALAXY became dormant for failure to file an annual report with the state of Nevada. In 2005, conspirators fraudulently assumed control of WEBGALAXY, and renamed it NANOFORCE, INC., for the purpose of hijacking the CUSIP number and trading symbol of WEBGALAXY and,

thereby, WEBGALAXY's identity, history and shareholder base. The conspirators used WEBGALAXY, a/k/a NANOFORCE, INC., to, among other things, sell worthless shares of restricted common stock to victim-investors outside the United States.

25. NANOFORCE, INC. [hereinafter "NANOFORCE"] was a Nevada corporation, formerly known as WEBGALAXY, which conspirators created and fraudulently promoted, through boiler rooms overseas, as a legitimate nanotechnology research company poised to increase significantly in value, but which was really an empty shell. Using the boiler rooms, the conspirators caused victim-investors outside the United States to wire millions of dollars of investment funds to the Middle District of Florida to purchase worthless shares of restricted common stock in NANOFORCE.

26. GREENSMART CORPORATION [hereinafter "GREENSMART 1997"], which was incorporated in the state of Delaware in 1997, was a publicly-traded company with a CUSIP number and a trading symbol. In 2005, GREENSMART 1997 was voided by the Delaware Division of Corporations for non-payment of taxes.

27. GREENSMART CORPORATION [hereinafter "GREENSMART 2006"], which was incorporated in the state of Delaware in 2006, was not a publicly-traded company. GREENSMART 2006 was a sham entity created by conspirators, and renamed ROCKY MOUNTAIN GOLD MINING, INC., for the purpose of hijacking the CUSIP number and trading symbol of GREENSMART 1997 and, thereby, GREENSMART 1997's identity, history and shareholder base. The conspirators used GREENSMART 2006, a/k/a ROCKY MOUNTAIN GOLD MINING, INC., to, among other things, sell worthless shares of restricted common stock to victim-investors outside the United States.

28. **ROCKY MOUNTAIN GOLD MINING, INC.** [hereinafter "ROCKY MOUNTAIN"] was a Delaware corporation, purportedly operating in Vancouver, British Columbia, Canada, formerly known as GREENSMART 2006, which conspirators created and fraudulently promoted, through boiler rooms overseas, as a legitimate mining company poised to increase significantly in value, but which was really an empty shell. Using the boiler rooms, the conspirators caused victim-investors outside the United States to wire millions of dollars of investment funds to Toronto, Ontario, Canada to purchase worthless shares of restricted common stock in ROCKY MOUNTAIN.

29. **BUSINESS ADMINISTRATION AND ESCROW SERVICES, INC.** [hereinafter "BAES"], a Florida corporation, operating in Pinellas County, Florida, was controlled by PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER. BAES was used by conspirators to receive information from boiler rooms overseas and prepare documentation evidencing orders for stock placed by victim-investors outside the United States with said boiler rooms, maintain accounts at various financial institutions to receive funds wired by such victim-investors who purchased said stock, send to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

30. **TARPON ESCROW ENTERPRISES, INC.**, later known as TARPON ADMINISTRATION, INC., [hereinafter "TARPON"], a Florida corporation, operating in Pinellas County, Florida, was controlled by PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER. TARPON was used by conspirators to receive information from boiler rooms

overseas and prepare documentation evidencing orders for stock placed by victim-investors outside the United States with said boiler rooms, maintain accounts at various financial institutions to receive funds wired by such victim-investors who purchased said stock, send to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

31. EQUINOX ESCROW, INC., later known as EQUINOX ADMINISTRATION, INC., [hereinafter "EQUINOX"], a Florida corporation, operating in Pinellas County, Florida, was controlled by PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER. EQUINOX was used by conspirators to receive information from boiler rooms overseas and prepare documentation evidencing orders for stock placed by victim-investors outside the United States with said boiler rooms, maintain accounts at various financial institutions to receive funds wired by such victim-investors who purchased said stock, send to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

32. TREASURY MANAGEMENT AND SERVICES, INC. [hereinafter "TREASURY MANAGEMENT"], a Florida corporation, operating in Pinellas County, Florida, was controlled by PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER. TREASURY MANAGEMENT was used by conspirators to receive information from boiler rooms overseas and prepare documentation evidencing orders for stock placed

by victim-investors outside the United States with said boiler rooms, maintain one or more accounts at one or more financial institutions to receive funds wired by such victim-investors who purchased said stock, send to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

33. NORTH AMERICAN ESCROW SERVICES, LIMITED [hereinafter "NAMES"], an Ontario, Canada corporation, purportedly operating in Charlottetown, Prince Edward Island, Canada, was controlled by PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER. NAMES was used by conspirators to receive information from boiler rooms overseas and prepare documentation evidencing orders for stock placed by victim-investors outside the United States with said boiler rooms, maintain accounts at a financial institution to receive funds wired by such victim-investors who purchased said stock, send to such victim-investors via private commercial carriers and other means stock certificates and other documentation concerning stock sales, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

34. HOME TOWN PROPERTIES SUNCOAST, INC. [hereinafter HOME TOWN PROPERTIES"], a Florida corporation, operating in Pinellas and Pasco counties and elsewhere, was controlled by PAUL ROBERT GUNTER and RICHARD SINCLAIR POPE. HOME TOWN PROPERTIES was used by conspirators to own, hold, renovate, maintain, rent, and sell real property, which conspirators acquired and/or maintained

using funds wired by victim-investors outside the United States to purchase restricted shares of common stock in hijacked publicly-traded shell companies.

35. HOME TOWN PROPERTIES OF FLORIDA DEVELOPMENT, INC. [hereinafter "HOME TOWN DEVELOPMENT"], a Florida corporation, operating in Pinellas and Pasco counties, was controlled by PAUL ROBERT GUNTER, RICHARD SINCLAIR POPE, and ZIBIAH JOY GUNTER. HOME TOWN DEVELOPMENT was used by conspirators to own, hold, develop, and sell real property, which conspirators acquired and/or developed and maintained using funds wired by victim-investors outside the United States to purchase restricted common stock in hijacked publicly-traded shell companies.

The Conspiracy

36. Beginning on an unknown date, but at least as early as in or about July 2004, and continuing thereafter, through and including at least March 13, 2008, in the Middle District of Florida and elsewhere,

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman,
a/k/a Larry Hart,
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
SIMON ANDREW ODONI,
ROGER LEE SHOSS,
and
NICOLETTE LOISEL

the defendants herein, knowingly and willfully did combine, conspire, confederate and agree, with one another and with others, both known and unknown to the Grand Jury, to commit certain offenses against the United States, specifically:

(a) To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing the United States mail and private and commercial interstate carriers, in violation of Title 18, United States Code, Section 1341; and

(b) To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing transmissions by means of wire and radio communication in interstate and foreign commerce of any writings, signs, signals, and sounds, in violation of Title 18, United States Code, Section 1343.

Manner and Means of the Conspiracy

37. It was a part of the conspiracy that conspirators would and did identify existing, dormant, publicly-traded companies in the United States.

38. It was a further part of the conspiracy that conspirators would and did incorporate new companies with the same names as the existing, dormant, publicly-traded companies identified. In other instances, conspirators would and did update the filings and, thereby, reinstate the existing, dormant, publicly-traded companies identified.

39. It was a further part of the conspiracy that conspirators would and did prepare board of directors resolutions and/or other documents to change the names of

the new companies conspirators had incorporated as well as the names of the companies conspirators had reinstated.

40. It was a further part of the conspiracy that conspirators would and did prepare board of directors resolutions and/or other documents purporting to reflect reverse splits of the stocks previously issued by the existing, dormant, publicly-traded companies which conspirators had identified.

41. It was a further part of the conspiracy that conspirators would and did send, via facsimile and other means, to state agencies regulating corporate entities operating in their jurisdictions, certificates of amendment of articles of incorporation, board of directors resolutions, and/or other documents reflecting the name changes of the new companies conspirators had incorporated, the name changes of the companies conspirators had reinstated, and/or the purported reverse splits of the stocks previously issued by the existing, dormant, publicly-traded companies which conspirators had identified.

42. It was a further part of the conspiracy that conspirators would and did send, via email, the internet, facsimile and other means, to the CUSIP Bureau, false and fraudulent applications for new CUSIP numbers and related documentation in order to secure new CUSIP numbers for securities to be issued by the new, renamed companies conspirators had incorporated as well as by the renamed companies conspirators had reinstated.

