

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **11-20483CR-MARTINE**

~~18 U.S.C. § 1345~~
18 U.S.C. § 1344
18 U.S.C. § 1343
18 U.S.C. § 2
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(2)(A)

McALILEY

Sealed

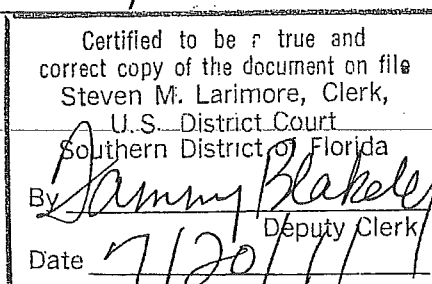
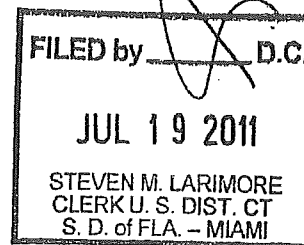
SCANNED

UNITED STATES OF AMERICA

vs.

LUIS A. ORAMAS,
KESKEA HERNANDEZ-FREI,
 a/k/a "Kris,"
 a/k/a "Keskea Hernandez,"
MARIELA HERNANDEZ,
 a/k/a "Mariela Herrera,"
ELAYNE GUTIERREZ,
ANA TAVERAS,
 a/k/a "Yosi,"
 a/k/a "Yosi Sanchez,"
JOAQUIN GOMEZ,
MANUEL VALDES,
YUDITH PADILLA,
IVAN PADILLA,
MARTHA FERNANDEZ,
 a/k/a "Martha Ramos,"
MARIBEL DIARTH,
CARLOS SANCHEZ,
IVETT LORENZO,
GUILLERMO RIVERO,
NAPOLEON CADALZO,
HISAMARA ESPONDA, and
RAFAEL BONNE,

Defendants.



3/11

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At various times relevant to this Indictment:

1. First Franklin Financial Corp. ("First Franklin") was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the Federal Deposit Insurance Corporation ("FDIC").
2. Washington Mutual Bank ("WAMU") was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.
3. Wells Fargo Bank ("Wells Fargo") was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.
4. National City Bank ("National City") was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.
5. IndyMac Bank F.S.B. ("Indy Mac") was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.
6. Freemont Investment and Loan was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

7. Peoples Choice Home Loan, Inc. was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

8. Axiom Financial Services was a Texas corporation doing business as a mortgage lender throughout the United States, including in the State of Florida. Accredited Home Lenders, Inc. was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida, and was a related entity to Axiom Financial Services.

9. America's Wholesale Lender was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

10. Countrywide Home Loans, Inc. was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

11. Impact Funding Corporation was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

12. WMC Mortgage Corporation was a New York corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

13. American Broker's Conduit was a Texas corporation doing business as a mortgage lender throughout the United States, including in the State of Florida. American Home Mortgage was a New York corporation doing business as a mortgage lender throughout the United States, including in the State of Florida, and was a related entity to American Broker's Conduit.

14. Aegis Funding Corporation was a Texas corporation doing business as a mortgage lender throughout the United States, including in the State of Florida. Aegis Mortgage Corporation was a Texas corporation doing business as a mortgage lender throughout the United States, including in the State of Florida, and was a related entity to Aegis Funding Corporation.

15. Mortgage Lender's Network was a Georgia corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

16. Master Financial, Inc. was a California corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

17. Pinnacle Financial Corporation was a Florida corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

18. Nationstar Mortgage LLC was a Texas corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

19. GB Home Equity LLC was a Wisconsin corporation doing business as a mortgage lender throughout the United States, including in the State of Florida.

20. The term "lenders" refers collectively to the mortgage lenders set forth in the preceding paragraphs 1 through 19 each of which extended mortgage and home equity line of credit ("HELOC") loans and disbursed mortgage and HELOC loan proceeds to fund the financing of residential properties in the State of Florida.

21. Kasa Mortgage was a mortgage brokerage company in the State of Florida, incorporated on or about December 3, 2004, with its principal places of business listed as: 5384 SW 186 Way, Miramar, FL 33029; and 4960 SW 72 Ave, # 211, Miami, FL 33155.

22. New Line Realty was a realty company in the State of Florida, incorporated on or about December 5, 2003, with its principal places of business listed as: 3785 NW 82 Ave, Suite 200, Miami, FL, 33166; 5384 SW 186 Way, Miramar, FL 33029; and 4960 SW 72 Ave, # 211, Miami, FL 33155.

23. A+ Title Service Corp. ("A+ Title") was a title company in the State of Florida,

incorporated on or about July 3, 2003, with its principal place of business listed in the Southern District of Florida.

24. CL Wholesale Auto Solutions was a Florida Corporation, incorporated on or about May 2, 2005, with its principal place of business listed as 12415 SW 10 Street, Miami, FL 33184.

25. Alianza Investment Corp., a/k/a "Alliance Investment Corp.," was a Florida Corporation, incorporated on or about February 5, 2007, with its principal place of business listed as 11030 SW 44 Street, Miami, FL, 33165.

