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RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

CR 11 0798 WHA

13 UNITED STATES OF AMERICA	) Criminal No.
14	)
15	) INFORMATION
16	) VIOLATIONS: 15 U.S.C. § 1 –
17	) Bid Rigging (Count One);
18	) 18 U.S.C. § 1349 – Conspiracy to
19	) Commit Mail Fraud (Count Two)
20	)
21	)
22	)
23	)

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

22 KEITH GOODMAN,

23 the defendant herein, as follows:

24 BACKGROUND

25 1. When California homeowners default on their mortgages, the lender or loan  
26 servicer can institute foreclosure proceedings through a non-judicial public foreclosure auction.  
27 These public auctions typically take place at or near the county courthouse. At the auction an  
28 auctioneer sells the property to the bidder offering the highest purchase price. Proceeds from the

1 sale are then used to pay off the mortgage and other debt attached to the property. Proceeds  
2 remaining from the sale are then paid to the homeowner.

3 COUNT ONE: 15 U.S.C. § 1 – Bid Rigging (San Francisco County)

4 THE COMBINATION AND CONSPIRACY

5 2. Beginning as early as May 2010 and continuing until in or about January 2011,  
6 the defendant KEITH GOODMAN and co-conspirators entered into and engaged in a  
7 combination and conspiracy to suppress and restrain competition by rigging bids to obtain title to  
8 selected real estate offered at San Francisco County, California public real estate foreclosure  
9 auctions in the Northern District of California, in unreasonable restraint of interstate trade and  
10 commerce, in violation of the Sherman Act, Title 15, United States Code, Section 1.

11 3. The charged combination and conspiracy consisted of a continuing agreement,  
12 understanding, and concert of action among the defendant and co-conspirators to suppress  
13 competition by agreeing to refrain from or stop bidding against each other to obtain title to  
14 selected real estate offered at San Francisco County, California public real estate foreclosure  
15 auctions at non-competitive prices.

16 4. For the purpose of forming and carrying out the charged combination and  
17 conspiracy, the defendant and co-conspirators did those things that they combined and conspired  
18 to do, including, among other things:

19 a. agreeing, during meetings, conversations, and communications, not to  
20 compete for title to selected real estate offered at San Francisco County, California public real  
21 estate foreclosure auctions;

22 b. designating which conspirator would win the selected real estate at the  
23 public real estate foreclosure auctions for the group of conspirators; and

24 c. refraining from or stopping bidding for the selected real estate at the  
25 public real estate foreclosure auctions.

26 5. Various entities and individuals, not made defendants in this Information,  
27 participated as co-conspirators in the offenses charged in this Information and performed acts  
28 and made statements in furtherance of them.

INFORMATION – KEITH GOODMAN – 2

1 TRADE AND COMMERCE

2 6. During the period covered by this Information, the business activities of the  
3 defendant and co-conspirators that are the subject of this Information were within the flow of,  
4 and substantially affected, interstate trade and commerce. For example, mortgage holders  
5 located in states other than California received proceeds from the public real estate foreclosure  
6 auctions that were subject to the bid-rigging conspiracy.

7 JURISDICTION AND VENUE

8 7. The combination and conspiracy charged in this Information was carried out, in  
9 part, in the Northern District of California, within the five years preceding the filing of this  
10 Information.

11 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.  
12 COUNT TWO: 18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud (San Francisco County)

13 THE CONSPIRACY

14 8. Beginning as early as May 2010 and continuing until in or about January 2011 in  
15 San Francisco County in the Northern District of California, the defendant KEITH GOODMAN  
16 and co-conspirators did willfully and knowingly combine, conspire, and agree with each other to  
17 violate Title 18, United States Code, Section 1341, namely, to knowingly devise and intend to  
18 devise and participate in a scheme or artifice to defraud financial institutions, homeowners, and  
19 others and to obtain money and property by means of materially false and fraudulent pretenses,  
20 representations, and promises and, for the purpose of executing or attempting to execute such  
21 scheme or artifice, to knowingly use and cause to be used the United States Postal Service or any  
22 private or commercial interstate carrier, in violation of Title 18, United States Code, Section  
23 1349.

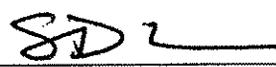
24 9. The objects of the conspiracy were to make payoffs to obtain title to selected real  
25 estate at fraudulently suppressed prices, to receive payoffs, and to divert money to co-  
26 conspirators and away from the mortgage holders and others with a legal interest in select  
27 properties sold at public real estate foreclosure auctions in San Francisco County, California  
28 (“mortgage holders”).

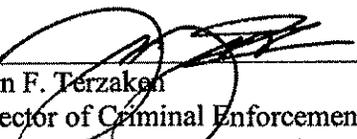


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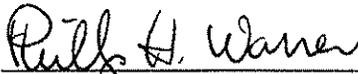
ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1349.

  
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Acting Assistant Attorney General

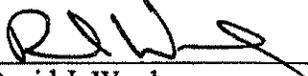
  
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