

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 10-_____**
v. : **DATE FILED:_____**
JOHN B. BAIRD : **VIOLATIONS:**
: **18 U.S.C. § 1341 (mail fraud – 4 counts)**
: **Notice of forfeiture**

INDICTMENT

COUNTS ONE THROUGH FOUR

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

INTRODUCTION

1. Defendant JOHN B. BAIRD was the owner and operator of Christian Pilgrim Tours, Inc. (“CPT”), which organized trips to various Christian pilgrimage sites in Israel, Italy, France, Poland, Bosnia, and other places. CPT, a sole proprietorship, received mail at post offices in Blue Bell, Pennsylvania, and subsequently in Cheltenham, Pennsylvania. Defendant BAIRD marketed these trips to elderly and retired church members, often recruiting priests and other church leaders to solicit church members.

2. Defendant JOHN B. BAIRD falsely promised to provide customers with full refunds if he cancelled a trip for any reason other than travel warnings, acts of war, acts of God or terrorism. Instead of using money collected from customers to pay for trips, defendant BAIRD used much of the money to pay his personal and other expenses.

THE SCHEME

3. From in or about April 2004 to on or about February 26, 2007, defendant

JOHN B. BAIRD

devised and intended to devise a scheme to defraud his customers and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

4. In 2004, defendant JOHN B. BAIRD marketed several trips to Christian pilgrimage sites. He cancelled approximately four trips because he did not have sufficient funds, including an April 2004 trip to Rome, an April 2004 trip to Medugorje, Bosnia, an August 2004 trip to Ireland, and an October 2004 trip to Greece and Turkey. None of these trips were cancelled as a result of acts of war, acts of God, or terrorism. Defendant BAIRD, with a few exceptions, did not provide refunds to customers of these trips.

5. Defendant JOHN B. BAIRD filed for Chapter 7 personal bankruptcy on or about August 26, 2005. However, he continued to operate CPT and did not inform potential new customers of his bankruptcy.

6. In 2006, defendant JOHN B. BAIRD planned and marketed three trips that he later cancelled, including a trip to Poland and Italy scheduled to begin in October 2006 (the "Poland trip"), a trip to religiously significant sites in the Middle East scheduled to begin in December 2006 (the "Holy Land trip"), and a trip to France scheduled to begin in May 2007 (the "France trip"). Defendant BAIRD collected more than \$300,000 from customers who signed up for these trips and promised customers he would pay them a full refund if he cancelled a trip for any reason other than

travel warnings, acts of war, acts of God or terrorism.

7. Although he collected more than \$300,000 from his customers, by the end of July 2006, defendant JOHN B. BAIRD had misappropriated much of the money and knew he did not have sufficient funds left to pay for the Poland, Holy Land, and France trips. However, defendant BAIRD did not inform his customers about his inability to pay for the trips. Instead, defendant BAIRD falsely stated that the trips would take place and he continued to accept money from customers who had signed up for the trips.

8. In or about late July 2006, defendant JOHN B. BAIRD, through his travel agent, reserved seats on flights for the Poland trip customers. At this point, approximately 82 people had signed up for the Poland trip. On or about July 29, 2006, defendant BAIRD's travel agent informed him that the airline tickets for the trip would cost more than \$82,000 and that defendant BAIRD was required to make a deposit by August 3, 2006 and pay the balance by September 11, 2006.

9. By July 29, 2006, customers who had signed up for the Poland, Holy Land, and France trips had paid defendant JOHN B. BAIRD a total of approximately \$312,000. Defendant BAIRD had not spent any of this money on expenses related to the Poland, Holy Land, or France trips or put any of this money aside in the event he had to pay refunds. Instead, defendant BAIRD spent much of this money on other expenses, including his personal expenses. Defendant BAIRD concealed the fact that he had spent little of this money on expenses related to the trips and had little or no money available to pay for trip expenses.