26. Pro Lux Beauty Supply Inc. was a Florida Corporation, incorporated on or about August 25, 2004, with its principal places of business listed as: 60 East 64 Street, Hialeah, FL 33013; and 9160 NW 122 Street # 24, Hialeah, FL 33015.

27. B&B Auto Collision Inc. was a Florida Corporation, incorporated on or about July 7, 2004, with its principal places of business listed as: 2267 West 69 Street, Unit A, Hialeah, FL 33076; and 4615 East 10 Ave, Hialeah, FL 33013.

28. The Law Office of O.M. was a registered entity with the State of Florida, registered on or about June 21, 2004, with its principal place of business listed in the Southern District of Florida.

29. Blue Coast Title Services was a title company in the State of Florida, incorporated on or about July 28, 2006, with its principal places of business listed as: 347 NE 11 Drive, Homestead, FL; and 5001 SW 74 Court, Suite 202, Miami, FL.

30. Ishmett Nazario, an individual who resided in Miami-Dade County, Florida, was a closing agent. Nazario worked at The Law Office of O.M. and was the owner and operator of Blue Coast Title Services. Nazario conducted real estate closings through and on behalf of The Law

Office of O.M. and Blue Coast Title Services. Nazario was also the seller of 186 SE 12 Terrace #2006, Miami, FL 33131.

31. Defendant **LUIS A. ORAMAS**, an individual who resided in Miami-Dade County, Florida, was the co-owner and operator of CL Wholesale Auto Solutions. **ORAMAS** also was the sole owner and operator Alianza Investment Corp., a/k/a "Alliance Investment Corp."

32. Defendant **KESKEA HERNANDEZ-FREI**, an individual who resided in Broward County, Florida, was a licensed real estate sales associate in the State of Florida. **HERNANDEZ-FREI** also was the sole owner and operator of Kasa Mortgage and President, Vice President, and Secretary of New Line Realty.

33. Defendant **MARIELA HERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was employed at Kasa Mortgage as a loan processor. **HERNANDEZ** also was a seller and mortgage applicant for 19390 Collins Ave. #1114, Miami Beach, FL 33160.

34. Defendant **ELAYNE GUTIERREZ**, an individual who resided in Miami-Dade County, Florida, was employed as a closing agent at A+ Title Service Corp. **GUTIERREZ** conducted real estate closings through and on behalf of A+ Title Service Corp.

35. Defendant **ANA TAVERAS**, an individual who resided in Miami-Dade County, Florida, was a licensed real estate sales associate in the State of Florida and was employed at New Line Realty. **TAVERAS** also was a mortgage applicant and seller for 1200 Brickell Bay Drive #1519, Miami, FL 33131.

36. Defendant **JOAQUIN GOMEZ**, an individual who resided in Miami-Dade County, Florida, was the owner and operator of Pro Lux Beauty Supply Inc.

37. Defendant **MANUEL VALDES**, an individual who resided in Miami-Dade County,

Florida, was a mortgage applicant for 650 West Ave. #2903, Miami Beach, FL 33139.

38. Defendant **YUDITH PADILLA**, an individual who resided in Miami-Dade County, Florida, was the co-owner and operator of B&B Auto Collision Inc. **YUDITH PADILLA** also was a mortgage applicant for 6365 Collins Ave. #1607, Miami Beach, FL 33141.

39. Defendant **IVAN PADILLA**, an individual who resided in Miami-Dade County, Florida, was the husband of **YUDITH PADILLA** and co-owner and operator of B&B Auto Collision Inc. **IVAN PADILLA** also was a mortgage applicant and seller for 1200 Brickell Bay Drive #3919, Miami, FL 33131.

40. Defendant **MARTHA FERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for 4775 Collins Ave. #1805, Miami Beach, FL 33139.

41. Defendant **MARIBEL DIARTH**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant and seller for the following properties: (a) 19390 Collins Ave. #1114, Miami Beach, FL 33160; (b) 1200 Brickell Bay Drive #1617, Miami, FL 33131; (c) 1200 Brickell Bay Drive #2219, Miami, FL 33131; and (d) 1200 Brickell Bay Drive #2120, Miami, FL 33131.

42. Defendant **CARLOS SANCHEZ**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for 1200 Brickell Bay Drive #2121, Miami FL 33131.

43. Defendant **IVETT LORENZO**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for 1250 S. Miami Ave. #2114, Miami, FL 33130.

44. Defendant **GUILLERMO RIVERO**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 1200 Brickell Bay Drive #3919, Miami, FL 33131; and (b) 1250 S. Miami Ave. #3604, Miami, FL 33130.

45. Defendant **NAPOLEON CADALZO**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 1200 Brickell Bay Drive #3919, Miami, FL 33131; and (b) 186 SE 12 Terrace #909, Miami, FL 33131.

46. Defendant **HISAMARA ESPONDA**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 650 West Ave. #2312, Miami Beach, FL 33139; and (b) 186 SE 12 Terrace #2006, Miami, FL 33131. **ESPONDA** also was a HELOC applicant for 186 SE 12 Terrace #2006, Miami, FL 33131.

