

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

**FILED**  
2014 DEC 16 P 3:23  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

**SEALED  
BY COURT ORDER**

**CR 14 0627**

BEHNAM HALALI, ERNESTO MAGAT, KRAIG JILGE,  
KAREN GAGARIN, and ALOMKONE SOUNDARA,  
a/k/a ALEX SOUNDARA,

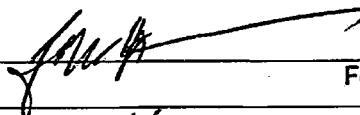
**SI**

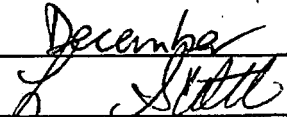
DEFENDANT(S).

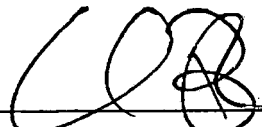
## INDICTMENT

Title 18, United States Code, Section 1349 - Conspiracy to Commit Wire Fraud;  
Title 18, United States Code, Section 1343 - Wire Fraud;  
Title 18, United States Code, Section 1957 - Money Laundering;  
Title 18, United States Code, Section 1028(a)(1) - Aggravated Identity Theft;  
Title 18, United States Code, Sections 982(a)(1), 982(a)(3)(E), (F) and Title 28,  
United States Code, Section 2461(c) - Forfeiture Allegation

A true bill.

  
Foreman

Filed in open court this 16 day of  
December 2014  
  
Clerk

 Bail, \$ no bail (verrals to all (ordered under seal))

*cut part SI*

SEALED  
BY COURT ORDER

United States District Court  
Northern District of California

CRIMINAL COVER SHEET

**Instructions:** Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

Case Name: BEHNAM HALALI, ERNESTO MAGAT, KRAIG JILGE,  
KAREN GAGARIN, and ALOMKONE SOUNDARA  
USA v. a/k/a ALEX SOUNDARA

Case Number: CR 14 0627

SJ

Total Number of Defendants:

1  2-7  8 or more

Is This Case Under Seal?

Yes  No

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes  No

Venue (Per Crim. L.R. 18-1):

SF  OAK  SJ  EUR  MON

Is any defendant charged with a death-penalty-eligible crime?

Yes  No

Assigned AUSA (Lead Attorney):

Kim A. Berger

Is this a RICO Act gang case?

Yes  No

Date Submitted:

12/16/2014

Comments:



**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- Title 18, U.S.C., § 1349 - Conspiracy to Commit Wire Fraud;  Petty
- Title 18, U.S.C., § 1343 - Wire Fraud;  Minor
- Title 18, U.S.C., § 1957 - Money Laundering;  Misdemeanor
- Title 18, U.S.C., § 1028(a)(1) - Aggravated Identity Theft;  Felony
- Title 18, U.S.C., §§ 982(a)(1), 982(a)(3)(E), (F) and  Felony
- Title 28, U.S.C., § 2461(c) - Forfeiture Allegation  Felony

PENALTY: Please see attachment.

**SEALED  
BY COURT ORDER**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation and Internal Revenue Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

SHOW  
DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE  
CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person  
Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.  
Attorney (if assigned) Kim A. Berger

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

**BEHNAM HALALI**

DISTRICT COURT NUMBER

**CR 14 0627**

**DEFENDANT**

**IS NOT IN CUSTODY**

- 1)  Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction }  Federal  State
- 6)  Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY  Month/Day/Year

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**PENALTY SHEET ATTACHMENT  
(BEHNAM HALALI)**

Count One (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum term of imprisonment of 20 years;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Counts Two through Four (18 U.S.C. § 1343 – Wire Fraud)

Maximum term of imprisonment of 20 years imprisonment;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Count 18 (18 U.S.C. § 1957 – Money Laundering)

Maximum term of imprisonment of 10 years;

\$250,000 fine or twice the amount of the criminally derived property;

Maximum term of supervised release of three years; and

\$100 special assessment

Count 21 (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

Maximum term of imprisonment of 2 years;