10. In or about August 2006, defendant JOHN B. BAIRD informed the Poland trip customers that he was changing the departure date of the trip from October 15 to October 17, 2006, claiming that he did so to ensure that his customers would have an audience with the Pope, and

concealed the fact that he did not have the funds to pay trip expenses. Even though he had no means to pay for trip expenses, having spent these funds on his personal and other expenses, defendant BAIRD continued to demand additional funds from at least one customer who had signed up for the Poland trip. As a result of defendant BAIRD's demands, the customer mailed defendant BAIRD a check for \$599.

11. Even though he knew that he did not have the funds to pay for the trip, defendant JOHN B. BAIRD continued to falsely assure customers that the Poland trip would take place. Among other things, on or about September 14, 2006, defendant BAIRD mailed an itinerary for the Poland trip to customers even though he lacked the funds to pay for the trip and had made no arrangements for the trip except for paying a small deposit to his travel agent for airfare expenses. At the time he mailed this itinerary, defendant BAIRD had less than \$7,000 in his bank account and still owed more than \$111,000 to his travel agent for trip expenses.

12. On or about September 18, 2006, defendant JOHN B. BAIRD wrote a check to his travel agent for \$111,875 for expenses for the Poland trip even though defendant BAIRD knew he did not have enough money in his bank account to cover the check. When his travel agent learned that defendant BAIRD did not have sufficient funds in his bank account and declined to deposit the check, defendant BAIRD falsely stated that he had deposited enough money in his account to cover the check. In or about October 2006, defendant BAIRD cancelled the Poland trip and arranged for CPT to file for Chapter 7 bankruptcy. Even though he had promised to do so, defendant BAIRD did not pay refunds to the Poland trip customers.

13. Similarly, defendant JOHN B. BAIRD collected approximately \$100,000 from customers for the Holy Land and France trips. Despite collecting this money, defendant BAIRD

did not make any arrangements for these trips. Defendant BAIRD told customers that these trips would take place even though he had made no arrangements and did not retain sufficient funds to pay for the trips. On or about October 17, 2006, one day after CPT filed for bankruptcy, BAIRD informed the Holy Land trip customers that the trip, which had been scheduled to take place in December 2006, would now take place in March 2007. Likewise, in late November 2006, BAIRD informed a France trip customer that the France trip was still going to occur as planned.

14. BAIRD also continued to market the trips in an attempt to collect more money even after CPT filed for bankruptcy. On or about November 13, 2006, BAIRD sent a letter to potential customers regarding the France trip. BAIRD did not disclose that CPT had filed for bankruptcy and had ceased operations.

15. More than four months after CPT filed for bankruptcy and ceased operations, on or about February 26, 2007, defendant JOHN B. BAIRD informed the customers of the Holy Land and France trips that CPT had filed for bankruptcy in October 2006, and that their trips had been cancelled. Defendant BAIRD, despite having collected approximately \$100,000 from these customers, did not give them refunds.

16. As a result of defendant JOHN B. BAIRD's fraudulent scheme, his victims lost more than \$400,000.

17. On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, defendant

JOHN B. BAIRD,

for the purpose of executing the scheme described above, and attempting to do so, knowingly caused to be delivered by mail and commercial interstate carriers, according to the directions

thereon, the following items:

COUNT	TRIP	DATE	DESCRIPTION
1	Poland October 2006	9/12/06	A check for \$599 mailed from a customer in Belmont, CA, to defendant BAIRD in Cheltenham, PA, for fees related to the October 2006 Poland trip.
2	Poland October 2006	9/14/06	A letter mailed from defendant BAIRD in Cheltenham, PA, to a customer in Belmont, CA, providing information about the October 2006 Poland trip.
3	Poland October 2006	9/14/06	A letter mailed from defendant BAIRD in Cheltenham, PA, to a customer in Benicia, CA, containing information about the October 2006 Poland trip.
4	France May 2007	11/13/06	A letter mailed from defendant BAIRD in Cheltenham, PA, to an individual in Reston, VA, soliciting customers for the May 2007 trip to France.

All in violation of Title 18, United States Code, Section 1341.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1341, as set forth in this indictment, defendant

JOHN B. BAIRD

shall forfeit to the United States of America all property, real or personal, which constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to, the sum of approximately \$423,577.

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, 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 defendant up to the value of the property subject to forfeiture.

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

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney