

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>10-</u>
v.	:	DATE FILED: August 18, 2010
VITALIY KROSHNEV	:	VIOLATIONS:
TATYANA KROSHNEV	:	18 U.S.C. § 1028(a)(1), (f) (conspiracy to
LEONID VILCHIK	:	produce and aiding and abetting the
IRINA PETERSON	:	production of an identification document
IRYNA STAROVOYT	:	without lawful authority - 1 count)
KHRYSTYNA DAVYDA	:	18 U.S.C. § 1001 (making a material false
VIKTOR DAVYDA	:	statement - 1 count)
TAIR RUSTAMOV	:	18 U.S.C. § 1014 (making a false
MIKHAIL AMINOV	:	statement to a bank - 1 count)
		18 U.S.C. § 2 (aiding and abetting)
		Notice of forfeiture
		 <u>Filed Under Seal</u>

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

BACKGROUND

At all times material to this information:

1. The United States Department of Transportation, through federal regulations, 49 C.F.R. § 383 et seq., has set minimum standards for individual states to issue commercial driver's licenses ("CDLs") in order to ensure safety on national highways and roads. Except under limited circumstances, in order to receive a CDL from a state, among other things, an applicant must be domiciled in that state. 49 C.F.R. §§ 383.5, 383.71. States must ensure that

applicants pass both a written knowledge test and a driving skills test before issuing the applicant a CDL, and each state must develop its own tests that meet the federal standards.

2. The Pennsylvania Department of Transportation (“PennDOT”) is a state agency that issues Pennsylvania CDLs to qualified applicants who pass a written knowledge test and a driving skills test, so that the applicants can lawfully drive commercial vehicles, such as tractor trailers.

3. From at least 2007 through the date of this indictment, defendants VITALIY KROSHNEV and TATYANA KROSHNEV owned and operated a business known as INTERNATIONAL TRAINING ACADEMY (“ITA”). This business provided driver’s training to persons seeking to obtain Pennsylvania CDLs. Defendant TAIR RUSTAMOV provided driver’s training to ITA customers in commercial vehicles leased by ITA.

4. Defendants IRINA PETERSON, IRYNA STAROVOYT, and KHRYSTYNA DAVYDA worked as foreign language interpreters who assisted Pennsylvania CDL applicants taking the required written test administered by PennDOT. At all relevant times, defendants IRINA PETERSON, IRYNA STAROVOYT, and KHRYSTYNA DAVYDA were on the PennDOT approved interpreter list.

5. From on or about May 30, 2007 through on or about June 2, 2010, in the Eastern District of Pennsylvania, defendants

**VITALIY KROSHNEV,
TATYANA KROSHNEV,
LEONID VILCHIK,
IRINA PETERSON,
IRYNA STAROVOYT,
KHRYSTYNA DAVYDA,
VIKTOR DAVYDA,**

**TAIR RUSTAMOV, and
MIKHAIL AMINOV**

knowingly produced, attempted to produce, conspired to produce, and aided and abetted the production of, without lawful authority, a form of identification, that is, Pennsylvania commercial driver's licenses and driving permits, in or affecting interstate commerce, in violation of Title 18, United States Code, Section 1028(a)(1).

MANNER AND MEANS

It was part of the conspiracy that:

4. Defendants VITALIY KROSHNEV and TATYANA KROSHNEV assisted individuals in obtaining fraudulent commercial driver's licenses from PennDOT under the auspices of ITA. As part of the scheme, defendants VITALIY KROSHNEV and TATYANA KROSHNEV conspired to provide false residency documents to individuals residing outside of Pennsylvania so that those individuals could first obtain Pennsylvania driver's licenses in order to apply for Pennsylvania CDLs.

5. Defendants VITALIY KROSHNEV and TATYANA KROSHNEV also conspired as part of their business to provide applicants with foreign language interpreters during the written portion of the Pennsylvania CDL test who would help applicants cheat on the test. Defendants VITALIY KROSHNEV and TATYANA KROSHNEV conspired with seven other individuals in their illegal scheme.

