

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.  
v. : Criminal Number: 11-  
CHUN-O KIM : Title 18, United States Code,  
Section 981, 982, 1028A, 1029,  
1349, and 2  
Title 28, United States Code,  
Section 2461

I N F O R M A T I O N

COUNT ONE  
(Conspiracy to Commit Bank Fraud)

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

Background

1. At times relevant to this Information:

The Defendant and Other Parties

a. Defendant CHUN-O KIM was a loan broker and the principal of CB Development Company (hereinafter "CB Development"), a wholly fictitious company.

b. J.P., a co-conspirator not named as a defendant herein, was loan broker and the principal of J.P. Wholesalers (hereinafter "J.P. Wholesalers"), a wholly fictitious company.

c. A bank located in Bergen County, New Jersey was a "financial institution," as that term is defined in Title 18, United States Code, Section 20 (hereinafter "Bank One").

d. A bank located in Bergen County, New Jersey was a "financial institution," as that term is defined in Title 18, United States Code, Section 20 (hereinafter "Bank Two").

### The Conspiracy

2. From in or about July 2006 through in or about September 2007, in Bergen County, in the District of New Jersey and elsewhere, defendant

CHUN-O KIM

knowingly and intentionally conspired and agreed with Co-Conspirator J.P. and others to execute a scheme and artifice to defraud financial institutions, and to obtain money, funds, and assets owned by and under the custody and control thereof, by means of false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

### Object of the Conspiracy

3. The object of the conspiracy was for defendant CHUN-O KIM, Co-Conspirator J.P., and their co-conspirators to enrich themselves by fraudulently obtaining in excess of \$1 million in lines of credit and commercial loans to which they were not entitled.

### Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant CHUN-O KIM and Co-Conspirator J.P. applied for lines of credit and commercial loans on behalf of fictitious companies and individuals who were unqualified to obtain such loans.

5. It was further part of the conspiracy that defendant CHUN-O KIM and Co-Conspirator J.P. prepared and submitted to financial institutions false and fraudulent loan applications, bank statements, financial records, federal income tax returns, and other documents. In addition, defendant CHUN-O KIM procured and used both genuine and counterfeit identity documents, such as social security numbers and driver's licenses belonging to other individuals, to obtain lines of credit and commercial loans in those names.

6. It was further part of the conspiracy that after fraudulently obtaining the lines of credit and commercial loans defendant CHUN-O KIM and Co-Conspirator J.P. transferred the funds into their bank accounts and thereafter withdrew cash and issued checks to themselves and other co-conspirators.

Overt Acts

7. In furtherance of the conspiracy and to effect the unlawful object thereof, defendant CHUN-O KIM and her co-conspirators committed and caused to be committed the following acts:

a. In or about May 2007, defendant CHUN-O KIM and Co-Conspirator J.P. applied for and obtained from Bank Two a line of credit in the amount of \$50,000 on behalf of J.P. Wholesalers. As part of the application, defendant CHUN-O KIM and Co-Conspirator J.P. falsely claimed that J.P. Wholesalers, a wholly

fictitious company, had approximately \$940,000 in annual sales, and they provided the bank with false documents in support of the application, including a federal tax return (Schedule C).

b. In or about July 2007, defendant CHUN-O KIM and Co-Conspirator J.P. applied for and obtained from Bank One a line of credit in the amount of \$100,000 on behalf of A Mass, a wholly fictitious company. As part of the application, defendant CHUN-O KIM and Co-Conspirator J.P. falsely claimed that A Mass had approximately \$690,000 in annual sales, and they provided the bank with false documents, including a counterfeit New York driver's license.

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

COUNT TWO  
(Possession of Fifteen or More Unauthorized  
Access Devices with Intent to Defraud)

1. The allegations set forth in Paragraphs 1 and 3 through 7 of Count One of this Information are hereby realleged as if fully set forth herein.

2. After fraudulently obtaining the lines of credit and commercial loans on behalf of the fictitious businesses and individuals, as described in Count One of this Information, the financial institutions issued credit cards to these fictitious businesses and individuals, which credit cards defendant CHUN-O KIM possessed and used. In total, defendant CHUN-O KIM possessed in excess of twenty fraudulently obtained credit cards.

3. From in or about July 2006 through in or about September 2007, in Bergen County, in the District of New Jersey and elsewhere, defendant

CHUN-O KIM

knowingly and with the intent to defraud possessed fifteen or more unauthorized access devices in and affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3), 1029(c)(1)(A)(i) and Section 2.

**COUNT THREE**  
**(Aggravated Identity Theft)**

1. The allegations set forth in Paragraphs 1 and 3 through 7 of Count One of this Information are hereby realleged as if fully set forth herein.

2. At all times relevant to Count Three of this Information, an individual with the initials H.S.N. was a real person.

**The Charge**

3. In or about July 2007, in Bergen County, in the District of New Jersey and elsewhere, defendant

CHUN-O KIM

knowingly transferred, possessed, and used, without lawful authority, the means of identification of another person, namely, H.S.N., during and in relation to a violation of federal law, namely, bank fraud, contrary to Title 18, United States Code, Section 1344.

In violation of Title 18, United States Code, Section 1028A and Section 2.

## FORFEITURE ALLEGATION

1. The allegations set forth in Count One and Count Two this Information are hereby realleged as if fully set forth herein for the purpose of alleging forfeiture to the United States of America of property in which defendant CHUN-O KIM has an interest.

2. Bank Fraud Forfeiture. Upon conviction of the offense alleged in Count One of this Information (hereinafter the "Bank Fraud Count"), defendant CHUN-O KIM shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to said offense, namely, \$1,230,546.

3. Access Device Forfeiture. Upon conviction of the offense alleged in Count Two of this Information (hereinafter the "Access Device Count"), defendant CHUN-O KIM shall forfeit to the United States any property, real or personal, involved in such offense or any property traceable to such property, namely, the unauthorized credit cards seized from her residence and business on or about February 1, 2008.

4. Substitute Asset

If any of the above-described forfeitable property, as a result of any act or omission of defendant CHUN-O KIM :

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;

it is the intent of the United States to seek forfeiture of any  
other property of said defendant up to the value of the  
forfeitable property described above.

All pursuant to Title 18, United States Code, Section  
981(a)(1)(C) made applicable hereto by Title 28, United States  
Code, Section 2461; Title 18, United States Code, Section  
982(a)(1) and (b)(2) and the procedures outlined at Title 21,  
United States Code Section 853, and set forth in Fed. R. Crim. P.  
32.2.



---

PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: \_\_\_\_\_

---

---

**United States District Court  
District of New Jersey**

---

---

**UNITED STATES OF AMERICA**

**v.**

**CHUN-O KIM**

---

---

**INFORMATION FOR**

**Title 18, United States Code, Sections 981, 982, 1028A, 1029, 1349, and 2  
Title 28, United States Code, Section 2461**

---

---

**PAUL J. FISHMAN**

*U.S. ATTORNEY NEWARK, NEW JERSEY*

---

---

**ANTHONY MOSCATO  
ASSISTANT U.S. ATTORNEY**

**NEWARK, NEW JERSEY**

**973-645-2752**

---

---