\$250,000 fine;

Maximum term of supervised release of one year; and

\$100 special assessment

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- Title 18, U.S.C., § 1349 - Conspiracy to Commit Wire Fraud;  Petty
- Title 18, U.S.C., § 1343 - Wire Fraud;  Minor
- Title 18, U.S.C., § 1957 - Money Laundering;  Misdemeanor
- Title 18, U.S.C., § 1028(a)(1) - Aggravated Identity Theft;  Felony
- Title 18, U.S.C., §§ 982(a)(1), 982(a)(3)(E), (F) and  Felony
- Title 28, U.S.C., § 2461(c) - Forfeiture Allegation  Felony

PENALTY: Please see attachment.

**SEALED BY COURT ORDER**

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**FILED**  
DEC 16 2014

DEFENDANT - U.S.

ERNESTO MAGAT

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

DISTRICT COURT NUMBER

**CR 14 0627**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation and Internal Revenue Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Kim A. Berger

**DEFENDANT**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
  - 5)  On another conviction }  Federal  State
  - 6)  Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No } If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

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This report amends AO 257 previously submitted

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SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**PENALTY SHEET ATTACHMENT  
(ERNESTO MAGAT)**

Count One (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum term of imprisonment of 20 years;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Counts Five through Seven (18 U.S.C. § 1343 – Wire Fraud)

Maximum term of imprisonment of 20 years imprisonment;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Counts Eighteen through Twenty (18 U.S.C. § 1957 – Money Laundering)

Maximum term of imprisonment of 10 years;

\$250,000 fine or twice the amount of the criminally derived property;

Maximum term of supervised release of three years; and

\$100 special assessment

Count 22 (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

Maximum term of imprisonment of 2 years;

\$250,000 fine;

Maximum term of supervised release of one year; and

\$100 special assessment

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- Title 18, U.S.C., § 1349 - Conspiracy to Commit Wire Fraud;  Petty
- Title 18, U.S.C., § 1343 - Wire Fraud;  Minor
- Title 18, U.S.C., § 1957 - Money Laundering;  Misdemeanor
- Title 18, U.S.C., § 1028(a)(1) - Aggravated Identity Theft;  Felony
- Title 18, U.S.C., §§ 982(a)(1), 982(a)(3)(E), (F) and  Felony
- Title 28, U.S.C., § 2461(c) - Forfeiture Allegation  Felony

PENALTY: Please see attachment.

**SEALED BY COURT ORDER**

Name of District Court, and/or Judge/Magistrate Location  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**FILED**

**DEC 18 2014**

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

DEFENDANT - U.S.

▶ **KRAIG JILGE**

DISTRICT COURT NUMBER

**CR 14 0627**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation and Internal Revenue Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

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SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

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prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Kim A. Berger

**DEFENDANT**

**SI**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
  - 5)  On another conviction }  Federal  State
  - 6)  Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... If Arresting Agency & Warrant were not

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**PROCESS:**

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Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

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Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**PENALTY SHEET ATTACHMENT  
(KRAIG JILGE)**

Count One (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum term of imprisonment of 20 years;  
\$250,000 fine or twice the gross gain or loss;  
Maximum term of supervised release of three years; and  
\$100 special assessment

Counts Eight through Nine (18 U.S.C. § 1343 – Wire Fraud)

Maximum term of imprisonment of 20 years;  
\$250,000 fine or twice the gross gain or loss;  
Maximum term of supervised release of three years; and  
\$100 special assessment

Counts Sixteen and Seventeen (18 U.S.C. § 1957 – Money Laundering)

Maximum term of imprisonment of 10 years;  
\$250,000 fine or twice the amount of the criminally derived property;  
Maximum term of supervised release of three years;  
\$100 special assessment

Count 25 (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

Maximum term of imprisonment of 2 years;  
\$250,000 fine;  
Maximum term of supervised release of one year;  
\$100 special assessment



**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- Title 18, U.S.C., § 1349 - Conspiracy to Commit Wire Fraud;  Petty
- Title 18, U.S.C., § 1343 - Wire Fraud;  Minor
- Title 18, U.S.C., § 1028(a)(1) - Aggravated Identity Theft;  Misdemeanor
- Title 18, U.S.C., §§ 982(a)(1), 982(a)(3)(E), (F) and  Felony
- Title 28, U.S.C., § 2461(c) - Forfeiture Allegation

PENALTY: Please see attachment.

