

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DEC 5 2006

U.S. DISTRICT COURT  
W. DIST. OF N.C.

UNITED STATES OF AMERICA )

DOCKET NO. 3:05 CR 400 - W

v. )

THIRD SUPERSEDING BILL OF  
INDICTMENT

(1) CHARLES ROBERT CUMMINS )

a/k/a Charles Robert Thurman )

a/k/a Charles S. Cummings, )

(2) ERIC BRANDON SHAW, )

(3) JOSEPH HALE, )

(4) JUAN LUIS LLAMAS, )

(5) ROBERTO ALBERTO FIELDS CURTIS, )

(6) DIANE BEVERLY SIGUENZA, )

(7) JESSE DAVID REID, )

(8) MARCO ANTONIO FONSECA KRONE, )

(9) JACOB RONALD CHACON KRONE, )

(10) CELIN MARCELL CHACON KRONE, )

(11) JOSHUA JORANE GRIMES, )

and )

(12) MICHAEL ROBERT KEARNS )

a/k/a David Smith )

a/k/a David Williams )

a/k/a "The Colonel," )

Vio: 18 U.S.C. § 371

18 U.S.C. § 1343

18 U.S.C. § 1956(h)

18 U.S.C. § 1956(a)(1)(B)(i)

18 U.S.C. § 982(a)(1) & (a)(8)

18 U.S.C. § 2326

18 U.S.C. § 2

**THE GRAND JURY CHARGES:**

At all times material to this Indictment:

**COUNT ONE (CONSPIRACY)**

**Terminology**

1. A "call center," also called a "boiler room," is a place from which telemarketers make telephone calls to prospective victims as part of a fraudulent telemarketing scheme.

2. "Lead lists" consist of names, addresses, and telephone numbers of prospective victims. The operators of call centers bought lead lists from "lead brokers" or "list brokers."

3. Telemarketers in call centers use "pitch sheets," which are scripts falsely touting the scheme and designed to be read over the telephone to prospective victims.

4. An "opener" is a telemarketer who has the initial contact with a prospective victim. Once a victim is induced to send money, a "loader" resumes contact with a victim to induce them to send additional money.

#### The Defendants

5. Defendant **CHARLES ROBERT CUMMINS**, a/k/a Charles Robert Thurman, a/k/a Charles S. Cummings, is a United States citizen who worked as both an "opener" and a call center manager in Costa Rica.

6. Defendant **ERIC BRANDON SHAW** is a United States citizen who worked as an "opener" at a call center based in Costa Rica.

7. Defendant **JUAN LUIS LLAMAS** is a United States citizen who worked as an "opener" at a call center based in Costa Rica.

8. Defendant **JOSEPH HALE** is a United States citizen who worked as an "opener" at a call center based in Costa Rica.

9. Defendant **ROBERTO ALBERTO FIELDS CURTIS** is a Costa Rican citizen who recruited others to transport victims money from the Western Union offices in Costa Rica to a call center in Costa Rica.

10. Defendant **DIANE BEVERLY SIGUENZA** is a United States citizen who owned and managed a call center based in Costa Rica.

11. Defendant **JESSE DAVID REID** is a United States citizen who worked as an "opener" at a call center based in Costa Rica.

12. Defendant **MARCO ANTONIO FONSECA KRONE** is a dual citizen of the United States and Costa Rica who worked as an "opener" and as a "loader" at a call center based in Costa Rica.

13. Defendant **JACOB RONALD CHACON KRONE** is a dual citizen of the United States and Costa Rica who worked as an "opener" at a call center based in Costa Rica.

14. Defendant **CELIN MARCELL CHACON KRONE** is a dual citizen of the United States and Costa Rica who worked as an "opener" at a call center based in Costa Rica.

15. Defendant **JOSHUA JORANE GRIMES** is a United States citizen who worked as a "loader" and a call center manager in Costa Rica.

