

AO 257 (Rev. 6/78)

Filing

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

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

See Attachment

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

FILED
MAR 16 2012
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT - U.S.

BALVINDER SINGH CHADHA

DISTRICT COURT NUMBER

CR12-00182 PJH

PROCEEDING

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

USPS Office of Inspector General and HSI

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

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

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

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

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) ANDREW S. HUANG, AUSA

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

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

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

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

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

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

Defendant Address: _____

Date/Time: _____ Before Judge: _____

Comments:

United States v. Balvinder Singh Chadha
PENALTY SHEET ATTACHMENT

Maximum Penalties for Count One (18 U.S.C. § 1343 – Wire Fraud):

- (1) 20 years imprisonment;
- (2) Fine of \$250,000 or twice the gross pecuniary gain or twice the gross pecuniary loss, whichever is greater, resulting from the offense;
- (3) 3 years of supervised release;
- (4) \$100 mandatory special assessment;
- (5) Restitution; and
- (6) Forfeiture

Maximum Penalties for Count Two (18 U.S.C. § 371 – Conspiracy):

- (1) 5 years imprisonment;
- (2) Fine of \$250,000 or twice the gross pecuniary gain or twice the gross pecuniary loss, whichever is greater, resulting from the offense;
- (3) 3 years of supervised release;
- (4) \$100 mandatory special assessment; and
- (5) Restitution

E-filing

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NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

FILED MAR 16 2012

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

DEFENDANT - U.S.

JASPINDER KAUR CHADHA

DISTRICT COURT NUMBER

CR12-00182 PJH

PROCEEDING

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

USPS Office of Inspector General and HSI

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

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

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

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Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

ANDREW S. HUANG, AUSA

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

IS IN CUSTODY

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

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

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

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

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

Defendant Address:

Date/Time: Before Judge:

Comments:

United States v. Jaspinder Kaur Chadha
PENALTY SHEET ATTACHMENT

Maximum Penalties for Count Two (18 U.S.C. § 371 – Conspiracy):

- (1) 5 years imprisonment;
- (2) Fine of \$250,000 or twice the gross pecuniary gain or twice the gross pecuniary loss, whichever is greater, resulting from the offense;
- (3) 3 years of supervised release;
- (4) \$100 mandatory special assessment; and
- (5) Restitution

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

E-filing

FILED

MAR 16 2012

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

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

PJH

11
12 UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 v.)

15 BALVINDER SINGH CHADHA, and)
16 JASPINDER KAUR CHADHA,)

17 Defendants.)
18

No.

CR12-00182

VIOLATIONS: 18 U.S.C. § 1343 – Wire
Fraud; 18 U.S.C. § 371 – Conspiracy; and
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. §
2461(c) – Forfeiture Allegation

OAKLAND VENUE

19
20 INFORMATION

21 The United States Attorney charges:

22 INTRODUCTORY ALLEGATIONS

23 At all times pertinent to this Information:

24 1. The United States Postal Service (“USPS”) employed BALVINDER SINGH
25 CHADHA as Manager of Postal Vehicle Service (“PVS”) Operations, USPS Bay Valley
26 District, in Oakland, California.

27 2. BALVINDER SINGH CHADHA and JASPINDER KAUR CHADHA were
28 married to one another.

INFORMATION

1 3. As Manager of PVS Operations, BALVINDER SINGH CHADHA had
2 responsibility for managing contracts with outside vendors and knew that he was ethically
3 prohibited from participating in USPS contracts in which he or his spouse had a financial
4 interest.

5 4. From in or about July 2005 through in or about August 2009, BALVINDER
6 SINGH CHADHA and JASPINDER KAUR CHADHA and others invested in and operated a
7 trucking business known as Golden Pacific Logistics, Inc. ("GPL"), which was incorporated in
8 the State of California in July 2005 and created for the purpose of obtaining truck leasing
9 contracts with USPS, specifically, contracts that would serve BALVINDER SINGH CHADHA's
10 PVS Operations.

11 5. BALVINDER SINGH CHADHA, with JASPINDER KAUR CHADHA's
12 knowledge, made an initial investment in GPL using their joint funds and recruited other GPL
13 investors.

14 6. In or about July 2005, BALVINDER SINGH CHADHA requested a USPS
15 contract to lease trucks for his PVS Operations. Despite his financial stake in GPL and ethical
16 rules to the contrary, BALVINDER SINGH CHADHA nominated GPL as a vendor for the
17 contract requested.

