

FILED AUG 23 '13 PM 4 53 USDCALS

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA )  
v. ) CRIMINAL NO: 13-00194-C6  
ALI FOROUZAN, )  
Defendant. )

## CRIMINAL INFORMATION

The United States of America, acting through its attorneys, charges:

1. ALI FOROUZAN is hereby made a defendant on the charge stated  
below.

## BACKGROUND

2. The Antitrust Division of the United States Department of Justice (“Antitrust Division”) and the Mobile Field Office of the Federal Bureau of Investigation (“FBI”) have been conducting a criminal grand jury investigation of bid rigging and other fraudulent schemes in the Alabama real estate foreclosure auctions industry.

3. The government has developed evidence of a bid-rigging conspiracy in the Southern District of Alabama where prospective bidders agreed not to bid

against each other at certain public courthouse auctions. Typically, if one of the co-conspirators won the property at the courthouse auction, the co-conspirators held a secret, second auction. The highest bidder won the property and made payoffs to the "losing bidders," in exchange for their agreement not to bid at the courthouse auction. The conspirators also used the United States mail in furtherance of a scheme to defraud financial institutions, homeowners, and others out of money and selected property.

**FALSE STATEMENT**  
**(18 U.S.C. § 1001)**

4. From at least as early as February 2004 until at least November 2006, defendant ALI FOROUZAN attended certain real estate public courthouse auctions, and bid on and purchased certain real estate foreclosure properties.
5. From at least as early as February 2004 until at least November 2006, the exact dates being unknown to the United States, defendant ALI FOROUZAN was aware of, and participated in, bid rigging and other fraudulent schemes relating to public real estate foreclosure auctions in the Southern District of Alabama.

6. In February 2012, defendant ALI FOROUZAN was interviewed, with defense counsel present, by the Antitrust Division and the FBI about his knowledge of, and participation in, the fraudulent schemes under investigation.

7. At the time of his interview in February 2012, defendant ALI FOROUZAN was aware of bid rigging and other fraudulent schemes that took place in the Alabama real estate foreclosure auctions industry. Moreover, at the time of his interview, the defendant was aware that he had participated in at least the bid-rigging scheme with various companies and individuals not named in this Information.

8. It was material to the grand jury investigation to obtain defendant ALI FOROUZAN'S full knowledge of the matters under investigation, including the existence of bid rigging agreements and other fraudulent schemes relating to real estate foreclosure auctions, unlawful payoffs that he and others made and received in furtherance of such schemes, and secret, second auctions in which the defendant and others participated. Moreover, it was material to the grand jury investigation that the defendant provide truthful information when questioned about such matters.

9. Yet, during his February 2012 interview, defendant ALI FOROUZAN did unlawfully, willfully, and knowingly, in a matter within the jurisdiction of the Executive Branch of the government of the United States, make materially false and fictitious statements to the lead investigatory agent of the FBI and the lead prosecutor with the Antitrust Division by, among other things, falsely claiming that he was not aware of, and did not participate in, the bid-rigging scheme under investigation, and that he did not make or receive any unlawful payments relating to the bid-rigging scheme.

10. These statements made by defendant ALI FOROUZAN, as he then and there knew, were false in that he was aware of, and had participated in, the bid-rigging scheme under investigation, including making and receiving payoffs in furtherance of the scheme.

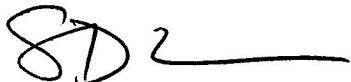
11. Defendant ALI FOROUZAN made such false statements at the United States Attorney's Office in the Southern District of Alabama.

**ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE,  
SECTION 1001(a)(2).**

Date:



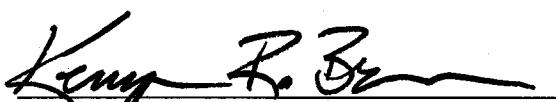
WILLIAM J. BAER  
Assistant Attorney General  
Antitrust Division



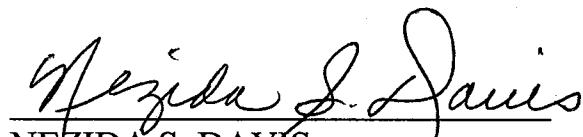
SCOTT D. HAMMOND  
Deputy Assistant Attorney General for  
Criminal Enforcement



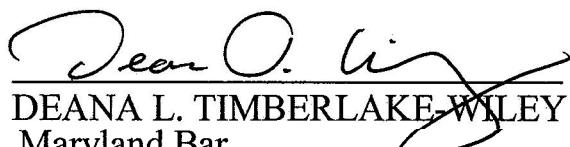
MARVIN N. PRICE, JR.  
Director of Criminal Enforcement



KENYEN R. BROWN  
United States Attorney  
Southern District of Alabama



NEZIDA S. DAVIS  
Senior Counsel for Criminal  
Enforcement  
Georgia Bar No. 642083  
[Nezida.Davis@usdoj.gov](mailto:Nezida.Davis@usdoj.gov)



DEANA L. TIMBERLAKE-WILEY  
Maryland Bar  
[Deana.Timberlake-Wiley@usdoj.gov](mailto:Deana.Timberlake-Wiley@usdoj.gov)

Trial Attorney  
Antitrust Division  
United States Department of Justice  
75 Spring Street, SW, Suite 1176  
Atlanta, GA 30303  
Tel: (404) 331-7116  
Fax: (404) 331-7110