**SEALED BY COURT ORDER**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation and Internal Revenue Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Kim A. Berger

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**FILED**

**DEC 16 2014**

**RICHARD W. WIEKING**  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

▶ KAREN GAGARIN

DISTRICT COURT NUMBER

**CR 14 0627**

**DEFENDANT**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction }  Federal  State
- 6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY  Month/Day/Year

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**PENALTY SHEET ATTACHMENT  
(KAREN GAGARIN)**

Count One (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum term of imprisonment of 20 years;  
\$250,000 fine or twice the gross gain or loss;  
Maximum term of supervised release of three years; and  
\$100 special assessment

Counts Ten through Twelve (18 U.S.C. § 1343 – Wire Fraud)

Maximum term of imprisonment of 20 years imprisonment;  
\$250,000 fine or twice the gross gain or loss;  
Maximum term of supervised release of three years; and  
\$100 special assessment

Count 24 (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

Maximum term of imprisonment of 2 years;  
\$250,000 fine;  
Maximum term of supervised release of one year; and  
\$100 special assessment

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- Title 18, U.S.C., § 1349 - Conspiracy to Commit Wire Fraud;  Petty
- Title 18, U.S.C., § 1343 - Wire Fraud;  Minor
- Title 18, U.S.C., § 1028(a)(1) - Aggravated Identity Theft;  Misdemeanor
- Title 18, U.S.C., §§ 982(a)(1), 982(a)(3)(E), (F) and  Felony
- Title 28, U.S.C., § 2461(c) - Forfeiture Allegation

PENALTY: Please see attachment.

**SEALED  
BY COURT ORDER**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation and Internal Revenue Service

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

SHOW  
DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE  
CASE NO.

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Name and Office of Person  
Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.  
Attorney (if assigned) Kim A. Berger

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**FILED**  
DEC 16 2014

DEFENDANT - U.S.

ALOMKONE SOUNDARA, a/k/a ALEX SOUNDARA

DISTRICT COURT NUMBER

**CR 14 0627**

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

**DEFENDANT**

**IS NOT IN CUSTODY**

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- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction }  Federal  State
- 6)  Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY  Month/Day/Year

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

**PENALTY SHEET ATTACHMENT  
(ALOMKONE SOUNDARA)**

Count One (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum term of imprisonment of 20 years;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Counts Thirteen through Fifteen (18 U.S.C. § 1343 – Wire Fraud)

Maximum term of imprisonment of 20 years;

\$250,000 fine or twice the gross gain or loss;

Maximum term of supervised release of three years; and

\$100 special assessment

Count 25 (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

Maximum term of imprisonment of 2 years;

\$250,000 fine;

Maximum term of supervised release of one year; and

\$100 special assessment

1 MELINDA HAAG (CABN 132612)  
United States Attorney

FILED  
2014 DEC 16 P 3:24  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SEALD  
BY COURT ORDER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SI

SAN FRANCISCO DIVISION

CR 14 0627

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 BEHNAM HALALI,  
15 ERNESTO MAGAT,  
16 KRAIG JILGE,  
KAREN GAGARIN, and  
ALOMKONE SOUNDARA,  
a/k/a ALEX SOUNDARA,