6. Defendants LEONID VILCHIK, IRINA PETERSON, KHRYSTYNA DAVYDA, VIKTOR DAVYDA, and MIKHAIL AMINOV provided false Pennsylvania residency locations in the Eastern District of Pennsylvania for customers of ITA in order to assist

those CDL applicants in fraudulently obtaining Pennsylvania driver's licenses, as a precursor to applying for CDLs.

7. Defendants IRINA PETERSON, IRYNA STAROVOYT, and KHRYSTYNA DAVYDA assisted the applicants in cheating on the written test by providing the correct answers to "guarantee" on behalf of ITA that applicants passed the CDL written test. Defendants PETERSON, STAROVOYT, and DAVYDA assisted over 300 out-of-state applicants in cheating on PennDOT CDL written examinations in this manner.

8. Defendant TAIR RUSTAMOV assisted Pennsylvania CDL applicants from other states by facilitating their receipt of Pennsylvania driver's licenses based on false residency documents and enabling them to obtain Pennsylvania CDLs, knowing that they were not domiciled in Pennsylvania.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

1. Beginning May 30, 2007, and several weeks thereafter, defendant VITALIY KROSHNEV brought a total of seven non-residents of Pennsylvania to MB Financial Bank, 7918 Bustleton Avenue, Philadelphia, Pennsylvania, provided Pennsylvania addresses to them, and assisted them in opening bank accounts for the purpose of obtaining Pennsylvania driver's licenses as a precursor to applying for Pennsylvania CDLs.

2. On July 14, 2008, defendant TATYANA KROSHNEV arranged for an applicant for a Pennsylvania CDL, an out-of-state resident whose identity is known to the grand

jury, to meet with defendant MIKHAIL AMINOV to transfer the applicant's driver's license to Pennsylvania. Defendant MIKHAIL AMINOV met with the applicant in Bensalem, Pennsylvania on July 22, 2008, and provided the applicant with a Pennsylvania Electric Company bill and a Bank of America statement, both of which bore the applicant's name and an address of 936 West Somerset Street, Philadelphia, Pennsylvania. Defendant MIKHAIL AMINOV assisted the applicant in completing the driver's license application at the Bensalem PennDOT location.

3. On July 22, 2008, acting as a foreign language interpreter, defendant IRYNA STAROVOYT met with the applicant and provided the answers to him during the computer-based knowledge test for CDLs at the Bensalem PennDOT center. After passing the test and receiving his permit, the applicant paid \$1350 in cash to defendant TATYANA KROSHNEV, who advised the applicant that he owed her an additional \$1200 for driving instruction.

4. On January 6, 2009, defendants TATYANA KROSHNEV and IRINA PETERSON met with a confidential source ("CS") at the Huntington Valley PennDOT center. Defendant PETERSON told the CS not to speak any English, and asked for his out-of-state driver's license. Defendant PETERSON presented to a PennDOT employee bills containing the CS's name and assisted him in completing an application for a Pennsylvania driver's license. The CS then paid Defendant PETERSON \$300.

5. That same day, Defendant IRYNA STAROVOYT met with the CS so that the CS could take the computer-based written knowledge portion of the CDL test. Acting as a foreign language interpreter, defendant STAROVOYT provided the answers to the CS, who then

received his CDL permit from PennDOT. Afterward, the CS paid defendant TATYANA KROSHNEV \$1500 cash. On or about March 1, 2009, defendant contacted defendant TAIR RUSTAMOV to receive his Pennsylvania driver's license. RUSTAMOV instructed the CS to wait in the parking lot of the Bensalem PennDOT location. Defendant TATYANA KROSHNEV arrived shortly thereafter and gave the CS his Pennsylvania driver's license.

6. On December 4, 2009, defendant TATYANA KROSHNEV advised an undercover agent of the Federal Bureau of Investigation ("UC") purporting to be from Maryland that ITA could provide him with a "guaranteed" CDL at a cost of \$2200, and could provide him with fraudulent residency documents to establish his Pennsylvania residency for an additional \$300.