16. Defendant **MICHAEL ROBERT KEARNS**, a/k/a David Smith, a/k/a David Williams, a/k/a "The Colonel," is a United States citizen who owned and managed one or more call centers in Costa Rica.

### The Conspiracy

17. From in or about early 2003, up to and including December 2005, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants

**CHARLES ROBERT CUMMINS**  
a/k/a Charles Robert Thurman  
a/k/a Charles S. Cummings,  
**ERIC BRANDON SHAW,**  
**JOSEPH HALE,**  
**JUAN LUIS LLAMAS,**  
**ROBERTO ALBERTO FIELDS CURTIS,**  
**DIANE BEVERLY SIGUENZA,**  
**JESSE DAVID REID,**  
**MARCO ANTONIO FONSECA KRONE,**  
**JACOB RONALD CHACON KRONE,**  
**CELIN MARCELL CHACON KRONE,**  
**JOSHUA JORANE GRIMES,**  
and  
**MICHAEL ROBERT KEARNS,**  
a/k/a David Smith  
a/k/a David Williams  
a/k/a "The Colonel,"

did knowingly and willfully conspire and agree with each other and others know and unknown to the Grand Jury to commit the following offenses:

A. To devise a scheme and artifice to defraud and to obtain money by means of materially false pretenses, representations, and promises, and to utilize the United States mails, private and commercial interstate carriers, and interstate and foreign wire communications for the purpose of executing that scheme and artifice, contrary to Title 18, United States Code, Sections 1341 and 1343; and

B. To transport, transmit, and transfer, via Western Union money wire transfers in interstate and foreign commerce, goods, wares, merchandise, securities and money, of the value of \$5,000 and more, knowing the same to have been stolen, converted, and taken by fraud, contrary to Title 18, United States Code, Section 2314; and

C. To use, affix and impress a fraudulently made, forged, counterfeited, mutilated, and altered seal of the United States Department of Commerce Bureau of Industry and Security upon letters faxed to victims regarding their non-existent sweepstakes winnings, contrary to Title 18, United States Code, Section 506(a)(2).

**Purpose of the Conspiracy**

18. A purpose of the conspiracy was for the defendants and their co-conspirators to unjustly enrich themselves by fraudulently inducing victims to pay them money by creating the false impression that the victims had won valuable prizes.

**Manner and Means Used in the Conspiracy**

19. Among the manner and means by which the defendants and their co-conspirators carried out the conspiracy were the following:

A. The defendants and their co-conspirators would target thousands of residents of the United States, typically, although not exclusively, over the age of 55, and would inform them that they had won a prize in a sweepstakes and that in order to receive the prize, the victims had to send from one thousand to several thousand dollars for a purported "refundable insurance fee," via Western Union money wire-transfers, to an alleged insurance entity in Costa Rica.

B. In order to induce their victims to wire money to Costa Rica, the defendants and their co-conspirators would often falsely represent themselves as being agents of the non-existent "United States Sweepstakes Security Commission," or a variant thereof, which they would falsely represent to victims

was a branch of the United States Department of Commerce charged with ensuring that sweepstakes winners received their money.

C. The defendants and their co-conspirators would call their victims from Costa Rica, using Voice over Internet Protocol (VoIP), which utilized computers to make telephone calls over the Internet permitting them to use recognizable United States area codes, such as Washington, D.C., to make it appear on the victims' caller identification devices that the calls were made from somewhere within the United States when, in fact, the defendants and their co-conspirators were calling from Costa Rica.

D. The defendants and their co-conspirators, when asked by victims, would give the prospective victim telephone numbers with United States area codes, but which actually were accessed in Costa Rica at the same call center from which the defendants and their co-conspirators in Costa Rica would falsely reassure the prospective victim that he or she had won a sweepstakes prize.

E. The defendants and their co-conspirators would fax the prospective victim a document bearing a forged seal of the "Bureau of Industry and Security of the Department of Commerce" containing a false history of the Sweepstakes Security Commission.