43. It was a further part of the conspiracy that conspirators would and did send, via email, facsimile and other means, to NASDAQ Corporate Data Operations, applications for new trading symbols and related documentation in order to secure new

trading symbols for the new, renamed companies conspirators had incorporated as well as for the renamed companies conspirators had reinstated.

44. It was a further part of the conspiracy that conspirators would and did cause a transfer agent to send, via facsimile and other means, to NASDAQ Corporate Data Operations, false and fraudulent transfer agent verification forms in support of conspirators' applications for new trading symbols.

45. It was a further part of the conspiracy that conspirators would and did, through false and fraudulent statements, representations and documents sent to the CUSIP Bureau and NASDAQ Corporate Data Operations, effectively hijack the identities, histories, and shareholder bases of the existing, dormant, publicly-traded companies which conspirators had identified [hereinafter "the hijacked companies"].

46. It was a further part of the conspiracy that conspirators would and did create and establish websites and author and disseminate press releases to fraudulently promote the sale of restricted shares of common stock of the companies, which emanated from the hijacked companies, to victim-investors outside the United States.

47. It was a further part of the conspiracy that conspirators would and did recruit, train and pay, and/or affiliate with and pay, persons engaged in the business of placing unsolicited telephone calls to potential and existing victim-investors outside the United States from boiler rooms overseas.

48. It was a further part of the conspiracy that conspirators would and did cause such boiler room telemarketers to promote and sell restricted shares of common

stock of the companies, which emanated from the hijacked companies, to victim-investors outside the United States.

49. It was a further part of the conspiracy that conspirators would and did cause the boiler room telemarketers to employ high-pressure and misleading sales techniques when promoting the common stock to potential and existing victim-investors, including, but not limited to, the making of material misrepresentations, and the omission of material information, about the companies, the businesses in which such companies were engaged, the safety and security associated with investment in such companies, and/or the likely monetary return on investments in such companies.

50. It was a further part of the conspiracy that conspirators would and did cause to be sent, via email, private commercial carrier and other means, to victim-investors outside the United States, letters memorializing the number of shares of stock such victim-investors had agreed to purchase and the monetary amount due for such shares, supplying the victim-investors with instructions on how and where to wire their investment funds, falsely advising victim-investors that a small fee, usually no more than one percent or \$40.00 to \$50.00, would be deducted from their investment funds to cover costs associated with the sales, and asking victim-investors to sign such letters and return them via facsimile.

51. It was a further part of the conspiracy that conspirators would and did cause victim-investors outside the United States to send, via facsimile using North American facsimile numbers, to conspirators, signed versions of the letters memorializing such victim-investors' agreements to invest.

52. It was a further part of the conspiracy that conspirators would and did cause victim-investors outside the United States to wire their investment funds to accounts at financial institutions, located in the Middle District of Florida and elsewhere, to purchase restricted shares of common stock of the companies, which emanated from the hijacked companies.

53. It was a further part of the conspiracy that conspirators would and did send, via private commercial carrier and other means, to victim-investors outside the United States, stock certificates reflecting such victim-investors' purchases of restricted shares of common stock of the companies, which emanated from the hijacked companies.

54. It was a further part of the conspiracy that conspirators would and did send, and cause to be sent, via wire transfer, victim-investors' funds to accounts owned and/or controlled by the telemarketers at financial institutions overseas in order to perpetuate the fraud scheme.

55. It was a further part of the conspiracy that conspirators would and did send, and cause to be sent, via wire transfer, victim-investors' funds to the accounts of conspirators and/or entities controlled by conspirators for conspirators' personal enrichment.

56. It was a further part of the conspiracy that, when victim-investors, regulators, and/or others expressed concern and/or complained about the sale of restricted shares of common stock of the companies, which emanated from the hijacked companies, conspirators would and did concoct false explanations and/or

provide fraudulent assurances in an effort to assuage such concerns and prevent further scrutiny.

57. It was a further part of the conspiracy that conspirators would and did conceal, misrepresent, and hide, and cause to be concealed, misrepresented, and hidden, the purpose of acts performed in furtherance of the conspiracy.

Overt Acts

58. In furtherance of the conspiracy and to effectuate the objects thereof, the following overt acts, among others, were committed within the Middle District of Florida, and elsewhere:

(1) On or about July 9 and 10, 2004, PAUL ROBERT GUNTER and unindicted coconspirators held a meeting to discuss the establishment of boiler rooms, recruitment of telemarketers to staff such rooms, including "experienced dealers . . . from Barcelona," and related financial issues.

(2) On or about August 16, 2004, PAUL ROBERT GUNTER caused the incorporation of BUSINESS ADMINISTRATION AND ESCROW SERVICES, INC., in the state of Florida.

(3) On or about December 22, 2004, ZIBIAH JOY GUNTER caused the incorporation of TARPON ESCROW ENTERPRISES, INC., in the state of Florida.

(4) On or about March 25, 2005, RICHARD SINCLAIR POPE caused the incorporation of EQUINOX ESCROW, INC., in the state of Florida.

(5) On or about December 18, 2007, ZIBIAH JOY GUNTER caused the incorporation of TREASURY MANAGEMENT AND SERVICES, INC., in the state of Florida.

A. MOBILESTREAM

(6) On or about June 28, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused the incorporation of 3E INTERNATIONAL, INC. ("3E 2005") in the state of Delaware.

(7) On or about July 24 and 25, 2005, NICOLETTE LOISEL prepared and filed with the Delaware Division of Corporations a Certificate of Amendment of Certificate of Incorporation, indicating that 3E 2005's board of directors had approved a change in the name of the company to MOBILESTREAM, INC.

(8) On or about August 1, 2005, NICOLETTE LOISEL submitted, via the internet, to the CUSIP Bureau, an online application for assignment of a new CUSIP number to MOBILESTREAM.

(9) On or about August 5, 2005, NICOLETTE LOISEL sent, via facsimile, to NASDAQ's Corporate Data Operations, a letter insinuating that 3E 1998 had changed its name to MOBILESTREAM, INC. and that the company had effected a reverse stock split, along with a Certificate of Amendment of Certificate of Incorporation and a Consent of the Board of Directors purporting to substantiate the content of the letter.

(10) On or about August 8, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused a transfer agent to send, via facsimile, to NASDAQ Corporate Data Operations, a Transfer Agent Verification Form, in support of a request for assignment of a new trading symbol to MOBILESTREAM.

(11) On or about August 24, 2005, NICOLETTE LOISEL placed an order for 1,000 common stock certificates in the name of MOBILESTREAM, INC. and bearing the CUSIP number fraudulently obtained from the CUSIP Bureau.

(12) In or about September 2005, PAUL ROBERT GUNTER instructed an individual, via email, to make arrangements for an unrelated business address to receive correspondence directed and/or related to MOBILESTREAM.

(13) On or about September 15, 2005, PAUL ROBERT GUNTER opened account #1000031661332 in the name of Business Administration and Escrow Services, Inc., dba BAES MobileStream 1, at SunTrust Bank. Both PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER were identified as signatories on the account.

(14) On or about December 6, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused to be sent, via United Parcel Service, to victim-investor Jean Beard in the United Kingdom, a letter stating, among other things, that such victim-investor had expressed interest in purchasing 1,000 shares in MOBILESTREAM for the purchase price of \$2,778 US, asking such victim-investor to sign the "Subscription Agreement" and return it via facsimile, and instructing such victim-investor to wire the amount due to account #1000031661332 in the name of Mobilestream, Inc. at SunTrust Bank in New Port Richey, Florida.

(15) On or about December 9, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused victim-investor Jean Beard in the United Kingdom to wire \$2,778.00 US to account #1000031661332 at SunTrust Bank.

(16) On or about February 3, 2006, LAWRENCE S. HARTMAN, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused a wire in the amount of \$80,000 to be transmitted from an account in the name of Business Administration and Escrow Services, Inc., dba BAES Mobilestream 3, at SunTrust Bank, to an account in the name of ROGER L. SHOSS at the International Bank of Commerce in Texas.

B. REGALTECH

(17) On or about December 15, 2004, PAUL ROBERT GUNTER sent an email to LAWRENCE S. HARTMAN, RICHARD SINCLAIR POPE, and another individual, with a subject line of "Regal Technologies," in which he reported that he had found an office location in Tarpon Springs, Florida, and had made an application to lease it.