47. Defendant **RAFAEL BONNE**, an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 1200 Brickell Bay Drive #1617, Miami, FL 33131; and (b) 186 SE 12 Terrace #1808, Miami, FL 33131. **BONNE** also was the seller for 5920 SW 112 Ct., Miami, FL 33173.

48. O.S., an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 3320 SW 104 Ave., Miami, FL 33165; (b) 5920 SW 112 Ct., Miami, FL 33173; and (c) 11645 SW 96 Terrace, Miami, FL 33176. O.S. was also a HELOC applicant for 11645 SW 96 Terrace, Miami, FL 33176.

49. J.F., an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 7520 SW 172 Street, Miami, FL 33157; and (b) 16801 SW 77 Ave., Miami, FL 33157.

50. N.V., an individual believed to have resided in Miami-Dade County, Florida, was a mortgage applicant for the following properties: (a) 1200 Brickell Bay Drive #2219, Miami, FL 33131; and (b) 1200 Brickell Bay Drive #2120, Miami, FL 33131.

51. J.H., an individual who resided in Miami-Dade County, Florida, was a mortgage

applicant for the following properties: (a) 1200 Brickell Bay Drive #1519, Miami, FL 33131; and (b) 16801 SW 77 Ave., Miami, FL 33157.

52. R.A., an individual who resided in Miami-Dade County, Florida, was a mortgage applicant and seller for 6381 SW 63 Ave., Miami, FL 33143.

53. R.R., an individual who resided in Miami-Dade County, Florida, was a mortgage applicant for 6381 SW 63 Ave., Miami, FL 33143.

54. G.V., an individual believed to have resided in Miami-Dade County, Florida, was a mortgage applicant and seller for 1200 Brickell Bay Drive #2121, Miami, FL 33131.

55. The term “closing” referred to the legal event at which the transfer of an interest in real estate from seller to buyer formally took place, as well as the point at which funds were transferred between the various parties, such as from the lending institution to the buyer or to the seller on the buyer’s behalf, which transfer was often accomplished by temporarily passing the funds through an intermediary referred to as a “closing agent,” or “title company.”

56. The term “home equity line of credit” (“HELOC”) refers to a loan in which the lender agrees to lend to the borrower a maximum amount of money within an agreed period, and the equity in the borrower’s property serves as collateral for the loan. The borrower is not advanced the entire sum of money up front, but uses a line of credit to borrow sums that total no more than the total amount of money authorized under the HELOC, similar to a credit card.

57. A HUD-1 Settlement Statement (“HUD-1 Statement”) was a standard form required to be executed for the closing of all real estate transactions. The HUD-1 Statement itemized all aspects of the closing for the lender, including any payments made by the borrower, money due to the seller, and any fees paid to third parties in connection with the closing.

58. "Cash-to-close" referred to the monetary obligations to be met by an individual, usually the buyer, in order for a closing on a particular real estate transaction to be completed.

59. The term "straw buyers" refers to individuals who, in exchange for fees and payments, allowed their identity and credit to be used in the purchase and financing of residential property. **MARIELA HERNANDEZ, ANA TAVERAS, MANUEL VALDES, YUDITH PADILLA, IVAN PADILLA, MARTHA FERNANDEZ, MARIBEL DIARTH, CARLOS SANCHEZ, IVETT LORENZO, GUILLERMO RIVERO, NAPOLEON CADALZO, HISAMARA ESPONDA, RAFAEL BONNE, O.S., J.F., N.V., J.H., R.R., R.A., and G.V.** acted as straw buyers ("the straw buyers").

COUNT 1
CONSPIRACY TO COMMIT BANK AND WIRE FRAUD
(18 U.S.C. § 1349)

1. Paragraphs 1 through 59 of the General Allegations section of this Indictment are re-alleged and fully incorporated herein by reference.

2. From in or around January 2006, through in or around April 2008, the exact dates being unknown to the Grand Jury, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

LUIS A. ORAMAS,
KESKEA HERNANDEZ-FREI,
a/k/a "Kris,"
a/k/a "Keskea Hernandez,"
MARIELA HERNANDEZ,
a/k/a "Mariela Herrera,"
ELAYNE GUTIERREZ,
ANA TAVERAS,
a/k/a "Yosi,"
a/k/a "Yosi Sanchez,"
JOAQUIN GOMEZ,
MANUEL VALDES,

**YUDITH PADILLA,
IVAN PADILLA,
MARTHA FERNANDEZ,
a/k/a "Martha Ramos,"
MARIBEL DIARTH,
CARLOS SANCHEZ,
IVETT LORENZO,
GUILLERMO RIVERO,
NAPOLEON CADALO,
HISAMARA ESPONDA, and
RAFAEL BONNE,**