F. The defendants and their co-conspirators, after inducing a victim to send money would continuously call each victim with additional fraudulent reasons as to why the victim had to wire more money.

G. The defendants and their co-conspirators would, at times, threaten prosecution of the victim for insurance fraud or for defrauding a federal agent when a victim failed to send money as promised.

H. The defendants and their co-conspirators would unjustly enrich themselves by retaining the proceeds of this fraud, which exceeded ten million dollars.

**Overt Acts**

20. In furtherance of the conspiracy and to effect the objects thereof, the defendants and their co-conspirators committed the following overt acts, among others, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

A. The defendants and their co-conspirators caused the following telephone calls to be made to the following victims on or about the following dates:

<b>Overt Act</b>	<b>Initials of Victim</b>	<b>Date of Call</b>
a	L. S.	04/23/2004
b	L. S.	04/27/2004
c	H. W.	08/30/2004
d	H. W.	08/31/2004
e	E. G.	10/23/2004
f	J. R.	10/23/2004
g	J. R.	10/25/2004
h	E. G.	10/25/2004
i	R. T.	10/29/2004
j	R. T.	11/01/2004
k	C. E.	11/01/2004

Overt Act	Initials of Victim	Date of Call
l	C. E.	11/02/2004
m	C. B.	11/02/2004
n	V. S.	11/09/2004
o	S. B.	11/10/2004
p	S. C.	11/10/2004
q	V. S.	11/10/2004
r	T. E.	11/12/2004
s	T. E.	11/15/2004
t	F. M.	11/22/2004
u	H. J.	11/22/2004
v	H. J.	11/23/2004

B. The defendants and their co-conspirators caused to be made, and received, the following telephone calls from the following victims on or about the following dates:

Overt Act	Initials of Victim	Date of Call
a	D. A.	08/20/2005
b	D. A.	08/25/2005
c	T. H.	11/12/2004
d	V. D.	12/10/2004

C. The defendants and their co-conspirators caused to be made and received, the following Western Union wire transfers from the following victims on or about the following dates:



Overt Act	Initials of Victims	Location Where Wire Received	Approximate Amount of Wire	Approximate Date of Wire
a	C. E.	Costa Rica	\$1,200	02/07/2005
b	L. S.	Costa Rica	\$2,800	04/23/2004
c	L. S.	Costa Rica	\$2,625	04/27/2004
d	L. S.	Costa Rica	\$2,800	04/28/2004
e	J. G.	Costa Rica	\$1,200	06/23/2005
f	J. G.	Costa Rica	\$1,150	06/24/2005
g	J. G.	Costa Rica	\$1,200	06/25/2005
h	T. H.	Antigua	\$2,650	06/27/2005
i	A. J. S.	Costa Rica	\$2,300	07/07/2005
j	T. H.	Antigua	\$2,600	07/07/2005
k	T. H.	Antigua	\$2,939	07/08/2005
l	M. R.	Costa Rica	\$2,750	08/04/2005
m	G. T.	Costa Rica	\$2,625	08/04/2005
n	G. T.	Costa Rica	\$2,625	08/05/2005
o	M. R.	Costa Rica	\$2,500	08/08/2005
p	H. W.	Costa Rica	\$1,750	09/02/2004
q	H. W.	Costa Rica	\$1,400	09/03/2004
r	G. T.	Costa Rica	\$2,600	09/26/2005
s	J. R.	Costa Rica	\$2,950	10/25/2004
t	E. G.	Costa Rica	\$1,000	10/25/2004
u	L. R.	Costa Rica	\$1,100	10/27/2004
v	M. M.	Costa Rica	\$2,150	10/27/2004
w	R. T.	Costa Rica	\$2,750	11/01/2004
x	L. P.	Costa Rica	\$1,750	11/02/2004
y	C. B.	Costa Rica	\$1,800	11/02/2004