18 7. In August 2005, USPS awarded Contract No. 1DVPLE-05-B-3026 to GPL for
19 leasing trucks to USPS for BALVINDER SINGH CHADHA's PVS Operations. The contract
20 authorized USPS to pay GPL for the number of trucks leased and for the mileage incurred.
21 USPS subsequently modified the contract at least eighteen (18) times to extend the time period
22 for performance of the contract and/or increase the number of trucks authorized for leasing.

23 THE SCHEME TO DEFRAUD

24 8. From in or about July 2005 through in or about August 2009, in the Northern
25 District of California and elsewhere, defendant BALVINDER SINGH CHADHA and others
26 carried out a scheme to defraud using the following methods and means:

27 ///

28 ///

1 a. As part of the scheme to defraud, BALVINDER SINGH CHADHA
2 prepared and submitted and directed others to prepare and submit invoices to USPS that
3 he knew to be fraudulent. That is, he knew that the GPL invoices overstated the number
4 of trucks leased and the mileage incurred by the leased trucks and claimed servicing and
5 maintenance costs not authorized for reimbursement under GPL's contract.

6 b. As a further part of the scheme to defraud, BALVINDER SINGH
7 CHADHA, in his official capacity as Manager of PVS Operations, certified that USPS
8 received the goods and services specified on the fraudulent invoices, and submitted the
9 fraudulent invoices to USPS personnel for further approvals and payment.

10 c. As a further part of the scheme to defraud, BALVINDER SINGH
11 CHADHA prepared and submitted, directed others to prepare and submit, and, in his
12 official capacity as Manager of PVS Operations, approved GPL invoices for payment of
13 servicing and maintenance costs that were not authorized for reimbursement under the
14 terms of Contract No. 1DVPLE-05-B-3026 and its subsequent modifications.

15 9. From in or about July 2005 through in or about August 2005, to carry out the
16 scheme to defraud, BALVINDER SINGH CHADHA used his position and the knowledge he
17 gained about USPS as Manager of PVS Operations to serve as the *de facto* head and principal
18 operator of GPL.

19 10. Between August 2005 and August 2009, GPL received from USPS gross
20 payments of approximately \$6,434,469.19 on Contract No. 1DVPLE-05-B-3026 and its
21 subsequent modifications. As GPL investors, defendants BALVINDER SINGH CHADHA and
22 JASPINDER KAUR CHADHA received a portion of these payments.

23 11. Of the approximately \$6,434,469.19 received by GPL, GPL billed USPS at least
24 \$4,432,156.82 in total for trucks that were never leased to USPS, mileage that was never
25 incurred by USPS, and servicing and maintenance costs that were not authorized for
26 reimbursement under GPL's contract with USPS.

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

2 12. Paragraphs 1 through 11 above are realleged and by this reference fully
3 incorporated herein.

4 13. From in or about July 2005 through in or about August 2009, in the Northern
5 District of California and elsewhere, the defendant,

6 BALVINDER SINGH CHADHA,

7 did knowingly devise, and intend to devise, a scheme and artifice to defraud the USPS and to
8 obtain money, and property by means of materially false and fraudulent pretenses,
9 representations, and promises, and, for the purpose of executing such scheme and artifice to
10 defraud, did transmit, and cause to be transmitted, by means of wire communication in interstate
11 commerce, certain writings, signs, and signals, specifically, defendant BALVINDER SINGH
12 CHADHA sent an e-mail message on or about June 17, 2009 from his Oakland, California,
13 office to Purchasing Specialist Lorraine M. D'Alessandro at an USPS facility in Philadelphia,
14 Pennsylvania, to request a modification to extend Contract No. 1DVPLE-05-B-3026.

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

16
17 COUNT TWO: (18 U.S.C. § 371 – Conspiracy)

18 14. Paragraphs 1 through 11 above are realleged and by this reference fully
19 incorporated herein.

20 15. Beginning in or about July 2005 and continuing until in or about August 2009, in
21 the Northern District of California and elsewhere, the defendants,

22 BALVINDER SINGH CHADHA, and
23 JASPINDER KAUR CHADHA,

24 did knowingly conspire and agree with one another and other persons to commit offenses against
25 the United States, namely, willfully committing acts affecting the personal financial interest of
26 BALVINDER SINGH CHADHA, in violation of 18 U.S.C. §§ 208 and 216(a)(2).

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1 MANNER AND MEANS OF THE CONSPIRACY

2 16. It was part of the conspiracy that defendants BALVINDER SINGH CHADHA
3 and JASPINDER KAUR CHADHA and others concealed BALVINDER SINGH CHADHA and
4 JASPINDER KAUR CHADHA's financial interest and participation in the operation of GPL by
5 using false, fictitious, and substitute names instead of BALVINDER SINGH CHADHA's on
6 GPL corporate and financial documents.