(18) On or about January 21, 2005, RICHARD SINCLAIR POPE sent an email entitled "Regal" to LAWRENCE S. HARTMAN, PAUL ROBERT GUNTER, and another individual, regarding the need to establish a fully-operational office with fax machine, copier, telephone, and a real person answering the telephone to manage inquiries related to an upcoming "offering."

(19) On or about February 10, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused the incorporation of PACIFIC CHEMICAL INC., ("PACIFIC CHEMICAL 2005") in the state of Delaware.

(20) On or about March 7, 2005, NICOLETTE LOISEL prepared and filed with the Delaware Division of Corporations a Certificate of Amendment of Certificate of Incorporation, indicating that PACIFIC CHEMICAL 2005's board of directors had approved a change in the name of the company to REGALTECH, INC.

(21) On or about March 9, 2005, NICOLETTE LOISEL submitted, via the internet, to the CUSIP Bureau, an online application for assignment of a new CUSIP number to REGALTECH.

(22) On or about March 9, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused a transfer agent to send, via facsimile, to NASDAQ Corporate Data

Operations, a Transfer Agent Verification Form, in support of a request for a new trading symbol to REGALTECH.

(23) On or about April 1, 2005, LAWRENCE S. HARTMAN sent an email to PAUL ROBERT GUNTER, RICHARD SINCLAIR POPE, and another individual, with an attachment containing false and misleading website files and material for the REGALTECH website, and instructed them to arrange for said files to be hosted on the internet.

(24) On or about June 10, 2005, LAWRENCE S. HARTMAN sent an email to another individual, with an attachment containing a false and misleading press release about REGALTECH, and directed the individual to provide the press release to an online media outlet for dissemination.

(25) On or about June 22, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused to be sent, via United Parcel Service, to victim-investor Brian Watkins in the United Kingdom, a letter stating, among other things, that such victim-investor had expressed interest in purchasing 10,000 shares in REGALTECH for the purchase price of \$9,000 US, asking such victim-investor to sign the "Contract Note" and return it via facsimile, and instructing such victim-investor to wire the amount due to account #1000026485663 in the name of Regal Technologies at SunTrust Bank in New Port Richey, Florida.

(26) On or about July 1, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused victim-investor Brian Watkins in the United Kingdom to wire \$9,000 US to account #1000026485663 at SunTrust Bank.

C. NANOFORCE

(27) On or about March 18, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused to be filed with the Nevada Secretary of State an Annual List of Officers, Directors and Agents for WEBGALAXY, INC., listing ROGER LEE SHOSS as president and every other officer of the entity.

(28) On or about March 22, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused to be filed with the Nevada Secretary of State a Certificate of Amendment to Articles of Incorporation, indicating that WEBGALAXY's board of directors had approved a change in the name of the company to NANOFORCE, INC.

(29) On or about March 24, 2005, NICOLETTE LOISEL submitted, via the internet, to the CUSIP Bureau, an online application for assignment of a new CUSIP number to NANOFORCE.

(30) On or about April 4, 2005, NICOLETTE LOISEL sent, via facsimile, to NASDAQ's Corporate Data Operations, a letter insinuating that WEBGALAXY had changed its name to NANOFORCE, INC. and that the company had effected a reverse stock split, along with a Certificate of Amendment to Articles of Incorporation and a Consent of the Board of Directors purporting to substantiate the content of the letter.

(31) On or about April 4, 2005, ROGER LEE SHOSS and NICOLETTE LOISEL caused a transfer agent to send, via facsimile, to NASDAQ Corporate Data Operations, a Transfer Agent Verification Form, in support of a request for assignment of a new trading symbol to NANOFORCE.

(32) On or about May 6, 2005, LAWRENCE S. HARTMAN sent an email to SIMON ANDREW ODONI and RICHARD SINCLAIR POPE, with an attachment

containing false and misleading website files and material for the NANOFORCE website, and instructed them to have said files hosted on the internet.

(33) On or about June 29, 2005, SIMON ANDREW ODoni sent an email to PAUL ROBERT GUNTER, LAWRENCE S. HARTMAN, RICHARD SINCLAIR POPE, and ZIBIAH JOY GUNTER, with an attachment containing a false and misleading press release about NANOFORCE, and advised them that he had provided the press release to an online media outlet, to whom he had attributed the press release, and how to manage inquiries directed to such person.

(34) On or about July 14, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused to be sent, via United Parcel Service, to victim-investors Brian and Helen Watkins in the United Kingdom, a letter stating, among other things, that such victim-investors had expressed interest in purchasing 75,000 shares in NANOFORCE for the purchase price of \$75,000 US, asking such victim-investors to sign the "Purchase Agreement" and return it via facsimile, and instructing such victim-investors to wire the amount due to account #2000027144617 in the name of Nanoforce Escrow Account at Wachovia Bank in Jacksonville, Florida.

(35) On or about July 20, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused victim-investors Brian and Helen Watkins in the United Kingdom to wire \$75,000 US to account #2000027144617 at Wachovia Bank.

D. ROCKY MOUNTAIN GOLD MINING

(36) On or about December 15, 2005, PAUL ROBERT GUNTER caused the incorporation of NORTH AMERICAN ESCROW SERVICES, LIMITED in Ontario, Canada.

(37) On or about February 17, 2006, PAUL ROBERT GUNTER opened one or more accounts in the name of NORTH AMERICAN ESCROW SERVICES, LIMITED with TD Canada Trust, in Toronto, Ontario, Canada.

(38) On or about July 17, 2006, ROGER LEE SHOSS caused the incorporation of GREENSMART CORPORATION, INC., ("GREENSMART 2006") in the state of Delaware.

(39) On or about July 20, 2006, ROGER LEE SHOSS prepared and filed with the Delaware Division of Corporations a Certificate of Amendment of Certificate of Incorporation, indicating that GREENSMART 2006's board of directors had approved a change in the name of the company to ROCKY MOUNTAIN GOLD MINING, INC.

(40) On or about July 26, 2006, ROGER LEE SHOSS submitted, via the internet and facsimile, to the CUSIP Bureau, an online application for assignment of a new CUSIP number to ROCKY MOUNTAIN.

(41) On or about July 31, 2006, ROGER LEE SHOSS sent, via facsimile, to NASDAQ's Corporate Data Operations, a letter insinuating that GREENSMART 1997 had changed its name to ROCKY MOUNTAIN GOLD MINING, INC. and that the company had effected a reverse stock split, along with a Certificate of Amendment of Certificate of Incorporation and a Consent of the Board of Directors purporting to substantiate the content of the letter.

(42) On or about July 31, 2006, ROGER LEE SHOSS caused a transfer agent to send, via facsimile, to NASDAQ Corporate Data Operations, a Transfer Agent Verification Form, in support of a request for assignment of a new trading symbol to ROCKY MOUNTAIN.

(43) On or about October 18, 2006, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER traveled to Toronto, Ontario, Canada, and met with representatives of TD Canada Trust and the Ontario Securities Commission concerning investment funds wired into accounts in the name of NORTH AMERICAN ESCROW SERVICES, LIMITED to purchase shares of common stock of ROCKY MOUNTAIN.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO

(Conspiracy to Commit Wire Fraud)

Introduction

At times material to this Superseding Indictment:

1. The Grand Jury hereby realleges Paragraphs 1 through 35 of Count One of this Superseding Indictment and incorporates such paragraphs by this reference as though fully set forth herein.

2. The foreign exchange market ("FOREX") is the market for buying and selling different currencies. It is primarily an over-the-counter market with trades between large commercial banks accounting for most foreign currency transactions. Other participants in the foreign exchange market include brokers, who match buyers and sellers in the market.

3. INTERNATIONAL ESCROW ENTERPRISES, INC., [hereinafter "INTERNATIONAL ESCROW"], a Florida corporation, purportedly operating in Hillsborough County, Florida, was controlled by SIMON ANDREW ODONI. INTERNATIONAL ESCROW was used by conspirators to receive information from

boiler rooms overseas evidencing orders for investments in the FOREX market by victim-investors outside the United States with said boiler rooms, maintain accounts at one or more financial institutions to receive funds wired by such victim-investors, and disburse such victim-investors' funds to accounts worldwide in order to perpetuate the scheme and for other purposes.

The Conspiracy

4. Beginning on an unknown date, but at least as early as in or about October 2005, through and including at least March 13, 2008, in the Middle District of Florida and elsewhere,

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
RICHARD SINCLAIR POPE,
and
SIMON ANDREW ODONI,

the defendants herein, knowingly and willfully did combine, conspire, confederate and agree, with one another and with others, both known and unknown to the Grand Jury, to commit certain offenses against the United States, to wit: to devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing transmissions by means of wire and radio communication in interstate and foreign commerce of any writings, signs, signals, and sounds, in violation of Title 18, United States Code, Section 1343.