Overt Act	Initials of Victims	Location Where Wire Received	Approximate Amount of Wire	Approximate Date of Wire
z	C. E.	Costa Rica	\$2,600	11/02/2004
aa	T. E.	Costa Rica	\$1,225	11/09/2004
bb	T. H.	Costa Rica	\$1,150	11/09/2004
cc	F. M.	Costa Rica	\$2,800	11/10/2004
dd	S. B.	Costa Rica	\$1,500	11/10/2004
ee	S. C.	Costa Rica	\$2,700	11/10/2004
ff	V. S.	Costa Rica	\$1,675	11/10/2004
gg	T. E.	Costa Rica	\$1,750	11/15/2004
hh	T. H.	Costa Rica	\$2,137	11/17/2004
ii	F. M.	Costa Rica	\$2,300	11/22/2004
jj	D. A.	Costa Rica	\$1,350	11/22/2004
kk	T. H.	Costa Rica	\$1,072	11/23/2004
ll	H. J.	Costa Rica	\$2,500	11/23/2004
mm	F. M.	Antigua	\$2,800	11/24/2004
nn	D. A.	Costa Rica	\$2,400	12/01/2004
oo	D. A.	Costa Rica	\$2,600	12/02/2004
pp	V. D.	Costa Rica	\$1,075	12/13/2004

D. On or about August 1, 2003, a Costa Rican national opened an account in his own name with Vonage, a company that specializes in selling Voice Over Internet Protocol access to the public.

E. On or about August 1, 2003, the same Costa Rican national opened a second account in his own name with Vonage.

F. On or about August 1, 2003, the same Costa Rican national opened a third account in his own name with Vonage.

G. On or about August 1, 2003, the same Costa Rican national opened a fourth account in his own name with Vonage.

H. On or about September 26, 2003, the same Costa Rican national leased a mail box in his own name from AEROPOST International Services, Inc., a commercial mail receiving agency in Miami, Florida.

All in violation of Title 18, United States Code, Sections 371 and 2326(2).

**COUNTS TWO THROUGH FORTY-THREE (WIRE FRAUD)**

1. The allegations in paragraphs 1 through 16 and 18 through 19 of Count One of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

2. From at least as early as 2003, to and including December 2005, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants

**CHARLES ROBERT CUMMINS**  
a/k/a Charles Robert Thurman  
a/k/a Charles S. Cummings,  
**ERIC BRANDON SHAW,**  
**JOSEPH HALE,**  
**JUAN LUIS LLAMAS,**  
**ROBERTO ALBERTO FIELDS CURTIS,**  
**DIANE BEVERLY SIGUENZA,**  
**JESSE DAVID REID,**  
**MARCO ANTONIO FONSECA KRONE,**  
**JACOB RONALD CHACON KRONE,**  
**CELIN MARCELL CHACON KRONE,**

**JOSHUA JORANE GRIMES,**  
and  
**MICHAEL ROBERT KEARNS**  
a/k/a David Smith  
a/k/a David Williams  
a/k/a "The Colonel,"

knowingly and willfully devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, as described in paragraphs 5 through 16 and 18 through 19 of Count One of this Indictment.

3. On or about the dates set forth below, for the purposes of executing the scheme and artifice and attempting to do so, the defendants transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce writings, signs, signals, pictures and sounds, specifically Western Union wire transfers routed through Western Union facilities in Mecklenburg County, as described below:

<b>Count</b>	<b>Victims' Initials and Source of Wire</b>	<b>Age of Victim</b>	<b>Location Where Wire Received</b>	<b>Approx. Date of Wire</b>	<b>Approx. Amount of Wire</b>
2	L. S. Harlem, GA	75	San Jose, Costa Rica	04/23/2004	\$2,800
3	L. S. Harlem, GA	75	San Jose, Costa Rica	04/27/2004	\$2,625
4	L. S. Harlem, GA	75	San Jose, Costa Rica	04/28/2004	\$2,800
5	H. W. Duncan, OK	77	San Jose, Costa Rica	09/02/2004	\$1,750
6	H. W. Duncan, OK	77	San Jose, Costa Rica	09/03/2004	\$1,400
7	E. G. La Puente, CA	unkwn	San Jose, Costa Rica	10/25/2004	\$1,000