7 17. It was further part of the conspiracy that defendants BALVINDER SINGH
8 CHADHA and JASPINDER KAUR CHADHA and others directed GPL business partners,
9 investors, and employees to conceal BALVINDER SINGH CHADHA's participation in GPL
10 and omit mention of BALVINDER SINGH CHADHA when discussing GPL with others.

11 18. It was further part of the conspiracy that defendants BALVINDER SINGH
12 CHADHA and JASPINDER KAUR CHADHA and others directed GPL associates and
13 employees to create the appearance that BALVINDER SINGH CHADHA and GPL were
14 engaged in an arm's length business relationship.

15 OVERT ACTS

16 19. In furtherance of the conspiracy, and to effect the objects thereof, defendants
17 BALVINDER SINGH CHADHA and JASPINDER KAUR CHADHA and others committed the
18 following overt acts in the Northern District of California, and elsewhere:

19 a. In or about May 2006, BALVINDER SINGH CHADHA and others
20 caused a Statement of Information for GPL to be filed with the State of California that
21 omitted mention of BALVINDER SINGH CHADHA and instead listed BALVINDER
22 SINGH CHADHA's sister as a GPL corporate officer and director even though she had
23 no role in the operation of GPL and even though BALVINDER SINGH CHADHA
24 served as the *de facto* head of GPL.

25 b. BALVINDER SINGH CHADHA caused his and JASPINDER KAUR
26 CHADHA's shares of GPL proceeds to be disbursed in the name of BALVINDER
27 SINGH CHADHA's sister, including the following payments using a Wells Fargo Bank
28 account with account number ending in "9414":

- 1 (i) Check number 517 for \$2,500.00, dated June 30, 2006.
- 2 (ii) Check number 576 for \$4,689.16, dated September 22, 2007.

3 c. In or about May 2008, BALVINDER SINGH CHADHA and
4 JASPINDER KAUR CHADHA and others met with GPL's newly hired office manager
5 and instructed her not to discuss or mention BALVINDER SINGH CHADHA's
6 involvement with GPL.

7 d. For the purpose of creating the appearance that GPL and BALVINDER
8 SINGH CHADHA were transacting business at arm's length, BALVINDER SINGH
9 CHADHA and JASPINDER KAUR CHADHA instructed GPL's office manager on how
10 to prepare GPL invoices and directed her to use GPL's e-mail account to formally submit
11 invoices to USPS via BALVINDER SINGH CHADHA's official USPS e-mail account.
12 As a result of this instruction, invoices were e-mailed to BALVINDER SINGH
13 CHADHA's official USPS e-mail account, including the following instances:

- 14 (i) On or about August 4, 2009, submitting ten (10) invoices for truck
15 leasing and mileage.
- 16 (ii) On or about August 11, 2009, submitting five (5) invoices for
17 servicing and maintenance costs.

18 All in violation of Title 18, United States Code, Section 371.

19
20

21 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
Criminal Forfeiture)

22 20. Paragraphs 1 through 13 above are realleged and by this reference fully
23 incorporated herein for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C)
24 and 28 U.S.C. § 2461(c).

25 21. Upon conviction on Count One of this Information, defendant,
26
27 shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c),
28 any property, real or personal that constitutes, or is derived from or is traceable to the proceeds

1 obtained directly or indirectly from the commission of the offense of conviction.

2 22. If any of the property described above, as a result of any act or omission of the
3 defendant:

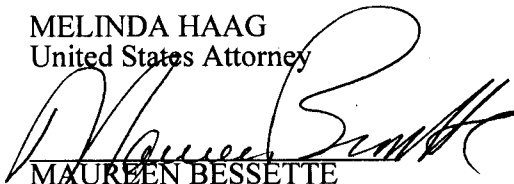
- 4 a. cannot be located upon the exercise of due diligence;
- 5 b. has been transferred or sold to, or deposited with, a third party;
- 6 c. has been placed beyond the jurisdiction of the court;
- 7 d. has been substantially diminished in value; or
- 8 e. has been commingled with other property which cannot be divided
9 without difficulty,

10 the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C.
11 § 853(p), as incorporated by 28 U.S.C. § 2461(c).

12 All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United
13 States Code, Section 2461(c).

14
15 DATED: 3/16/2012

MELINDA HAAG
United States Attorney


17
18 MAUREEN BESSETTE
Chief, Oakland Branch

19
20 (Approved as to form: 
AUSA Huang