CJK/2009R01023

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No.
	:	
	:	18 U.S.C. §§ 1343 & 2, and
v.	:	28 U.S.C. § 2461(c)
	:	
	:	INFORMATION
DAVID FINDEL	:	
	:	

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

BACKGROUND

A. Defendant and Lender One

1. At all times relevant to this Information:

a. Defendant DAVID FINDEL was a resident of Monmouth County, New Jersey, and was the President and Chief Executive Officer of Worldwide Financial Resources, a New Jersey corporation with offices in Morganville, New Jersey.

b. "Lender One" was a financial institution incorporated outside the District of New Jersey. As described below, Lender One operated a "mortgage purchase facility," which purchased numerous mortgage loans from Worldwide Financial Resources.

B. **Worldwide Financial Resources**

2. At all times relevant to this Information:

a. Worldwide Financial Resources ("Worldwide") was in the business of originating residential home loans. Specifically, Worldwide worked with borrowers to prepare mortgage applications and qualify the borrowers for home mortgages. Worldwide would then "sell" and "re-sell" each mortgage loan that it originated in two steps. First, Worldwide would sell the mortgage loan to a "mortgage purchase facility." In exchange for a fee, the mortgage purchase facility would agree to buy the mortgage loan from Worldwide, and fund the original mortgage, on a short-term basis. Typically, the mortgage purchase facility would hold the mortgage loan for less than thirty days, after which time Worldwide would buy back the loan from the mortgage purchase facility and "re-sell" the loan to a lender in the secondary mortgage marketplace.

b. Worldwide would repeat this process of originating a mortgage loan, selling the loan to a mortgage purchase facility, and then buying back and re-selling the loan to a third-party lender for each of its residential mortgage applicants. Worldwide earned fees on both the origination and re-sale of each home mortgage. Using this business model, Worldwide was able to originate, sell, and re-sell residential home mortgages valued at approximately $90 million each month.

THE SCHEME TO DEFRAUD

3. From at least as early as in or about 2008, through in or September 2009, in Monmouth County, in the District of New Jersey and elsewhere, defendant

DAVID FINDEL

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Lender One and others and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below.

4. It was part of the scheme to defraud that after Worldwide had originated a mortgage loan for a particular property and sold the loan to a mortgage purchase facility, defendant DAVID FINDEL would then fraudulently create a second set of loan documents for the same property.

5. It was further part of the scheme to defraud that, using this second set of fraudulent loan documents, defendant DAVID FINDEL would then "sell" the fictitious mortgage to Lender One or another financial institution, even though the actual mortgage loan for the property already had been sold.

6. It was further part of the scheme to defraud that the funds fraudulently obtained from Lender One or another financial institution on the basis of the second, sham loan package would not be used to fund an actual mortgage, but instead, would be converted by defendant DAVID FINDEL to his own personal use and for the use of Worldwide.

7. It was further part of the scheme to defraud that, as a result of these fraudulent mortgage sales, defendant DAVID FINDEL received from Lender One and others more than $11 million in illicit proceeds which were used by defendant DAVID FINDEL, in part, to maintain his lavish lifestyle, including his multi-million dollar private residence, exotic travel, and exclusive corporate seating at a major New Jersey professional sports arena.

8. On or about July 14, 2009, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, in the District of New Jersey and elsewhere, defendant

DAVID FINDEL

did cause to be transmitted in interstate commerce writings, signs, signals, and sounds, that is, he caused a set of fraudulent loan documents to be sent via e-mail from Worldwide Financial Resources in New Jersey to Lender One in Texas.

In violation of Title 18, United States Code, Section 1343 and Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in paragraphs 1 through 8 of Count One of this Information are realleged and incorporated as though set forth in full herein for the purpose of noticing forfeitures pursuant to Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), upon conviction of the offense set forth in Count One of this Information, the defendant shall forfeit to the United States any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, alleged in Count One of this Information.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

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 subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendant up to the value of the property described above in paragraph 2 pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

DAVID FINDEL

INFORMATION FOR

18 U.S.C. §§ 1343 and 2, and
28 U.S.C. § 2461(c)

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