Manner and Means of the Conspiracy

5. It was a part of the conspiracy that conspirators would and did affiliate with and pay persons engaged in the business of placing unsolicited telephone calls to potential and existing victim-investors outside the United States from boiler rooms overseas.

6. It was a further part of the conspiracy that conspirators would and did cause such boiler room telemarketers to promote and sell investments in the FOREX market to victim-investors outside the United States.

7. It was a further part of the conspiracy that conspirators would and did cause the boiler room telemarketers to employ high-pressure and misleading sales techniques when promoting investments in the FOREX market to potential and existing victim-investors, including, but not limited to, the making of material misrepresentations, and the omission of material information, about the FOREX market, the manner in which the victim-investors money would be used, and/or the likely monetary return on investments in the FOREX market.

8. It was a further part of the conspiracy that conspirators would and did cause victim-investors outside the United States to wire their investment funds to accounts at financial institutions, located in the Middle District of Florida and elsewhere, to invest in the FOREX market.

9. It was a further part of the conspiracy that conspirators would and did create a website to which victim-investors were referred purportedly to monitor trading activities in the FOREX accounts.

10. It was a further part of the conspiracy that conspirators would and did send, and cause to be sent, via wire transfer, victim-investors' funds to accounts owned and/or controlled by the telemarketers at financial institutions overseas in order to perpetuate the fraud scheme.

11. It was a further part of the conspiracy that conspirators would and did send, and cause to be sent, via wire transfer, victim-investors' funds to the accounts of conspirators and/or entities controlled by conspirators for conspirators' personal enrichment.

12. It was a further part of the conspiracy that conspirators would and did conceal, misrepresent, and hide, and cause to be concealed, misrepresented, and hidden, the purpose of acts performed in furtherance of the conspiracy.

Overt Acts

13. In furtherance of the conspiracy and to effectuate the objects thereof, the following overt acts, among others, were committed within the Middle District of Florida, and elsewhere:

(1) On or about October 18, 2005, SIMON ANDREW ODONI caused the incorporation of INTERNATIONAL ESCROW ENTERPRISES, INC., in the state of Florida.

(2) On or about October 19, 2005, SIMON ANDREW ODONI leased "virtual" office space for INTERNATIONAL ESCROW from Office Suites Plus, at 8270 Woodland Center Boulevard, Tampa, Florida, 33614.

(3) On or about November 10, 2005, SIMON ANDREW ODONI opened nine bank accounts for INTERNATIONAL ESCROW at the Bank of America branch located at 18167 U.S. Highway 19 North, Suite 600, Clearwater, Florida, 33764.

(4) On or about January 25, 2006, PAUL ROBERT GUNTER sent an email to SIMON ANDREW ODONI and RICHARD SINCLAIR POPE regarding how the three would divide the "fee income" from the INTERNATIONAL ESCROW scheme, and proposed that they apportion it 30% to PAUL ROBERT GUNTER, 30% to SIMON ANDREW ODONI, and 35% to RICHARD SINCLAIR POPE.

(5) On or about February 9, 2006, SIMON ANDREW ODONI opened a "Euro" account for INTERNATIONAL ESCROW at Bank of America.

(6) On or about February 21, 2006, SIMON ANDREW ODONI caused \$100,000 to be wired from account #005563473470 in the name of International Escrow Enterprises, Inc. Continental Clearing #1, at Bank of America in the Middle District of Florida, to an account in the name of Coralmar, Ltd., controlled by RICHARD SINCLAIR POPE, at Credit Suisse in Switzerland.

(7) On or about March 7, 2006, SIMON ANDREW ODONI caused \$24,407.47 to be wired from account #005563473483 in the name of International Escrow Enterprises, Inc. Continental Clearing #2, at Bank of America in the Middle District of Florida, to an account in the name of Suncoast Management, Ltd., controlled by PAUL ROBERT GUNTER, at First Curacao International Bank.

(8) On or about April 27, 2006, SIMON ANDREW ODONI caused victim-investor Richard Costello in the United Kingdom to wire 500,220 Euros to

account #11580-141 in the name of International Escrow Enterprises at Bank of America for investment in the FOREX market.

(9) On or about May 4, 2006, SIMON ANDREW ODONI caused 30,968 Euros to be wired from account #11580-141 in the name of International Escrow Enterprises at Bank of America to account #01554049176048 in the name of Yes Investments, Ltd., controlled by RICHARD SINCLAIR POPE, at the Bank of Cyprus.

(10) On or about May 4, 2006, SIMON ANDREW ODONI caused 30,968 Euros to be wired from account #11580-141 in the name of International Escrow Enterprises at Bank of America to account #0680120253901 in the name of Suncoast Management, Ltd., controlled by PAUL ROBERT GUNTER, at the First Curacao International Bank.

(11) On or about July 11, 2006, ZIBIAH JOY GUNTER sent an email to SIMON ANDREW ODONI and PAUL ROBERT GUNTER and informed them of a telephone call she had received from Bank of America concerning victim-investor Gordon Ison's request to reverse a wire in the amount of \$56,443.96 US sent on February 15, 2006, to account #003760550910 then in the name of Tarpon Escrow Enterprises, Inc. (Continental Clearing Escrow).

(12) On or about January 24, 2008, RICHARD SINCLAIR POPE sent an email to SIMON ANDREW ODONI and PAUL ROBERT GUNTER and suggested that they speak on the telephone, rather than via email, about information posted on a website known as "Motley Fool" which RICHARD SINCLAIR POPE characterized as "very disturbing." The information reportedly linked INTERNATIONAL ESCROW, NANOFORCE, REGALTECH, and South Pinellas Drive, as well as other individuals

and entities, and alluded to the Turks and Caicos Islands, Dominican Republic, Credit Suisse, and Cyprus.

All in violation of Title 18, United States Code, Section 1349.

COUNT THREE

(Money Laundering Conspiracy)

Introduction

1. The Grand Jury hereby realleges Paragraphs 1 through 35 of Count One of this Superseding Indictment and incorporates such paragraphs by this reference as though fully set forth herein.

The Conspiracy

2. Beginning on an unknown date, but at least as early as in or about July 2004, and continuing thereafter, through and including at least March 13, 2008, in the Middle District of Florida, and elsewhere,

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman,
a/k/a Larry Hart,
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
and
SIMON ANDREW ODoni,

the defendants herein, did knowingly and willfully combine, conspire, confederate and agree with one another and with others, both known and unknown to the Grand Jury, to commit certain offenses against the United States, specifically:

(a) to transport, transmit, and transfer, and to attempt to transport, transmit, and transfer, funds from a place in the United States to and through a place outside the United States, and to a place in the United States from and through a place outside the United States, with the intent to promote the carrying on of a specified unlawful activity, that is, mail fraud (18 U.S.C. § 1341) and wire fraud (18 U.S.C. § 1343), in violation of Title 18, United States Code, Section 1956(a)(2)(A);

(b) to transport, transmit, and transfer, and to attempt to transport, transmit, and transfer, funds from a place in the United States to and through a place outside the United States, and to a place in the United States from or through a place outside the United States, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed, in whole or in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, mail fraud (18 U.S.C. § 1341) and wire fraud (18 U.S.C. § 1343), in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i);

(c) to knowingly engage and attempt to engage in monetary transactions within the United States, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from specified unlawful activity, that is, mail fraud (18 U.S.C. § 1341) and wire fraud (18 U.S.C. § 1343), in violation of Title 18, United States Code, Section 1957.

Manner and Means of Money Laundering Conspiracy

The manner and means by which the conspirators sought to accomplish the objects of the conspiracy included, among others, the following:

3. The Grand Jury hereby realleges Paragraphs 37 through 57 of Count One of this Superseding Indictment and incorporates such paragraphs by this reference as though fully set forth herein.

4. It was a further part of the conspiracy that conspirators would and did cause bank accounts to be opened inside and outside of the United States.

5. It was a further part of the conspiracy that conspirators would and did transfer and transmit funds from accounts in the United States to accounts inside and outside the United States via wire transmissions.

6. It was a further part of the conspiracy that conspirators would and did transfer and transmit funds from accounts outside the United States to accounts inside and outside the United States via wire transmissions.