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate, and agree together and with others known and unknown to the Grand Jury:

a) to knowingly and with intent to defraud, execute and cause the execution of a scheme and artifice to defraud a financial institution, which scheme and artifice would employ a material falsehood, and to knowingly and with intent to defraud, execute, and cause the execution of a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2); and

b) to knowingly and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and transmitting and causing to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures and sounds, for the purpose of executing the scheme and artifice, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by, among other things: (a) using straw buyers to purchase and finance residential properties in Miami-Dade County, Florida; (b) submitting false and fraudulent mortgage loan applications, closing documents and other related loan documents to financial and lending institutions, thereby inducing the financial and lending institutions to make mortgage and HELOC loans to straw buyers for the purchase and financing of the residential properties; (c) causing the financial and lending institutions to loan more money than they otherwise would have loaned by preparing, and submitting to them, false and fraudulent HUD-1 Statements which did not accurately reflect the money disbursed to the buyers and sellers; (d) concealing the fraudulent scheme by failing to record, and falsely recording, mortgage deeds and mortgage documentation with the State of Florida and by arranging to re-sell, or "flip," the properties to different straw buyers; and (e) diverting fraud proceeds for their personal use and benefit, and to further the fraud scheme.

MANNER AND MEANS OF CONSPIRACY

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

4. **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, and MANUEL VALDES**, as well as other co-conspirators, identified certain residential properties in Miami-Dade County, Florida, that could be used to defraud lenders which included, among others, the following properties:

(a) 19390 Collins Ave. #1114, Miami Beach, FL 33160;

- (b) 1200 Brickell Bay Drive #1617, Miami, FL 33131;
- (c) 1200 Brickell Bay Drive #2219, Miami, FL 33131;
- (d) 1200 Brickell Bay Drive #2120, Miami, FL 33131;
- (e) 1200 Brickell Bay Drive #1519, Miami, FL 33131;
- (f) 1200 Brickell Bay Drive #3919, Miami, FL 33131;
- (g) 3320 SW 104 Ave., Miami, FL 33165;
- (h) 5920 SW 112 Ct., Miami, FL 33173;
- (i) 11645 SW 96 Terrace, Miami, FL 33176;
- (j) 186 SE 12 Terrace #1808, Miami, FL 33131;
- (k) 6381 SW 63 Ave., Miami, FL 33143;
- (l) 1200 Brickell Bay Drive #2121, Miami, FL 33131;
- (m) 7520 SW 172 Street, Miami, FL 33157;
- (n) 16801 SW 77 Ave., Miami, FL 33157;
- (o) 186 SE 12 Terrace #909, Miami, FL 33131;
- (p) 1250 S. Miami Ave. #2114, Miami, FL 33130;
- (q) 1250 S. Miami Ave. #3604, Miami, FL 33130;
- (r) 650 West Ave. #2903, Miami Beach, FL 33139;
- (s) 650 West Ave. #2312, Miami Beach, FL 33139;
- (t) 4775 Collins Ave. #1805, Miami Beach, FL 33139;
- (u) 6365 Collins Ave. #1607, Miami Beach, FL 33141; and
- (v) 186 SE 12 Terrace #2006, Miami, FL 33131 (collectively, "the Properties")

5. **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, and MANUEL VALDES** recruited straw buyers, and directed and paid others to recruit straw buyers, to act as qualifying mortgage applicants in order to fraudulently purchase and finance the Properties. Among the individuals recruited to act as straw buyers were defendants and co-conspirators **YUDITH PADILLA, IVAN PADILLA, MARTHA FERNANDEZ, MARIBEL DIARTH, CARLOS SANCHEZ, IVETT LORENZO, GUILLERMO RIVERO, NAPOLEON CADALZO, HISAMARA ESPONDA, RAFAEL BONNE, O.S., J.F., N.V., J.H., R.R., R.A., and G.V.** In some instances, **HERNANDEZ, TAVERAS, and VALDES** also acted as straw buyers in order to fraudulently purchase and finance the Properties.

6. **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES, and** their co-conspirators prepared, and caused to be prepared, false and fraudulent mortgage and HELOC loan applications and other related documents on behalf of the straw buyers. The loan applications and related documents contained numerous false statements and representations relating to the borrowers' employment, income, deposits, assets, liabilities, other loan applications, intent to make the property a primary residence, and other information necessary for lenders to assess the buyers' qualifications to borrow money. In some instances, the loan applications and related documents contained numerous false statements and representations relating to the purchase price of the Properties. The false and fraudulent documents were used to induce the lenders to fund mortgage and HELOC loans to purchase and finance the Properties.

7. As part of the loan application process, **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES**, and their co-conspirators created, and caused to be created, false verifications of employment forms and fraudulent cash-to-close checks in order to further induce the lenders to approve the mortgage and HELOC loans. They also utilized, and caused to be utilized, other individuals, entities, and co-conspirators to pose as employers for the buyers of the Properties in order to further induce the lenders to approve the loans.