17 Defendants.

) NO. CR  
)  
) VIOLATIONS: Title 18, United States Code, Section  
) 1349—Conspiracy to Commit Wire Fraud; Title 18,  
) United States Code, Section 1343—Wire Fraud; Title  
) 18, United States Code, Section 1957—Money  
) Laundering; Title 18, United States Code, Section  
) 1028A(a)(1)—Aggravated Identity Theft; Title 18,  
) United States Code, Sections 982(a)(1), 982(a)(3)(E),  
) (F) and Title 28, United States Code,  
) Section 2461(c)—Forfeiture Allegations  
)  
) SAN FRANCISCO VENUE

20 INDICTMENT

21 The Grand Jury charges:

22 Introductory Allegations

- 23 1. American Income Life Insurance Company (“AIL”) was a company headquartered in
- 24 Texas that sold supplemental life insurance throughout the United States.
- 25 2. From in or about 2005 until he was fired in or about April 2012, defendant Behnam
- 26 HALALI worked as an independent contractor selling AIL life insurance.
- 27 3. From in or about 2008 until he was fired in or about January 2012, defendant Ernesto
- 28 MAGAT worked as an independent contractor selling AIL life insurance.

1 4. From in or about 2008 until he was fired in or about January 2012, defendant Kraig  
2 JILGE worked as an independent contractor selling AIL life insurance.

3 5. From in or about 2008 until she resigned in or about May 2012, defendant Karen  
4 GAGARIN worked as an independent contractor selling AIL life insurance.

5 6. From in or about 2010 until he was fired in or about April 2012, defendant Alomkone  
6 SOUNDARA, a/k/a Alex SOUNDARA, worked as an independent contractor selling AIL life insurance.

7 7. From in or about June 2009 until in or about February 2012, co-conspirator M.M. worked  
8 as an independent contractor selling AIL life insurance.

9 The Conspiracy and the Scheme to Defraud

10 8. From in or about September 2011, through in or about February 2012, the defendants,  
11 HALALI, MAGAT, JILGE, GAGARIN, and SOUNDARA, did knowingly and willfully conspire and  
12 agree with each other, and with other persons known and unknown to the Grand Jury, to devise,  
13 participate in, and execute a scheme to defraud AIL, and to obtain money from AIL by means of  
14 materially false and fraudulent pretenses, representations, and promises, and by omitting and concealing  
15 material facts. The defendants executed the scheme by, among other things, submitting applications for  
16 life insurance on behalf of individuals who did not know that a policy was applied for or issued in their  
17 name and/or did not want a life insurance policy, and then shared the commissions and bonuses issued  
18 by AIL in connection with those fraudulent policies.

19 Manner and Means of the Scheme

20 9. Among the manner and means by which the defendants and their co-conspirators carried  
21 out this conspiracy were the following:

22 a. The defendants and their co-conspirators paid recruiters to find individuals who  
23 were willing to take a medical exam in exchange for approximately \$100. The defendants and their co-  
24 conspirators then took the personal information associated with those individuals and submitted  
25 applications for life insurance in their names, in many cases without the individual's knowledge;

26 b. The defendants and their co-conspirators paid individuals to participate in a  
27 fictitious survey of a medical exam company, and then took the personal information associated with  
28 those individuals and submitted applications for life insurance, in many cases without the individual's

1 knowledge;

2 c. The defendants and their co-conspirators solicited their family and friends to  
3 submit applications for life insurance, and told them that they would receive free life insurance for  
4 several months after which the policies would be cancelled;

5 d. In some cases, the defendants and their co-conspirators created fraudulent driver's  
6 licenses so they could take medical exams purporting to be the individuals in the applications;

7 e. The defendants and their co-conspirators opened hundreds of bank accounts to  
8 fund the premiums on the fraudulent policies, and typically paid between one to four months of  
9 premiums before letting the policies lapse;

10 f. The defendants and their co-conspirators purchased pre-paid telephones and set  
11 up Google Voice telephone numbers for phone numbers listed on the fraudulent applications;

12 g. The defendants and their co-conspirators returned verification calls to AIL  
13 purporting to be the applicants on the fraudulent applications, and confirmed the information in the  
14 fraudulent applications;

15 h. The defendants and their co-conspirators listed addresses of gas stations and  
16 apartment complexes on many of the fraudulent applications in an effort to avoid detection, and  
17 fabricated the names of the beneficiaries of the policies; and

18 i. The defendants and their co-conspirators exchanged emails in which they tracked  
19 the telephone numbers and bank accounts associated with the fraudulent policies.