Overt Acts

7. In furtherance of the conspiracy and to effectuate the objects thereof, the following overt acts, among others, were committed within the Middle District of Florida, and elsewhere:

(1) On or about December 15, 2005, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$10,707.24 to be wired from account #1000031661340 in the name of Business Administration and Escrow Services, Inc. dba BAES Mobilestream 2,

at SunTrust Bank in the Middle District of Florida, to an account in the name of Lightport Business Services SL, at Caixa D'Estalvis I Pensions de Barcelona in Spain.

(2) On or about January 3, 2006, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$10,625 to be wired from account #1000031661340 in the name of Business Administration and Escrow Services, Inc. dba BAES Mobilestream 2, at SunTrust Bank in the Middle District of Florida, to an account in the name of Lightport Business Services, SL at Caja de Ahorros y Pensiones in Spain.

(3) On or about January 9, 2006, SIMON ANDREW ODONI, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$10,000 to be wired from account #2000027144617 in the name of Business Administration Service dba Nanoforce I, at Wachovia Bank in the Middle District of Florida, to an account in the name of SIMON A. ODONI at National Westminster Bank in the United Kingdom.

(4) On or about February 3, 2006, LAWRENCE S. HARTMAN, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$80,000 to be wired from account #1000031661357 in the name of Business Administration and Escrow Services, Inc. dba BAES Mobile Stream 3, at SunTrust Bank in the Middle District of Florida, to account #6000567685 in the name of ROGER L. SHOSS at the International Bank of Commerce in Texas.

(5) On or about February 24, 2006, LAWRENCE S. HARTMAN and ZIBIAH JOY GUNTER caused \$132,500 to be wired from account #003760551139 in the name of Tarpon Escrow Enterprises, Inc. Turquoise Development 1, at Bank of America in the Middle District of Florida, to an account in the name of Paola A. Barba Barba at Banco Cuscatlan de Costa Rica.

(6) On or about June 7, 2006, SIMON ANDREW ODONI, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$13,000 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II, at Wachovia Bank in the Middle District of Florida, to an account in the name of SIMON A. ODONI at National Westminster Bank in the United Kingdom.

(7) On or about September 27, 2006, RICHARD SINCLAIR POPE, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$112,280 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II, at Wachovia Bank in the Middle District of Florida, to an account in the name of Coralmar, Ltd. at Credit Suisse in Switzerland.

(8) On or about September 27, 2006, RICHARD SINCLAIR POPE, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$217,190 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II, at Wachovia Bank in the Middle District of Florida, to an account in the name of Coralmar, Ltd. at Credit Suisse in Switzerland.

(9) On or about December 4, 2006, RICHARD SINCLAIR POPE caused \$350,000 to be wired from an account in the name of Coralmar, Ltd. at Credit Suisse, in Switzerland, to account #003771467225 in the name of Woods and Associates Yacht Brokerage, Inc. Escrow Account at Bank of America, in Fort Lauderdale, Florida, in connection with the purchase of an approximately 55-foot vessel known as "No Slack."

(10) On or about January 22, 2007, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$100,000 to be wired from account #1000048461932 in the name of Tarpon Escrow Enterprises, Inc. Escrow 1, at SunTrust Bank in the Middle

District of Florida, to an account in the name of Suncoast Management, Ltd. at the Bank of Cyprus Public Company Limited, in Cyprus.

(11) On or about February 21, 2007, PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$75,000 to be wired from account #1000048461932 in the name of Tarpon Escrow Enterprises, Inc. Escrow 1, at SunTrust Bank in the Middle District of Florida, to an account in the name of Suncoast Management, Ltd. at the Bank of Cyprus Public Company Limited, in Cyprus.

(12) On or about July 23, 2007, RICHARD SINCLAIR POPE caused \$100,000 to be wired from an account in the name of Coralmar, Ltd. at Credit Suisse, in Switzerland, to an account in the name of Aero-Space Reports, Inc. Escrow Account at Bank of America in connection with the purchase of a fixed-wing, multi-engine, turbo-prop airplane with tail number N9426.

(13) On or about August 3, 2007, RICHARD SINCLAIR POPE caused \$425,000 to be wired from an account in the name of Coralmar, Ltd. at Credit Suisse, in Switzerland, to an account in the name of Aero-Space Reports, Inc. Escrow Account at Bank of America in connection with the purchase of a fixed-wing, multi-engine, turbo-prop airplane with tail number N9426.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS FOUR THROUGH SEVENTEEN

(Illegal Monetary Transactions)

1. The substance of the scheme to defraud and its manner and means are described in Paragraphs 1 through 35 and 37 through 57 of Count One of this

Superseding Indictment. The Grand Jury hereby realleges those paragraphs and incorporates such paragraphs by this reference as though fully set forth herein.

2. On or about the dates set forth below, in the Middle District of Florida and elsewhere,

PAUL ROBERT GUNTER,
 a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
 a/k/a Larry Hartman,
 a/k/a Larry Hart,
 a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
 and
SIMON ANDREW ODONI,

the defendants herein, did knowingly engage and attempt to engage in the described monetary transactions, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from specified unlawful activity, that is, mail fraud, in violation of Title 18, United States Code, Section 1341, and wire fraud, in violation of Title 18, United States Code, Section 1343.

Count	Date	Monetary Transaction
Four	June 15, 2005	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused a counter withdrawal in the amount of \$89,704.31 from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, and caused such funds to be used to purchase Wachovia Bank Official Check #396243676, dated June 15, 2005, in the amount of \$89,704.31, made payable to Sunmark Title Insurance Group, of Port Richey, Florida, for the purpose of buying vacant land.

Five	September 22, 2005	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$320,000 to be wired from account #2000027144617 in the name of Business Administration Escrow Service dba Nanoforce I at Wachovia Bank in the Middle District of Florida, to account #6000567685 in the name of ROGER L. SHOSS at the International Bank of Commerce in Texas.
Six	December 16, 2005	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused a counter withdrawal in the amount of \$63,050.43 from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, and caused such funds to be used to purchase Wachovia Bank Official Check #112522611, dated December 16, 2005, in the amount of \$63,050.43, made payable to Keystone Title Agency, of Port Richey, Florida, for the purpose of buying vacant land.
Seven	February 3, 2006	LAWRENCE S. HARTMAN, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$80,000 to be wired from account #1000031661357 in the name of Business Administration and Escrow Services, Inc. dba BAES Mobile Stream 3 at SunTrust Bank in the Middle District of Florida, to account #6000567685 in the name of ROGER L. SHOSS at the International Bank of Commerce in Texas.
Eight	February 24, 2006	LAWRENCE S. HARTMAN and ZIBIAH JOY GUNTER caused \$132,500 to be wired from account #003760551139 in the name of Tarpon Escrow Enterprises, Inc. Turquoise Development 1 at Bank of America in the Middle District of Florida, to an account in the name of Paola A. Barba Barba at Banco Cuscatlan de Costa Rica.

Nine	February 27, 2006	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$179,000 to be wired from account #1000031525727 in the name of Business Administration and Escrow Services Inc. dba BAES Mobile Stream 8 at SunTrust Bank in the Middle District of Florida, to account #2000027145027 in the name of Home Town Properties of Florida Development, Inc. at Wachovia Bank in the Middle District of Florida.
Ten	April 5, 2006	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$200,000 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to account #2000027145027 in the name of Home Town Properties of Florida Development, Inc. at Wachovia Bank in the Middle District of Florida.
Eleven	June 7, 2006	SIMON ANDREW ODONI, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$13,000 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to an account in the name of SIMON A. ODONI at National Westminster Bank in the United Kingdom.
Twelve	June 8, 2006	RICHARD SINCLAIR POPE, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$50,000 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to an account in the name of RICHARD POPE at National Westminster Bank in the United Kingdom.

Thirteen	August 4, 2006	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$15,000 from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to account #2000021490710 in the name of Home Town Properties Suncoast, Inc. at Wachovia Bank in the Middle District of Florida.
Fourteen	August 7, 2006	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$237,025.91 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to account #1003235 in the name of Indigon Title at Stonegate Bank in Fort Lauderdale, Florida.
Fifteen	September 27, 2006	RICHARD SINCLAIR POPE, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$112,280 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to an account in the name of Coralmar, Ltd. at Credit Suisse in Switzerland.
Sixteen	September 27, 2006	RICHARD SINCLAIR POPE, PAUL ROBERT GUNTER, and ZIBIAH JOY GUNTER caused \$217,190 to be wired from account #2000021490587 in the name of Business Administration Escrow Service Escrow II at Wachovia Bank in the Middle District of Florida, to an account in the name of Coralmar, Ltd. at Credit Suisse in Switzerland.