8. At the time of the closings, **ELAYNE GUTIERREZ**, Ishmett Nazario, and other co-conspirators created, and caused to be created, false and fraudulent HUD-1 Statements. The HUD-1 Statements falsely reflected that the cash-to-close for the loan was provided by the borrower, when in fact, the cash-to-close was not supplied or was supplied by **LUIS A. ORAMAS, MARIELA HERNANDEZ, MANUEL VALDES**, and other persons and entities at their direction. In some instances, **GUTIERREZ**, Nazario, and other co-conspirators created multiple HUD-1 Statements for the same transaction and submitted different HUD-1 Statements to the seller (the "seller HUD-1") and to the lender ("lender HUD-1"). The seller HUD-1 reflected the actual purchase price to be paid to the seller for the property, but fraudulently reflected a significantly smaller loan amount than was actually borrowed from the lender, so as not to raise the seller's suspicions as to the fraudulent nature of the transaction. The lender HUD-1 fraudulently reflected an inflated purchase price, and was intended to induce the lenders to fund the property loans at a significantly inflated value over the actual purchase price.

9. The lenders approved the mortgage and HELOC applications based on the false and fraudulent loan applications and HUD-1 Statements submitted. Once the applications were

approved, the lenders would wire the loan proceeds to **ELAYNE GUTIERREZ** and Ishmet Nazario in Miami, Florida, for distribution at the closings of the residential sale and HELOC transactions. Thereafter, **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES,** and their co-conspirators caused fraudulent payments and disbursements to be made from the mortgage and HELOC loan proceeds.

10. In and around the time of the closings, **ELAYNE GUTIERREZ** and Ishmet Nazario disbursed the loan proceeds to the sellers prior to and without receiving the cash-to-close payment from the buyers, contrary to the representations in the HUD-1 Statements. **GUTIERREZ** and Nazario disbursed loan proceeds to **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES,** and other co-conspirators, contrary to the representations in the HUD-1 Statements.

11. **ELAYNE GUTIERREZ, Ishmet Nazario,** and their co-conspirators failed to record, and falsely recorded, mortgage deeds and mortgage documentation with the State of Florida authorities in order to both conceal the fraud and conduct multiple mortgage loan closings on some of the Properties.

12. **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES,** and other co-conspirators made, and caused to be made, payments to the straw buyers for fraudulently obtaining the mortgage and HELOC loans. They also made, and caused to be made, mortgage payments on the Properties in order to conceal the fraudulent nature of the transactions until they sold the Properties to other straw buyers or the Properties fell into foreclosure. Ultimately, the co-conspirators stopped making

mortgage payments, causing the Properties to go into foreclosure and resulting in substantial losses to the lenders.

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

COUNTS 2-18
BANK FRAUD
(18 U.S.C. § 1344)

1. Paragraphs 1-41, 43-46, and 48-59 of the General Allegations section of this Indictment are re-alleged and incorporated fully herein by reference.

2. From in or around January 2006 through in or around April 2008, the exact dates being unknown to the Grand Jury, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

LUIS A. ORAMAS,
KESKEA HERNANDEZ-FREI,
a/k/a "Kris,"
a/k/a "Keskea Hernandez,"
MARIELA HERNANDEZ,
a/k/a "Mariela Herrera,"
ELAYNE GUTIERREZ,
ANA TAVERAS,
a/k/a "Yosi,"
a/k/a "Yosi Sanchez,"
JOAQUIN GOMEZ,
MANUEL VALDES,
YUDITH PADILLA,
IVAN PADILLA,
MARTHA FERNANDEZ,
a/k/a "Martha Ramos,"
MARIBEL DIARTH,
IVETT LORENZO,
GUILLERMO RIVERO,
NAPOLEON CADALZO, and
HISAMARA ESPONDA,

did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to defraud one or more financial institutions, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of one or more said financial institutions by means of false and fraudulent pretenses, representations, and promises, relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2) and 2.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) using straw buyers to purchase and finance residential properties in Miami-Dade County, Florida; (b) submitting false and fraudulent mortgage loan applications, closing documents and other related loan documents to financial and lending institutions, thereby inducing the financial and lending institutions to make mortgage loans to straw buyers for the purchase of the residential properties; (c) causing the financial and lending institutions to loan more money than they otherwise would have loaned by preparing, and submitting to them, false and fraudulent HUD-1 Statements which did not accurately reflect the money disbursed to the buyers and sellers; (d) concealing the fraudulent scheme by failing to record, and falsely recording, mortgage deeds and mortgage documentation with the State of Florida and by arranging to re-sell, or "flip," the properties to different straw buyers; and (e) diverting fraud proceeds for their personal use and benefit, and to further the fraud scheme.

THE SCHEME AND ARTIFICE

Paragraphs 4 through 12 of the Manner and Means section of Count 1 of the Indictment are

re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

13. On or about the dates specified as to each count below, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants specified as to each count below did execute and attempt to execute the aforesaid scheme and artifice to defraud a financial institution and to obtain any moneys, funds, credit, assets, and other property owned by, and under the custody and control of, said financial institution, as more particularly described below:

2	1/5/2006	KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, and MARIBEL DIARTH	Submission of fraudulent loan application, closing, and related documents in the name of MARIBEL DIARTH to First Franklin for the purpose of obtaining a mortgage loan in the amount of approximately \$272,000 in connection with the purchase of the property located at 19390 Collins Ave #1114, Miami Beach, FL 33160.