<b>Count</b>	<b>Victims' Initials and Source of Wire</b>	<b>Age of Victim</b>	<b>Location Where Wire Received</b>	<b>Approx. Date of Wire</b>	<b>Approx. Amount of Wire</b>
8	J. R. Soldotna, AK.	80	San Jose, Costa Rica	10/25/2004	\$2,950
9	L. R. Williamsport, PA	74	San Jose, Costa Rica	10/27/2004	\$1,100
10	M. M. Dayton, OH	76	San Jose, Costa Rica	10/27/2004	\$2,150
11	R. T. Port Ludlow, WA	81	San Jose, Costa Rica	11/01/2004	\$2,750
12	C. B. Hampton, VA	78	San Jose, Costa Rica	11/02/2004	\$1,800
13	L. P. Hayes, NC	47	San Jose, Costa Rica	11/02/2004	\$1,750
14	C. E. David City, NE	82	San Jose, Costa Rica	11/02/2004	\$2,600
15	T. E. Blowing Rock, NC	36	San Jose, Costa Rica	11/09/2004	\$1,225
16	T. H. Wilmington, NC	34	San Jose, Costa Rica	11/09/2004	\$1,150
17	S. B. Seattle, WA	83	San Jose, Costa Rica	11/10/2004	\$1,500
18	S. C. Camano Island, WA	80	San Jose, Costa Rica	11/10/2004	\$2,700
19	V. S. Cullman, AL	85	San Jose, Costa Rica	11/10/2004	\$1,675
20	F. M. Canute, OK	55	San Jose, Costa Rica	11/10/2004	\$2,800
21	T. E. Blowing Rock, NC	36	San Jose, Costa Rica	11/15/2004	\$1,750
22	T. H. Wilmington, NC	34	San Jose, Costa Rica	11/17/2004	\$2,137

Count	Victims' Initials and Source of Wire	Age of Victim	Location Where Wire Received	Approx. Date of Wire	Approx. Amount of Wire
23	F. M. Canute, OK	55	San Jose, Costa Rica	11/22/2004	\$2,300
24	D. A. Newport, N.C.	50	San Jose, Costa Rica	11/22/2004	\$1,350
25	T. H. Wilmington, NC	34	San Jose, Costa Rica	11/23/2004	\$1,072
26	H. J. Ahoskie, NC	88	San Jose, Costa Rica	11/23/2004	\$2,500
27	F. M. Canute, OK	55	St. John's Antigua	11/24/2004	\$2,800
28	D. A. Newport, N.C.	50	San Jose, Costa Rica	12/01/2004	\$2,400
29	D. A. Newport, N.C.	50	San Jose, Costa Rica	12/02/2004	\$2,600
30	V. D. Royal Palm Beach, FL	29	San Jose, Costa Rica	12/13/2004	\$1,075
31	C. E. David City, NE	82	San Jose, Costa Rica	02/07/2005	\$1,200
32	J. G. Chula Vista, CA	80	San Jose, Costa Rica	06/23/2005	\$1,200
33	J. G. Chula Vista, CA	80	San Jose, Costa Rica	06/24/2005	\$1,150
34	J. G. Chula Vista, CA	80	San Jose, Costa Rica	06/25/2005	\$1,200
35	T. H. Conover, NC	36	St. John's Antigua	06/27/2005	\$2,650
36	T. H. Conover, NC	36	St. John's Antigua	07/07/2005	\$2,600
37	A. J. S. N. Attleboro, MA	72	St. John's Antigua	07/07/2005	\$2,500

Count	Victims' Initials and Source of Wire	Age of Victim	Location Where Wire Received	Approx. Date of Wire	Approx. Amount of Wire
38	T. H. Conover, NC	36	St. John's Antigua	07/08/2005	\$2,939
39	M. R. Brooklyn, NY	54	San Jose, Costa Rica	08/04/2005	\$2,750
40	G. T. Milford, ME	77	San Jose, Costa Rica	08/04/2005	\$2,625
41	G. T. Milford, ME	77	San Jose, Costa Rica	08/05/2005	\$2,625
42	M. R. Brooklyn, NY	54	San Jose, Costa Rica	08/08/2005	\$2,500
43	G. T. Milford, ME	77	San Jose, Costa Rica	09/26/2005	\$2,600

All in violation of Title 18, United States Code, Sections 1343, 2326(2) and 2.

**COUNT FORTY-FOUR (CONSPIRACY TO COMMIT MONEY LAUNDERING)**

1. The allegations in paragraphs 1 through 16 and 18 through 19 of Count One of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

2. From in or about early 2003, to and including December 2005, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendants

**CHARLES ROBERT CUMMINS**  
a/k/a Charles Robert Thurman  
a/k/a Charles S. Cummings,  
**ERIC BRANDON SHAW,**  
**JOSEPH HALE,**

**JUAN LUIS LLAMAS,  
ROBERTO ALBERTO FIELDS CURTIS,  
DIANE BEVERLY SIGUENZA,  
JESSE DAVID REID,  
MARCO ANTONIO FONSECA KRONE,  
JACOB RONALD CHACON KRONE,  
CELIN MARCELL CHACON KRONE,  
JOSHUA JORANE GRIMES.**

and

**MICHAEL ROBERT KEARNS**

a/k/a David Smith

a/k/a David Williams

a/k/a "The Colonel,"

did knowingly conspire and agree with each other, and others known and unknown to the Grand Jury to conduct and attempt to conduct financial transactions while knowing that the property involved in the financial transactions represented the proceeds of unlawful activity, specifically wire fraud, and while knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of a specified unlawful activity, in violation of Title 18, United States Code, Section 1956 (a)(1)(B)(i).

**Manner and Means Used in the Money Laundering Conspiracy**

3. Among the manner and means by which the defendants and their co-conspirators carried out the conspiracy were the following:

A. The defendants and their co-conspirators would instruct some of their victims to wire, via Western Union, their money to conspirators in Antigua and Barbuda. The conspirators would then forward this money, via Western Union wire transfer automatically routed through Western Union facilities in Charlotte,



Mecklenburg County, North Carolina, to defendants and their conspirators in Costa Rica.  
All in violation of Title 18, United States Code, Section 1956(h).

**COUNTS 45 THROUGH 86**  
**(Money Laundering: Financial Transactions to Disguise and Conceal the Nature, Location, Source, Ownership and Control of Proceeds of Unlawful Activity)**

16. The allegations in paragraphs 1 through 16 and 18 through 19 of Count One and paragraph 3 of Count Forty-Four of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

17. On or about the dates set forth below, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendants,

**CHARLES ROBERT CUMMINS**  
a/k/a Charles Robert Thurman  
a/k/a Charles S. Cummings,  
**ERIC BRANDON SHAW,**  
**JOSEPH HALE,**  
**JUAN LUIS LLAMAS,**  
**ROBERTO ALBERTO FIELDS CURTIS,**  
**DIANE BEVERLY SIGUENZA,**  
**JESSE DAVID REID,**  
**MARCO ANTONIO FONSECA KRONE,**  
**JACOB RONALD CHACON KRONE,**  
**CELIN MARCELL CHACON KRONE,**  
**JOSHUA JORANE GRIMES,**  
and  
**MICHAEL ROBERT KEARNS**  
a/k/a David Smith  
a/k/a David Williams  
a/k/a "The Colonel,"

did knowingly conduct and attempt to conduct financial transactions, which involved the proceeds of specified unlawful activity, specifically wife fraud, while knowing that the transactions represented the proceeds of unlawful activity, specifically wire fraud, and

were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the specified unlawful activity, as described below:

Count	Date Wire Sent	Approx. Amount of Wire	Payee Name	Payee City
45	11/24/04	\$4,000.00	Shaw, Eric	Heredia, C.R.
46	11/25/04	\$2,880.00	Llamas, Juan Luis	San Jose, C.R.
47	11/30/04	\$4,738.30	Llamas, Juan Luis	Curridabat, C.R.
48	12/01/04	\$3,533.75	Shaw, Eric	San Jose, C.R.
49	12/01/04	\$2,880.00	Llamas, Juan Luis	San Jose, C.R.
50	12/02/04	\$2,938.29	Llamas, Juan Luis	San Jose, C.R.
51	12/02/04	\$3,063.84	Shaw, Eric	San Jose, C.R.
52	12/03/04	\$2,988.95	Shaw, Eric	San Jose, C.R.
53	12/03/04	\$2,988.95	Shaw, Eric	San Jose, C.R.
54	12/03/04	\$2,555.57	Llamas, Juan Luis	San Jose, C.R.
55	12/03/04	\$2,988.95	Llamas, Juan Luis	Curridabat, C.R.
56	12/05/04	\$3,000.00	Llamas, Juan Luis	Curridabat, C.R.
57	12/05/04	\$3,000.00	Llamas, Juan Luis	San Jose, C.R.
58	12/09/04	\$3,500.00	Llamas, Juan Luis	San Francisco, C.R.
59	12/09/04	\$3,500.00	Llamas, Juan Luis	Curridabat, C.R.
60	12/09/04	\$3,500.00	Shaw, Eric	San Jose, C.R.
61	12/09/04	\$2,000.00	Shaw, Eric	San Jose, C.R.
62	12/09/04	\$3,500.00	Hale, Joseph	San Jose, C.R.
63	12/09/04	\$3,500.00	Hale, Joseph	San Jose, C.R.
64	12/13/04	\$1,519.78	Llamas, Juan Luis	San Jose, C.R.
65	12/13/04	\$3,546.21	Llamas, Juan Luis	San Francisco, C.R.
66	12/13/04	\$3,546.21	Llamas, Juan Luis	San Francisco, C.R.
67	12/13/04	\$3,546.21	Thurman, Charles	Curridabat, C.R.
68	12/13/04	\$3,546.21	Thurman, Charles	Curridabat, C.R.
69	12/14/04	\$3,546.21	Thurman, Charles	Curridabat, C.R.
70	12/14/04	\$ 506.60	Llamas, Juan Luis	San Jose, C.R.
71	12/14/04	\$3,546.21	Llamas, Juan Luis	Curridabat, C.R.
72	12/14/04	\$3,546.21	Llamas, Juan Luis	Curridabat, C.R.
73	12/14/04	\$3,546.21	Hale, Joseph	Curridabat, C.R.
74	12/14/04	\$3,546.21	Hale, Joseph	Curridabat, C.R.
75	12/15/04	\$3,500.00	Thurman, Charles	San Francisco, C.R.
76	12/16/04	\$3,500.00	Thurman, Charles	San Francisco, C.R.

Count	Date Wire Sent	Approx. Amount of Wire	Payee Name	Payee City
77	12/17/04	\$3,500.00	Llamas, Juan Luis	San Francisco, C.R.
78	12/17/04	\$3,500.00	Llamas, Juan Luis	Curridabat, C.R.
79	12/19/04	\$150.00	Shaw, Eric	Alajuela, C.R.
80	12/20/04	\$3,500.00	Llamas, Juan Luis	Curridabat, C.R.
81	12/20/04	\$3,500.00	Hale, Joseph	San Jose, C.R.
82	06/30/05	\$883.00	Curtis, Roberto Alberto Fields	San Jose, C.R.
83	07/13/05	\$1,632.54	Curtis, Roberto Alberto Fields	San Jose, C.R.
84	07/16/05	\$1,608.09	Curtis, Roberto Alberto Fields	San Jose, C.R.
85	07/18/05	\$4,430.00	Curtis, Roberto Alberto Fields	Curridabat, C.R.
86	07/21/05	\$2,952.00	Curtis, Roberto Alberto Fields	San Jose, C.R.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

