

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

**CR 16 00325**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYU GOEKU,

Defendant.

No.

I N F O R M A T I O N

[18 U.S.C. § 1349: Conspiracy to  
Commit Wire Fraud; 26 U.S.C.  
§ 7206(1): Subscribing to a  
False Tax Return]

The United States charges:

COUNT ONE

[18 U.S.C. § 1349]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Information:

1. Defendant RYU GOEKU ("defendant") was a resident of Los Angeles County, California, within the Central District of California.

2. From in or around January 2009 to in or around September 2013, defendant was employed at Owner Management Service, LLC, d/b/a Trust Holding Service Co., and OMS Global,

1 LLC (together with all predecessors, successors, and affiliates,  
2 hereinafter collectively referred to as "the Companies"),  
3 located at 20960 Knapp Street, Chatsworth, California, within  
4 the Central District of California.

5 3. The Companies purported to provide foreclosure relief  
6 to individual borrowers ("distressed borrowers") whose  
7 properties were facing foreclosure ("distressed properties").

8 4. Co-conspirator D.M., a resident of Los Angeles County,  
9 California, within the Central District of California, was a  
10 beneficial owner and controller of the Companies.

11 5. Co-conspirator T.M., a resident of Los Angeles County,  
12 California, within the Central District of California, was a  
13 beneficial owner, officer, and primary finance manager for the  
14 Companies.

15 6. Co-conspirator Jn.M., a resident of Los Angeles  
16 County, California, within the Central District of California,  
17 was an officer and the head of the short sale department for the  
18 Companies.

19 7. Co-conspirator Jm.M., a resident of Los Angeles  
20 County, California, within the Central District of California,  
21 was an officer and a primary property manager, among other  
22 roles, for the Companies.

23 8. Co-conspirator J.H., a resident of Los Angeles County,  
24 California, within the Central District of California, was  
25 employed in the short sale department of the Companies.

1           9. A bankruptcy case is commenced by the filing of a  
2 petition for bankruptcy under Title 11 of the United States  
3 Code. An individual who files a petition for bankruptcy is known  
4 under federal bankruptcy law as a "debtor".

5       B. THE OBJECT OF THE CONSPIRACY

6           10. Beginning in or about January 2010 and continuing  
7 through at least in or about September 2013, in Los Angeles  
8 County, within the Central District of California, and  
9 elsewhere, defendant RYU GOEKU, and others known and unknown to  
10 the United States, knowingly and willfully combined, conspired,  
11 and agreed to commit the following offense against the United  
12 States: wire fraud, that is, with intent to defraud, having  
13 devised and intending to devise a scheme and artifice to  
14 defraud, and to obtain money and property by means of materially  
15 false and fraudulent pretenses, representations, and promises,  
16 and for the purpose of executing the scheme transmitted and  
17 caused to be transmitted wire communications in interstate  
18 commerce, in violation of 18 U.S.C. § 1343.

19       C. THE MANNER AND MEANS OF THE CONSPIRACY

20           11. The object of the conspiracy was carried out, and was  
21 to be carried out, in substance, as follows:

22           a. Co-conspirator D.M. and other co-conspirators  
23 would identify distressed borrowers whose properties were facing  
24 foreclosure.

25           b. Co-conspirator D.M. and other co-conspirators  
26 would misrepresent to the distressed borrowers that the  
27 Companies would perform a short sale and thus avoid foreclosure  
28 on the distressed properties; based on that misrepresentation,

1 the distressed borrowers would transfer title for the distressed  
2 properties to trusts controlled by the co-conspirators.

3 c. Instead of performing short sales as represented,  
4 the co-conspirators rented the distressed properties to third  
5 parties, collecting rent and not paying most mortgages on the  
6 distressed properties.