Seventeen	October 30, 2006	PAUL ROBERT GUNTER and ZIBIAH JOY GUNTER caused \$86,122.45 to be wired from account #1000048461932 in the name of Tarpon Escrow Enterprises, Inc. Escrow 1 at SunTrust Bank in the Middle District of Florida, to account #11710313214599232 at the Banco Cuscatlan de Costa Rica for final credit to LAWRENCE HARTMAN.
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In violation of Title 18, United States Code, Sections 1957 and 2.

COUNTS EIGHTEEN THROUGH TWENTY-SEVEN

(Mail Fraud)

Introduction

1. The Grand Jury hereby realleges Paragraphs 1 through 35 of Count One of this Superseding Indictment and incorporates such paragraphs by this reference as though fully set forth herein.

The Scheme

2. Beginning on an unknown date, but at least as early as in or about July 2004, and continuing thereafter, through and including at least March 13, 2008, in the Middle District of Florida and elsewhere,

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman,
a/k/a Larry Hart,
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
and
SIMON ANDREW ODONI,

the defendants herein, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and to use the mails and private and commercial interstate carriers in furtherance of this scheme and artifice to defraud.

Manner and Means of the Scheme

3. The substance of the manner and means of the scheme and artifice to defraud is described in Paragraphs 37 through 57 of Count One of this Superseding Indictment, and the Grand Jury hereby realleges and incorporates by reference those paragraphs as though fully set forth herein.

Execution of the Scheme

4. On or about the dates set forth below in each count, in the Middle District of Florida and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, the defendants did knowingly place and cause to be placed in an authorized depository for mail matter, and deposited and caused to be deposited with a private or commercial interstate carrier, the described matter and things, for delivery according to the directions thereon:

Count	Date	Nature of Mailing
Eighteen	June 22, 2005	Defendants caused to be sent, via United Parcel Service, to victim-investors Brian and Helen Watkins a letter concerning their interest in purchasing 10,000 shares of common stock of REGALTECH.

Nineteen	July 14, 2005	Defendants caused to be sent, via United Parcel Service, to victim-investors Brian and Helen Watkins a letter concerning their agreement to purchase 75,000 shares of common stock of NANOFORCE.
Twenty	July 27, 2005	Defendants caused to be sent, via United Parcel Service, to victim-investor Brian Watkins a stock certificate representing 10,000 shares of common stock of REGALTECH.
Twenty-One	August 3, 2005	Defendants caused to be sent, via United Parcel Service, to victim-investor Robert McKenna a stock certificate representing 10,000 shares of common stock of NANOFORCE.
Twenty-Two	January 12, 2006	Defendants caused to be sent, via United Parcel Service, to victim-investor Jean Beard a stock certificate representing 1,000 shares of common stock of MOBILESTREAM.
Twenty-Three	February 23, 2006	Defendants caused to be sent, via United Parcel Service, to victim-investor David Davies a letter concerning his interest in purchasing 1,000 shares of common stock of MOBILESTREAM.
Twenty-Four	March 1, 2006	Defendants caused to be sent, via United Parcel Service, to victim-investor Robert McKenna a stock certificate representing 5,000 shares of common stock of MOBILESTREAM.

Twenty-Five	June 8, 2006	Defendants caused to be sent, via United Parcel Service, to victim-investor Sidhyartha Goswami a stock certificate representing 6,285 shares of common stock of MOBILESTREAM.
Twenty-Six	September 28, 2006	Defendants caused to be sent, via United Parcel Service to victim-investor Terence Keen a stock certificate representing 50,000 shares of common stock of ROCKY MOUNTAIN.
Twenty-Seven	October 12, 2006	Defendants caused to be sent, via United Parcel Service, to victim-investor Robert McKenna a stock certificate representing 24,000 shares of common stock of ROCKY MOUNTAIN.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS TWENTY-EIGHT THROUGH THIRTY-SIX

(Wire Fraud)

Introduction

1. The Grand Jury hereby realleges Paragraphs 1 through 35 of Count One of this Superseding Indictment and incorporates such paragraphs by this reference as though fully set forth herein.

The Scheme

2. Beginning on an unknown date, but at least as early as in or about July 2004, and continuing thereafter, through and including at least March 13, 2008, in the Middle District of Florida and elsewhere,

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman,
a/k/a Larry Hart,
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
and
SIMON ANDREW ODoni,

the defendants herein, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing said scheme and artifice to defraud.

Manner and Means of Scheme

3. The substance of the manner and means of the scheme and artifice to defraud is described in Paragraphs 37 through 57 of Count One of this Superseding Indictment, and the Grand Jury hereby realleges and incorporates by reference those paragraphs as though fully set forth herein.

Execution of the Scheme

4. On or about the dates set forth below, in the Middle District of Florida and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, defendants did cause to be transmitted by means of wire communication in interstate and foreign commerce the following:

Count	Date	Nature of Wire
Twenty-Eight	June 30, 2005	Defendants caused victim-investors Brian and Helen Watkins to transmit, via wire, \$9,000 US to account #1000026485663 in the name of Business Administration and Escrow Services, Inc. dba BAES Regal Technologies One at SunTrust Bank in the Middle District of Florida to purchase 10,000 shares of common stock of REGALTECH.
Twenty-Nine	July 13, 2005	Defendants caused victim-investors Brian and Helen Watkins to transmit, via wire, \$90,000 US to account #1000026485663 in the name of Business Administration and Escrow Services, Inc. dba BAES Regal Technologies One at SunTrust Bank in the Middle District of Florida to purchase 90,000 shares of common stock of REGALTECH.
Thirty	July 19, 2005	Defendants caused victim-investors Brian and Helen Watkins to transmit, via wire, \$75,000 US to account #2000027144617 in the name of Business Administration and Escrow Services, Inc. dba Nanoforce I at Wachovia Bank in the Middle District of Florida to purchase 75,000 shares of common stock of NANOFORCE.
Thirty-One	July 21, 2005	Defendants caused victim-investor Robert McKenna to transmit, via wire, \$10,000 US to account #1810422442 in the name of Equinox Escrow, Inc. "Nano Force 2" at Washington Mutual Bank in the Middle District of Florida to purchase 10,000 shares of common stock of NANOFORCE.

Thirty-Two	August 16, 2005	Defendants caused victim-investor Terence Keen to transmit, via wire, \$9,300 US to account #1000026485663 in the name of Business Administration and Escrow Services, Inc. dba BAES Regal Technologies One at SunTrust Bank in the Middle District of Florida to purchase 6,000 shares of common stock of REGALTECH.
Thirty-Three	February 1, 2006	Defendants caused victim-investor Robert McKenna to transmit, via wire, \$19,000 US to account #1000031525727 in the name of Business Administration and Escrow Services, Inc. dba BAES Mobile Stream 8 at SunTrust Bank in the Middle District of Florida to purchase 5,000 shares of common stock of MOBILESTREAM.
Thirty-Four	February 22, 2006	Defendants caused victim-investor Sidhyartha Goswami to transmit, via wire, \$5,400 US to account #1000031661381 in the name of Business Administration and Escrow Service, Inc. dba BAES MobileStream 6 at SunTrust Bank in the Middle District of Florida to purchase 1,200 shares of common stock of MOBILESTREAM.
Thirty-Five	February 28, 2006	Defendants caused victim-investor David Davies to transmit, via wire, \$4,545 US to account #1000031661332 in the name of Business Administration and Escrow Services, Inc. dba BAES MobileStream 1 at SunTrust Bank in the Middle District of Florida to purchase 1,000 shares of common stock of MOBILESTREAM.

Thirty-Six	May 3, 2006	Defendants caused victim-investor Sidhyartha Goswami to transmit, via wire, \$35,007.45 US to account #1000031661381 in the name of Business Administration and Escrow Service, Inc. dba BAES MobileStream 6 at SunTrust Bank in the Middle District of Florida to purchase 6,285 shares of common stock of MOBILESTREAM.
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In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE

1. The allegations contained in Counts One through Thirty-Six of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) as well as Title 18, United States Code, Section 982(a)(1).

2. From their engagement in the violations alleged in Counts One and Two, involving a conspiracy to commit mail fraud and wire fraud offenses, contrary to the provisions of Title 18, United States Code, Sections 1341 and 1343, in violation Title 18, United States Code, Section 1349, and the violations alleged in Counts Eighteen through Thirty-Six, involving substantive mail fraud and wire fraud offenses in violation of Title 18, United States Code, Sections 1341 and 1343, the defendants shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of their right, title and interest in any property, real and personal, constituting or derived from proceeds traceable to such offenses.