**NOTICE OF WIRE FRAUD FORFEITURE**  
**18 U.S.C. § 982(a)(8)**

1. The allegations in paragraphs 1 through 16 and 18 through 19 of Count One and paragraph 3 of Count Forty-Four of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 371 and 1343 set forth in Counts 1 through 43 of this Indictment, which involved telemarketing as that term is used in Title 18, United States Code, Section 2325, defendants shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(8), any real or personal property:

A. used or intended to be used to commit, to facilitate, or to promote the commission of such offenses;

B. constituting, derived from, or traceable to the gross proceeds obtained directly or indirectly as a result of the offenses; and

C. a sum of money representing the amount of proceeds obtained as a result of the offense for which defendants are convicted up to a value of \$10,000,000.

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), each defendant shall forfeit substitute property, up to the value of the amount described in paragraph 2, if, by any act or omission of the defendant, the property described in paragraph 2, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

All in accordance with Title 18, United States Code, Section 982(a)(8), and Rule 32.2(a), Federal Rules of Criminal Procedure.

**NOTICE OF MONEY LAUNDERING FORFEITURE**  
**18 U.S.C. § 982(a)(1) and (2)**

1. The allegations in paragraphs 1 through 16 and 18 through 19 of Count One and paragraph 3 of Count Forty-Four of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

2. Pursuant to Title 18, United States Code, Sections 982(a)(1) and (2), upon conviction of the offenses set forth in Counts Forty-Four through Eighty-Six, the defendants shall forfeit to the United States any property involved in the offenses in violation of Title 18, United States Code, Section 1956 and all property traceable to such property, including, without limitation, the following:

A. All right, title, and interest in any and all property involved in each offense in violation of Title 18, United States Code, Section 1956, or conspiracy to commit such offense, for which the defendant is convicted, and all property traceable to such property, including the following: 1) all money or other property that was the subject of each transaction, transportation, transmission or transfer in violation of Section 1956; 2) all commissions, fees and other property constituting proceeds obtained as a result of those violations; and 3) all property used in any manner or part to commit or to facilitate the commission of those violations.

B. A sum of money equal to the total amount of money involved in each offense, or conspiracy to commit such offense, for which the defendant is convicted. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable for the amount involved in such offense.

C. A sum of money representing the amount of proceeds obtained as a result of the offense for which defendants are convicted up to a value of \$10,000,000.

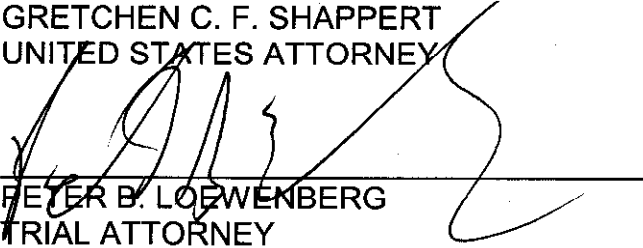
3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), each defendant shall forfeit substitute property, up to the value of the amount described in paragraph 2, if, by any act or

omission of the defendant, the property described in paragraph 2, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

All in accordance with Title 18, United States Code, Section 982(a)(1), and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL

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GRETCHEN C. F. SHAPPERT  
UNITED STATES ATTORNEY

  
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PETER B. LOEWENBERG  
TRIAL ATTORNEY  
PATRICK M. DONLEY  
SENIOR LITIGATION COUNSEL  
FRAUD SECTION, CRIMINAL DIVISION  
UNITED STATES DEPARTMENT OF JUSTICE