3	2/14/2006	KESKEA HERNANDEZ-FREI and ANA TAVERAS	Submission of fraudulent loan application, closing, and related documents in the name of ANA TAVERAS to Wells Fargo for the purpose of obtaining a mortgage loan in the amount of approximately \$480,000 in connection with the purchase of the property located at 1200 Brickell Bay Drive #1519, Miami, FL 33131.
4	6/9/2006	KESKEA HERNANDEZ-FREI and MARIBEL DIARTH	Submission of fraudulent loan application, closing, and related documents in the name of N.V. to Wells Fargo for the purpose of obtaining a mortgage loan in the amount of approximately \$528,000 in connection with the purchase of the property located at 1200 Brickell Bay Drive #2120, Miami, FL 33131.
5	12/12/2006	KESKEA HERNANDEZ-FREI and MARIELA HERNANDEZ	Submission of fraudulent loan application, closing, and related documents in the name of O.S. to National City for the purpose of obtaining a HELOC loan in the amount of approximately \$192,000 in connection with the property located at 11645 SW 96 Terrace, Miami, FL 33176.

6	2/17/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and MANUEL VALDES	Submission of fraudulent loan application, closing, and related documents in the name of J.F. to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$200,000 in connection with the purchase of the property located at 7520 SW 172 Street, Miami, FL 33157.
7	3/23/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and MANUEL VALDES	Submission of fraudulent loan application, closing, and related documents in the names of J.F. to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$234,000 in connection with the purchase of the property located at 16801 SW 77 Ave., Miami, FL 33157.
8	3/30/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and NAPOLEON CADALZO	Submission of fraudulent loan application, closing, and related documents in the name of NAPOLEON CADALZO to Wells Fargo for the purpose of obtaining a mortgage loan in the amount of approximately \$640,000 in connection with the purchase of the property located at 186 SE 12 Terrace #909, Miami, FL 33131.

9	3/30/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and NAPOLEON CADALZO	Submission of fraudulent loan application, closing, and related documents in the name of NAPOLEON CADALZO to National City for purpose of obtaining a mortgage loan in the amount of approximately \$280,000 in connection with the purchase of the property located at 186 SE 12 Terrace #909, Miami, FL 33131.
10	5/14/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, JOAQUIN GOMEZ, MANUEL VALDES, and IVETT LORENZO	Submission of fraudulent loan application, closing, and related documents in the name of IVETT LORENZO to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$310,800 in connection with the purchase of the property located at 1250 S. Miami Ave. #2114, Miami, FL 33130.
11	5/17/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and GUILLERMO RIVERO	Submission of fraudulent loan application, closing, and related documents in the name of GUILLERMO RIVERO to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$341,000 in connection with the purchase of the property located at 1250 S. Miami Ave. #3604, Miami, FL 33130.

12	6/4/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and GUILLERMO RIVERO	Submission of fraudulent loan application, closing, and related documents in the name of GUILLERMO RIVERO , to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$175,000 in connection with the purchase of the property located at 1200 Brickell Bay Drive #3919, Miami, FL 33131.
13	6/19/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and MANUEL VALDES	Submission of fraudulent loan application, closing, and related documents in the name of MANUEL VALDES , to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$322,900 in connection with the purchase of the property located at 650 West Ave. #2903, Miami Beach, FL 33139.
14	7/11/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, JOAQUIN GOMEZ, and HISAMARA ESPONDA	Submission of fraudulent loan application, closing, and related documents in the name of HISAMARA ESPONDA to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$342,000 in connection with the purchase of the property located at 650 West Ave. #2312, Miami Beach, FL 33139.

15	7/12/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, YUDITH PADILLA, IVAN PADILLA, and MARTHA FERNANDEZ	Submission of fraudulent loan application, closing, and related documents in the name of MARTHA FERNANDEZ to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$349,000 in connection with the purchase of the property located at 4775 Collins Ave. #1805, Miami Beach, FL 33139.
16	7/30/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and YUDITH PADILLA	Submission of fraudulent loan application, closing, and related documents in the name of YUDITH PADILLA , to National City for the purpose of obtaining a mortgage loan in the amount of approximately \$336,500 in connection with the purchase of the property located at 6365 Collins Ave. #1607, Miami Beach, FL 33141.
17	9/25/2007	LUIS A. ORAMAS and HISAMARA ESPONDA	Submission of fraudulent loan application, closing, and related documents in the name of HISAMARA ESPONDA , to IndyMac for the purpose of obtaining a mortgage loan in the amount of approximately \$417,000 in connection with the purchase of the property located at 186 SE 12 Terrace #2006, Miami, FL 33131

18	3/31/2008	MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and MARIBEL DIARTH	Submission of fraudulent loan application, closing, and related documents in the name of MARIELA HERNANDEZ to WAMU for the purpose of obtaining a mortgage loan in the amount of approximately \$369,750 in connection with the purchase of the property located at 19390 Collins Ave. #1114, Miami Beach, FL 33160.
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In violation of Title 18, United States Code, Sections 1344(1) and (2), and 2.