7. On December 17, 2009, defendant KHRYSTYNA DAVYDA met with the UC and accompanied him to the Bank of America located at 4956 Old Street Road, Trevoise, PA 19053 in order to open an account to establish the UC's Pennsylvania residency. Prior to entering the bank, defendant KHRYSTYNA DAVYDA completed a blank lease agreement listing the UC's as tenant and listing defendant LEONID VILCHIK as the landlord of a property located at 772 Selmer Road, Floor 2, Philadelphia, Pennsylvania. This property is owned by defendant LEONID VILCHIK. Defendant KHRYSTYNA DAVYDA instructed the UC not to say his real address so that the account could be opened, and to memorize the false address.

8. On January 13, 2010, defendant VIKTOR DAVYDA met with the UC and VIKTOR DAVYDA completed another false lease agreement in the name of defendant LEONID VILCHIK as landlord. Defendant VIKTOR DAVYDA then accompanied the UC to the Huntington Valley PennDOT center and assisted the UC in completing an application for a

Pennsylvania driver's license. The UC then received his temporary Pennsylvania driver's license.

9. That same day, defendant IRYNA STAROVOYT, acting as a foreign language interpreter, assisted the UC in taking the computer-based knowledge portion of the CDL test and provided the UC with the answers. The UC then received his CDL permit from PennDOT. Afterward, defendant TATYANA KROSHNEV advised the UC that his Pennsylvania driver's license would be sent to defendant LEONID VILCHIK. Approximately two weeks later, the UC met with TATYANA KROSHNEV as she was finishing a conversation with defendant LEONID VILCHIK, and she provided the UC with his Pennsylvania driver's license.

10. During a driver's training session with defendant TATYANA KROSHNEV on January 30, 2010, defenant TATYANA KROSHNEV advised the UC that he should change his address from Pennsylvania back to Maryland, but not until he received his Pennsylvania CDL.

In violation of Title 18, United States Code, Sections 1028(a)(1), (f) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 21, 2008, in the Eastern District of Pennsylvania, defendant

VITALIY KROSHNEV,

in a matter within the jurisdiction of the United States Department of Education, an agency of the executive branch of the Government of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, that is, the defendant stated and represented in a letter to the Pennsylvania Department of Education that his business, International Training Academy, was not a private school and did not offer classes, but merely rented vehicles to applicants for Pennsylvania commercial driver's licenses, when, as defendant VITALIY KROSHNEV knew, these statements and representations were false.

In violation of Title 18, United States Code, Sections 1001 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2009 , in the Eastern District of Pennsylvania, and elsewhere, defendant

KHRYSTYNA DAVYDA

knowingly made a false statement upon an application for the purpose of influencing in any way the action of an institution, the accounts of which are insured by the Federal Deposit Insurance Corporation, to wit, defendant KHRYSTYNA DAVYDA submitted on behalf of a third party whose identity is known to the grand jury fraudulent documents to the Bank of America located at 4956 Old Street Road, Trevoise, PA 19053, for an application to open a bank account, asserting that the individual was a resident of Pennsylvania, when in fact she knew that the applicant was not a resident of Pennsylvania.

In violation of Title 18, United States Code, Section 1014.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 1028(a)(1), (f) and 2, set forth in this indictment, defendants

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TATYANA KROSHNEV,
LEONID VILCHIK,
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VIKTOR DAVYDA,
TAIR RUSTAMOV, and
MIKHAIL AMINOV**

shall forfeit to the United States of America: (a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses; and (b) any personal property used or intended to be used to commit this offense, including, but not limited to:

- (i) 2003 Infiniti, PA reg. GSC 2625;
- (ii) 1989 Bluebird Bus, PA reg. BA61664;
- (iii) 1995 International Truck, PA reg. YWL 5749;
- (iv) 2003 Freightliner Truck, VIN 1FUJBBCG63LK42743;
- (v) Bank of America account no. xxxx xxxx 0019;
- (vi) Bank of America account no. xxxx xxxx 0022.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (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, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2)(B), and 1028(b)(5).

A TRUE BILL:

FOREPERSON

ZANE DAVID MEMEGER
United States Attorney