3. From their engagement in the violations alleged in Counts Three, involving a money laundering conspiracy contrary to the provisions of Title 18, United States Code, Section 1956(h), and Counts Four through Seventeen, involving substantive money laundering violations contrary to the provisions of Title 18, United States Code, Section 1957, the defendants shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), any and all right, title, and interest they may have in any property, real or personal, involved in such offense, or any property traceable to such property.

4. The specific assets to be forfeited include, but are not limited to, the following:

a. **Money Judgment**

A sum of money equal to the amount of proceeds the defendants obtained as a result of the conspiracy, for which the defendants are jointly and severally liable;

b. **Real Property**

- 1) The real property, including all improvements thereon and appurtenances thereto, located at 1620 11th Street, Palm Harbor, FL 34683, which is legally described as follows:

LOT 3, BLOCK 25, PALM HARBOR ESTATES,
ACCORDING TO THE MAP OR PLAT THEREOF AS
RECORDED IN PLAT BOOK 18, PAGE 43, PUBLIC
RECORDS OF PINELLAS COUNTY, FLORIDA.

Parcel Identification Number: 01-28-15-65628-025-0030;

- 2) The real property, including all improvements thereon and appurtenances thereto, located at 1700 SE 2nd Street, Pompano Beach, FL 33060, which is legally described as follows:

Portions of Lots 2 & 3, in Block 27, of PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida, bounded as follows: On the North by the North line of said Block 27; on the South by a line running East and West, (said line being halfway between the North and South lines of said Block 27; on the West by the West line of said Block 27; and on the East by a line running North and South (said line being halfway between the East and West lines of said Block 27).

Parcel Identification Number: 18236-01-29810;

- 3) The real property, including all improvements thereon and appurtenances thereto, located at 10233 Poplar Street, New Port Richey, FL 34654 (Lots 27 & 28 Moon Lake Estates, Blk 159), which is legally described as follows:

Lots 27 and 28, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-270;

- 4) The real property, including all improvements thereon and appurtenances thereto, located at 12647 Catalona Avenue, New Port Richey, FL 34654, which is legally described as follows:

Lots 7, 8, 9, and 10, Block 160, Moon Lake Estates, Unit Ten, according to map of plat thereof as recorded in Plat Book 5, Page(s) 128 through 131, of the Public Records of Pasco County, Florida.

Together with that Certain 1980 LIBE MOBILE HOME, ID # 10L11862.

Parcel Identification Number: 16-25-17-0100-16000-0070;

- 5) The real property, including all improvements thereon and appurtenances thereto, located at 10240 Lake Drive, New Port Richey, FL 34654 (Lots 19 & 20 Moon Lake Estates, Blk 159), which is legally described as follows:

Lots 19 and 20, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0190;

- 6) The real property, including all improvements thereon and appurtenances thereto, located at 10234 Lake Drive, New Port Richey, FL 34654 (Lots 21 & 22 Moon Lake Estates Blk 159), which is legally described as follows:

Lots 21 and 22, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0210;

- 7) The real property, including all improvements thereon and appurtenances thereto, located at Lots 23 & 24 Moon Lake Estates (Blk 159), New Port Richey, FL (Lake Drive), which is legally described as follows:

Lots 23 and 24, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-0230;

- 8) The real property, including all improvements thereon and appurtenances thereto, located at Lots 25 & 26 Moon Lake Estates (Blk 159), New Port Richey, FL (Poplar Street), which is legally described as follows:

Lots 25 and 26, Block 159, MOON LAKE ESTATES, UNIT TEN, according to map or plat thereof as recorded in Plat Book 5 Pages 128, 129, 130 and 131 of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-15900-250;

- 9) The real property, including all improvements thereon and appurtenances thereto, located at Lots 26 thru 32 Moon Lake Estates (Blk 230), New Port Richey, FL (Spare Drive), which is legally described as follows:

Lots 26, 27, 28, 29, 30, 31 and 32, Block 230, Moon Lake Estates, Unit Fourteen, according to the plat thereof as recorded in Plat Book 6, Page(s) 22 through 25, of the Public Records of Pasco County, Florida.

Parcel Identification Number: 21-25-17-0140-23000-0260;

- 10) The real property, including all improvements thereon and appurtenances thereto, located at Lots 50 & 51 Moon Lake Estates (Blk 228), New Port Richey, FL (Spare Drive), which is legally described as follows:

Lots 50 and 51, Block 228, Moon Lake Estates, Unit Fourteen, according to the plat thereof as recorded in Plat Book 6, Page(s) 22 through 25, of the Public Records of Pasco County, Florida.

Parcel Identification Number: 21-25-17-0140-22800-0500;

- 11) The real property, including all improvements thereon and appurtenances thereto, located at Lots 52 & 53 Moon Lake Estates (Blk 228), New Port Richey, FL (Spare Drive), which is legally described as follows:

Lots 52 and 53, Block 228, Moon Lake Estates, Unit Fourteen, together with the land lying between the lot lines as extended to the waters of Lake Spare, according to the plat thereof as recorded in Plat Book 6, Page(s) 22 through 25, of the Public Records of Pasco County, Florida.

Parcel Identification Number: 21-25-17-0140-22800-0520;

- 12) The real property, including all improvements thereon and appurtenances thereto, located at 10302 Poplar Street, New Port Richey, FL 34654, which is legally described as follows:

Tract 359 of the Unrecorded Plat of Moon Lake Estates of Section 16, Township 25 South, Range 17 East, Pasco County, Florida, being more fully described as follows:

Commence at the Northwest corner of Lot 7, Block 160, Moon Lake Estates, Unit 10, according to the map or plat thereof as recorded in Plat Book 5, Page(s) 128 through 131, of the Public Records of Pasco County, Florida, as a Point of Beginning; thence run South 82°22'20" East, 110.00 feet; thence North 7°37'40" East, 105.0 feet; thence South 82°22'20" East, 110.0 feet; thence North 7°37'40" East, 315 feet; thence North 82°22'20" West, 220.0 feet; thence South 7° 37' 40" West, 420.0 feet to the Point of Beginning.

Parcel Identification Number: 16-25-17-0020-00000-3590;

- 13) The real property, including all improvements thereon and appurtenances thereto, located at Lots 37 & 38 Moon Lake Estates (Blk 137), New Port Richey, FL, which is legally described as follows:

Lots 37 and 38, Block 137, MOON LAKE ESTATES, UNIT NINE, according to the plat thereof as recorded in Plat Book 4, Pages 101nd 102, of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0090-13700-0370;

- 14) The real property, including all improvements thereon and appurtenances thereto, located at Lots 1 & 2 Moon Lake Estates (Blk 160), New Port Richey, FL, which is legally described as follows:

Lots 1 and 2, Block 160, MOON LAKE ESTATES, UNIT TEN, according to the plat thereof as recorded in Plat Book 5, Pages 128 and 131, of the Public Records of Pasco County, Florida.

Parcel Identification Number: 16-25-17-0100-16000-0010;

- 15) 21 acres of real property known as Block 60000, Parcel 7, Chalk Sound, Norway & Five Cays, Providenciales, Turks & Caicos Islands, British West Indies;
- 16) 85 Wrestwood Road, Flat 1, Bexhill on Sea, East Sussex, United Kingdom TN402LP;

c. Bank Accounts

- 1) Bank of America Account No. 11580125, held in the name of International Escrow Enterprises Inc.;
- 2) Bank of America Account No. 11580141, held in the name of International Escrow Enterprises Inc.;
- 3) SunTrust Bank Account No. 0908007021976, held in the name of Paul Gunter;
- 4) SunTrust Bank Account No. 1000026485648, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Operating Account;
- 5) SunTrust Bank Account No. 1000026485655, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Escrow 1;
- 6) SunTrust Bank Account No. 1000031661332, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mundus 1;
- 7) SunTrust Bank Account No. 1000031661340, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 2;
- 8) SunTrust Bank Account No. 1000031661357, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 3;
- 9) SunTrust Bank Account No. 1000031661365, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 4;
- 10) SunTrust Bank Account No. 1000031661373, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 5;
- 11) SunTrust Bank Account No. 1000057968017, held in the name of Equinox Escrow Inc. Equinox 2;
- 12) SunTrust Bank Account No. 1000057968082, held in the name of Equinox Escrow Inc. Operating Account;