COUNTS 19-40
WIRE FRAUD
(18 U.S.C. § 1343)

1. Paragraphs 1-59 of the General Allegations section of this Indictment are re-alleged and incorporated fully herein by reference.
2. From in or around January 2006, through in or around April 2008, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

LUIS A. ORAMAS,
KESKEA HERNANDEZ-FREI,
a/k/a "Kris,"
a/k/a "Keskea Hernandez,"
MARIELA HERNANDEZ,
a/k/a "Mariela Herrera,"
ELAYNE GUTIERREZ,
ANA TAVERAS,
a/k/a "Yosi,"
a/k/a "Yosi Sanchez,"
JOAQUIN GOMEZ,

**MANUEL VALDES,
YUDITH PADILLA,
IVAN PADILLA,
MARTHA FERNANDEZ,
a/k/a "Martha Ramos,"
MARIBEL DIARTH,
CARLOS SANCHEZ,
IVETT LORENZO,
GUILLERMO RIVERO,
NAPOLEON CADALZO,
HISAMARA ESPONDA, and
RAFAEL BONNE,**

did knowingly and with intent to defraud devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and transmitted and caused to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures and sounds, for the purpose of executing the scheme and artifice, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) using straw buyers to purchase and finance residential properties in Miami-Dade County, Florida; (b) submitting false and fraudulent mortgage loan applications, closing documents and other related loan documents to financial and lending institutions, thereby inducing the financial and lending institutions to make mortgage loans to straw buyers for the purchase of the residential properties; (c) causing the financial and lending institutions to loan more money than they otherwise would have loaned by preparing, and submitting to them, false and fraudulent HUD-1 Statements which did not accurately reflect the money

disbursed to the buyers and sellers; (d) concealing the fraudulent scheme by failing to record, and falsely recording, mortgage deeds and mortgage documentation with the State of Florida and by arranging to re-sell, or "flip," the properties to different straw buyers; and (e) diverting fraud proceeds for their personal use and benefit, and to further the fraud scheme.

THE SCHEME AND ARTIFICE

Paragraphs 4 through 12 of the Manner and Means section of Count 1 of the Indictment are re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

13. On or about the dates specified as to each count below, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants specified as to each count below, for the purpose of executing and in furtherance of the aforesaid scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures and sounds, as more particularly described below:

19	9/8/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and IVAN PADILLA	Wire transfer in the amount of \$493,862.90 from Freemont Investment and Loan in California to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #3919, Miami, FL 33131.
20	9/8/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and IVAN PADILLA	Wire transfer in the amount of \$120,812.52 from Freemont Investment and Loan in California to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #3919, Miami, FL 33131.
21	10/2/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, MARIBEL DIARTH, and RAFAEL BONNE	Wire transfer in the amount of \$535,238.02 from Accredited Home Lenders, Inc. in Oregon to A+ Title's account at Bank of America, in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #1617, Miami, FL 33131.

22	10/2/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, MARIBEL DIARTH, and RAFAEL BONNE	Wire transfer in the amount of \$131,732.47 from Accredited Home Lenders, Inc. in Oregon to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #1617, Miami, FL 33131.
23	10/13/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and RAFAEL BONNE	Wire transfer in the amount of \$360,922.36 from an Aegis Funding Corporation trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 5920 SW 112 Ct., Miami, FL 33173.
24	10/13/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and RAFAEL BONNE	Wire transfer in the amount of \$88,587.53 from an Aegis Funding Corporation trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 5920 SW 112 Ct., Miami, FL 33173.

25	10/26/2006	KESKEA HERNANDEZ-FREI and MARIELA HERNANDEZ	Wire transfer in the amount of \$498,419.40 from an Axiom Financial Services trust account in New York to Blue Coast Title's account at City National Bank in the Southern District of Florida, relating to the purchase of the property located at 11645 SW 96 Terrace, Miami, FL 33176.
26	10/26/2006	KESKEA HERNANDEZ-FREI and MARIELA HERNANDEZ	Wire transfer in the amount of \$124,348.14 from an Axiom Financial Services trust account in New York to Blue Coast Title's account at City National Bank in the Southern District of Florida, relating to the purchase of the property located at 11645 SW 96 Terrace, Miami, FL 33176.
27	10/27/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and RAFAEL BONNE	Wire transfer in the amount of \$507,986.40 from Aegis Mortgage Corporation in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 186 SE Terrace #1808, Miami, FL 33131. <i>12-5-06 JS</i>

28	10/27/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and RAFAEL BONNE	Wire transfer in the amount of \$125,966.98 from an Aegis Mortgage Corporation trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 186 SE Terrace #1808, Miami, FL 33131. ^{12/28/06}
29	12/4/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, MANUEL VALDES, and CARLOS SANCHEZ	Wire transfer in the amount of \$537,890.47 from an Axiom Financial Services trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #2121, Miami FL 33131.
30	12/4/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, MANUEL VALDES, and CARLOS SANCHEZ	Wire transfer in the amount of \$131,724.34 from an Axiom Financial Services trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #2121, Miami FL 33131.