7 d. At the direction of D.M. and other co-  
8 conspirators, defendant GOEKU and other co-conspirators engaged  
9 in various tactics designed by D.M. and other co-conspirators to  
10 delay foreclosure on the distressed properties so the  
11 conspirators could continue the collection of rent from these  
12 properties. These tactics included: (1) fabricating short sale  
13 offers for distressed properties using stolen and fictitious  
14 identities and submitting those offers to lenders, including  
15 financial institutions insured by the FDIC; (2) falsifying  
16 financial and tax statements for distressed borrowers, including  
17 by forging the signatures of distressed borrowers, and  
18 submitting them, in most instances by wire, that is, facsimile  
19 communication, through interstate commerce, to lenders;  
20 (3) filing bankruptcy petitions for distressed borrowers without  
21 their knowledge, including by forging the signatures of  
22 distressed borrowers on the petitions; and (4) fabricating liens  
23 on the distressed properties. As a result of those tactics, the  
24 lenders were exposed to new and increased risk of loss.

25 e. One of the distressed properties for which these  
26 tactics were used was located at 13243 Bryson Street in Arleta,  
27 California ("Bryson Street Property"). Based on representations  
28 by the co-conspirators, including GOEKU, the distressed borrower

1 for the Bryson Street Property, J.V., transferred the Bryson  
2 Street Property's title to a trust controlled by the co-  
3 conspirators. Thereafter, the co-conspirators leased the Bryson  
4 Street Property and collected the rent payments. While  
5 collecting rent, to delay foreclosure on the Bryson Street  
6 Property, the co-conspirators created fake short sale offer  
7 documents for the Bryson Street Property, including by using a  
8 stolen identity, S.M.L., as a purported short sale offeror and  
9 transmitted those falsified documents, through the use of  
10 interstate electronic wires, to the mortgage servicer. The  
11 conspirators also fabricated tax returns, authorization forms,  
12 and hardship letters for distressed borrower J.V., and submitted  
13 those fabricated documents to the servicer for the Bryson Street  
14 Property to delay foreclosure.

15 f. The conspirators would cause payments to be made  
16 to themselves from the proceeds of the scheme, which included  
17 rental income from the distressed properties.

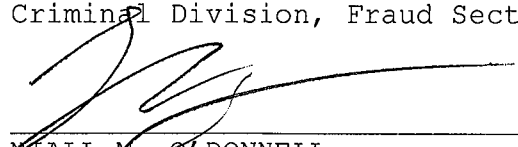
18 g. During the course of a bankruptcy proceeding  
19 entitled *In re Owner Management Service, LLC*, Case No. 12-bk-  
20 10231, in the United States Bankruptcy Court for the Central  
21 District of California, at the direction of D.M. and other co-  
22 conspirators, GOEKU knowingly and fraudulently made false  
23 statements under penalty of perjury, including falsely stating  
24 that GOEKU, not D.M., was the owner and manager of debtor Owner  
25 Management Service, LLC, to hide its true ownership by co-  
26 conspirator D.M.

COUNT TWO

[26 U.S.C. § 7206(1)]

12. On or about February 11, 2012, in Los Angeles County, in the Central District of California, defendant RYU GOEKU, a resident of Los Angeles County, within the Central District of California, did willfully make and subscribe to a joint U.S. Individual Income Tax Return, Form 1040, for the tax year 2011, which defendant verified by a written declaration made under penalty of perjury was true, correct, and complete, and which was filed with the Internal Revenue Service. In truth and in fact, defendant GOEKU did not believe the tax return to be true and correct as to every material matter, in that the return reported adjusted gross income of \$45,206, whereas, as defendant GOEKU well knew and believed, he had earned approximately \$46,065 more than that for the 2011 tax year.

ANDREW WEISSMANN  
Chief  
U.S. Department of Justice  
Criminal Division, Fraud Section



\_\_\_\_\_  
NIALL M. O'DONNELL  
CASEY O'NEILL  
Trial Attorneys  
U.S. Department of Justice  
Criminal Division, Fraud Section