- 13) SunTrust Bank Account No. 1000057968090, held in the name of Equinox Escrow Inc. Equinox 1;
- 14) SunTrust Bank Account No. 1000063101850, held in the name of Treasury Management and Services;
- 15) SunTrust Bank Account No. 1000048461916, held in the name of Tarpon Escrow Enterprises Inc. Operating Account;
- 16) SunTrust Bank Account No. 1000048461932, held in the name of Tarpon Escrow Enterprises Inc. Escrow 1;
- 17) SunTrust Bank Account No. 1000048461940, held in the name of Tarpon Escrow Enterprises Inc. Transglobal Company;
- 18) SunTrust Bank Account No. 1000048462013, held in the name of Tarpon Escrow Enterprises Inc. Transglobal 5;
- 19) SunTrust Bank Account No. 1000048058175, held in the name of Zibiah J. Gunter;
- 20) SunTrust Bank Account No. 1000057968017, held in the name of Equinox Administration Inc. Equinox 2;
- 21) SunTrust Bank Account No. 1000057968082, held in the name of Equinox Administration Inc. Operating Account;
- 22) SunTrust Bank Account No. 100005139538, held in the name of Zibiah Gunter;
- 23) SunTrust Bank Account No. 1000053056734, held in the name of Crown Escrow Services Inc. Operating;
- 24) SunTrust Bank Account No. 1000053056759, held in the name of Crown Escrow Services Inc. Escrow 1;
- 25) SunTrust Bank Account No. 1000048462336, held in the name of Sean C. McCart;
- 26) Wachovia Bank Account No. 2000027145043, held in the name of International Escrow Enterprises Inc. Administration;

- 27) Wachovia Bank Account No. 2000027145056, held in the name of International Escrow Enterprises Inc. Escrow I;
- 28) Washington Mutual Bank Account No. 0181-0000042243-4, held in the name of Equinox Escrow Inc. "Escrow 3;"
- 29) Washington Mutual Bank Account No. 0181-0000042244-2, held in the name of Equinox Escrow Inc. "Escrow 2;"
- 30) Washington Mutual Bank Account No. 0181-0000042245-0, held in the name of Equinox Escrow Inc. "Escrow 1;"
- 31) Washington Mutual Bank Account No. 0181-0000042246-8, held in the name of Equinox Escrow Inc. Operating Account;
- 32) Washington Mutual Bank Account No. 0188-0000209955-0, held in the name of Equinox Escrow Inc. "Escrow 4;"
- 33) Washington Mutual Bank Account No. 0188-0000209956-8, held in the name of Equinox Escrow Inc. "Escrow 5;"
- 34) Washington Mutual Bank Account No. 0188-0000209957-6, held in the name of Equinox Escrow Inc. "Escrow 6;"
- 35) Washington Mutual Bank Account No. 0309-0000192764-7, held in the name of Hometown Properties of Florida Development, Inc.;
- 36) Washington Mutual Bank Account No. 0309-0000192765-5, held in the name of Hometown Properties of Suncoast Inc.;
- 37) Washington Mutual Bank Account No. 0313-0000135378-6, held in the name of Paul R. Gunter;
- 38) Washington Mutual Bank Account No. 0188-0000209959-2, held in the name of Turquoise Development Company;

- 39) Bank of Cyprus Account No. 01554056899206, held in the name of Suncoast Management LTD and/or Paul Gunter;
- 40) Credit Suisse Bank Account No. 0835-961472-6, Switzerland, held in the name of Coralmar Ltd;
- 41) Caja De Ahorros Y Pensiones de Barcelona Bank (a/k/a La Caixa Bank), Account Number ES 62 2100 3038 1822 0053 2357, held in the name of Paul Gunter;
- 42) Caja De Ahorros Y Pensiones de Barcelona Bank (a/k/a La Caixa Bank), Account Number ES 66 2100 2878 6002 0068 4162, held in the name of Lightport Business Services SL;
- 43) Funds in the amount of \$275,000.00 on deposit in National Westminster Bank PLC, United Kingdom, Sort/Bank Account No. 601010/85664006, held in the name of Law Partners Solicitors;
- 44) Nationwide Building Society Bank Account Number GB20NAIA07011645385495, held in the name of C. M. Hitchings a/k/a C. Groom;
- 45) Bank of Cyprus Account Number 01554049176048, held in the in the name of Yes Investments Ltd.;
- 46) Caixa D'Estalvis I Pensions de Barcelona in Spain Account Number 21002878600200684162, held in the name of Lightport Business Services SL;
- 47) Caja de Ahorros y Pensiones in Spain Account Number 21003038182200532357 in the name of Paul Gunter;
- 48) Banco Cuscatlan de Costa Rica Account Number 36017429, held in the name of Paola A. Barba Barba;

d. Aircraft

One 1968 Beech King Aircraft, Model B-90, fixed wing multi-engine turbo-prop; FAA Tail No. N9426; Serial No. LJ421;

e. Vehicles

- 1) One 2006 Nissan 350Z
Vehicle Identification No. JN1AZ36AX6M456667
Registered Owner: Zibiah Joy Gunter;
- 2) One 2006 Lexus ES 350
Vehicle Identification No. JTHBJ46G272006798
Registered Owner: Paul Gunter;
- 3) One 2006 Nissan Titan Pick-up Truck
Vehicle Identification No. 1N6BA06A56N507071
Registered Owner: Home Town Properties of Florida
Development, Inc.;
- 4) One 2007 Gray Hyundai Tucson GLS
Vehicle Identification No. KM8JM12B27U557116
Registered Owner: Paul Gunter;
- 5) One 2005 Gray Nissan Frontier Pick-up Truck
Vehicle Identification No.: 1N6AD07UX5C454096
Registered Owner: Home Town Properties Suncoast, Inc.;
- 6) 1973 Ferrari 365GTB/4 Daytona Spider Coupe
Vehicle Identification No. 365GTB4/A16761
Registered Owner: Simon Andrew Odoni or Nicholas John
Parrington;

f. Vessels

- 1) One 1990 55-foot Ocean Sports Fisherman,
Hull Identification No. XYU16555G990,
named "No Slack;"
- 2) One 38-foot Viking Sports Fisherman,
Hull Identification No. VKY41720M84A,
named "Ocean Roller;"

g. Currency

- 1) Funds in the amount of \$39,965.00 in U.S. currency seized
from Island Capital Management, LLC; and

- 2) \$39,887.37 being held by Island Capital Management, LLC (dba: Island Stock Transfer) on behalf of Poseidon International Corporation.

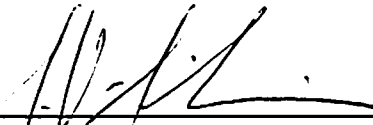
5. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or 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 of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title


28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b)(1).

A TRUE BILL,



Foreperson

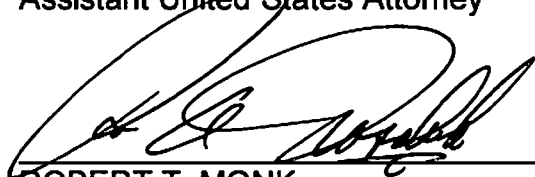
A. BRIAN ALBRITTON
United States Attorney

By: 

RACHELLE DESVAUX BEDKE
Assistant United States Attorney

By: 

LAUREL F. MOORE
Assistant United States Attorney

By: 

ROBERT T. MONK
Assistant United States Attorney
Deputy Chief, Economic Crimes Section

FORM OBD-34
APR 1991

No. 8:08-CR-172-T-26EAJ

UNITED STATES DISTRICT COURT

Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

PAUL ROBERT GUNTER,
a/k/a Paul Baxter,
ZIBIAH JOY GUNTER,
LAWRENCE S. HARTMAN,
a/k/a Larry Hartman
a/k/a Larry Hart,
a/k/a Lawrence Scott Hartman-Grosser,
RICHARD SINCLAIR POPE,
SIMON ANDREW ODONI,
ROGER LEE SHOSS,
and
NICOLETTE LOISEL

SUPERSEDING INDICTMENT

Violations:

- 18 U.S.C. § 1349
- 18 U.S.C. § 1956(h)
- 18 U.S.C. § 1957
- 18 U.S.C. § 1341
- 18 U.S.C. § 1343
- 18 U.S.C. § 2

A true bill,



Foreperson

Filed in open court this 10th day of March, A.D. 2009.

Clerk

Bail \$ _____