31	12/21/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and ANA TAVERAS	Wire transfer in the amount of \$528,531.14 from an Axiom Financial Services trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #1519, Miami, FL 33131.
32	12/21/2006	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and ANA TAVERAS	Wire transfer in the amount of \$131,217.14 from an Axiom Financial Services trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #1519, Miami, FL 33131.
33	2/14/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and MANUEL VALDES	Wire transfer in the amount of \$545,202.50 from a Master Financial, Inc trust account in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 7520 SW 172 Street, Miami, FL 33157.

34	3/23/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and MANUEL VALDES	Wire transfer in the amount of \$544,904.73 from Pinnacle Financial Corporation, via New York, to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 16801 SW 77 Ave., Miami, FL 33157.
35	5/14/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, JOAQUIN GOMEZ, MANUEL VALDES, and IVETT LORENZO	Wire transfer in the amount of \$478,898.15 from American Home Mortgage in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1250 S. Miami Ave. #2114, Miami, FL 33130.
36	5/22/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, and GUILLERMO RIVERO	Wire transfer in the amount of \$466,335.67 from American Home Mortgage in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1250 S. Miami Ave. #3604, Miami, FL 33130.

37	6/6/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, IVAN PADILLA, and NAPOLEON CADALZO	Wire transfer in the amount of \$564,930.67 from American Home Mortgage in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 1200 Brickell Bay Drive #3919, Miami, FL 33131.
38	7/12/07	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ANA TAVERAS, YUDITH PADILLA, IVAN PADILLA, and MARTHA FERNANDEZ	Wire transfer in the amount of \$594,041.89 from American Home Mortgage in New York to closing agent's account at Citibank in the Southern District of Florida, relating to the purchase of the property located at 4775 Collins Ave. #1805, Miami Beach, FL 33139.
39	7/13/2007	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, ELAYNE GUTIERREZ, JOAQUIN GOMEZ, and HISAMARA ESPONDA	Wire transfer in the amount of \$506,598.89 from American Home Mortgage in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 650 West Ave. #2312, Miami Beach, FL 33139.

40	7/30/07	LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, and YUDITH PADILLA	Wire transfer in the amount of \$586,850.10 from an Nationstar Mortgage LLC in New York to A+ Title's account at Bank of America in the Southern District of Florida, relating to the purchase of the property located at 6365 Collins Ave. #1607, Miami Beach, FL 33141.
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In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE
(18 U.S.C. §§ 982(a)(2)(A) and 981(a)(1)(C))

1. The allegations of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which one or more of the defendants has an interest.

2. Upon conviction of any of the offenses charged in Counts 1 through 40 of this Indictment, the defendants, **LUIS A. ORAMAS, KESKEA HERNANDEZ-FREI, MARIELA HERNANDEZ, ELAYNE GUTIERREZ, ANA TAVERAS, JOAQUIN GOMEZ, MANUEL VALDES, YUDITH PADILLA, IVAN PADILLA, MARTHA FERNANDEZ, MARIBEL DIARTH, CARLOS SANCHEZ, IVETT LORENZO, GUILLERMO RIVERO, NAPOLEON CADALZO, HISAMARA ESPONDA, and RAFAEL BONNE**, shall forfeit to the United States:

(a) any property constituting, or derived from, any proceeds that such defendant obtained directly or indirectly, as the result of such violation, pursuant to Title 18, United States Code, Section 982(a)(2)(A); and (b) any property, real or personal, which constitutes, or is derived from, any

proceeds traceable to such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c).

3. The property subject to forfeiture includes, but is not limited to, the proceeds obtained by the defendants as the result of the bank fraud and wire fraud scheme, and the real property known and numbered as 3431 SW 112 Ave, Miami, Florida, 33165-3401, with all appurtenances, improvements and attachments thereon.

4. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b) and Title 28, United States Code, Section 2461(c), if any of the forfeitable property, or any portion thereof, 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 subdivided without difficulty;

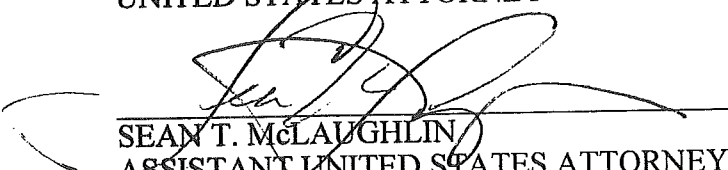
it is the intent of the United States to seek the forfeiture of other property of the defendants up to the value of the above-described forfeitable properties.

All pursuant to Title 18, United States Code, Sections 982(a)(2)(A) and 982(b), Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c), and the procedures set forth at Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON


WIFREDO A. FERRER
UNITED STATES ATTORNEY


SEAN T. McLAUGHLIN
ASSISTANT UNITED STATES ATTORNEY