20 10. As a result of this fraudulent scheme, the defendants and their co-conspirators caused  
21 AIL to pay more than \$2.5 million in commissions and bonuses for fraudulent life insurance policies.

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1 **COUNT ONE:** (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

2 11. Paragraphs 1 through 10 are realleged and reincorporated herein by reference.

3 12. Beginning in or about September 2011, and continuing through in or about February  
4 2012, in the Northern District of California and elsewhere, the defendants,

5 BEHNAM HALALI,  
6 ERNESTO MAGAT,  
7 KRAIG JILGE,  
8 KAREN GAGARIN, and  
9 ALOMKONE SOUNDARA,

10 did knowingly and willfully conspire and agree with each other, and with other persons known and  
11 unknown to the Grand Jury, to devise, participate in, and execute a material scheme and artifice to  
12 defraud, and to obtain money and property by means of materially false and fraudulent pretenses,  
13 representations, and promises, and by means of concealment of material facts, and, for the purpose of  
14 executing such scheme and artifice, did knowingly and intentionally cause to be transmitted, in interstate  
15 commerce, by means of a wire communication, certain writings, signs, and signals, in violation of Title  
16 18, United States Code, Section 1343.

17 All in violation of Title 18, United States Code, Section 1349.

18 **COUNTS TWO THROUGH FIFTEEN :** (18 U.S.C. § 1343 – Wire Fraud)

19 13. Paragraphs 1 through 10 are realleged and reincorporated herein by reference.

20 14. On or about the dates set forth below, in the Northern District of California and  
21 elsewhere, the defendants,

22 BEHNAM HALALI,  
23 ERNESTO MAGAT,  
24 KRAIG JILGE,  
25 KAREN GAGARIN, and  
26 ALOMKONE SOUNDARA,

27 for the purpose of executing the material scheme to defraud, and to obtain money and property by means  
28 of materially false and fraudulent pretenses, representations, and promises, and by omission and  
concealment of material facts, did knowingly transmit and cause to be transmitted the following wire  
communications in interstate commerce:



COUNT	APPROXIMATE DATE OF WIRE	NATURE OF THE WIRE COMMUNICATION
2	December 5, 2011	Wire transfer of \$398.60 from HALALI's Wells Fargo bank account to AIL's account at Central National Bank
3	December 12, 2011	Wire transfer of \$354.68 from HALALI's Wells Fargo bank account to AIL's account at Central National Bank
4	December 19, 2011	Wire transfer of \$377.67 from HALALI's Wells Fargo bank account to AIL's account at Central National Bank
5	November 15, 2011	Wire transfer of \$401.60 from MAGAT's Wells Fargo bank account to AIL's account at Central National Bank
6	November 25, 2011	Wire transfer of \$409.94 from MAGAT's Wells Fargo bank account to AIL's account at Central National Bank
7	December 5, 2011	Wire transfer of \$387.20 from MAGAT's Wells Fargo bank account to AIL's account at Central National Bank
8	October 11, 2011	Wire transfer of \$429.42 from JILGE's Wells Fargo bank account to AIL's account at Central National Bank
9	October 24, 2011	Wire transfer of \$400.86 from JILGE's Wells Fargo bank account to AIL's account at Central National Bank
10	November 3, 2011	Wire transfer of \$279.05 from GAGARIN's Wells Fargo bank account to AIL's account at Central National Bank
11	November 7, 2011	Wire transfer of \$364 from GAGARIN's Wells Fargo bank account to AIL's account at Central National Bank
12	November 7, 2011	Wire transfer of \$378.34 from GAGARIN's Wells Fargo bank account to AIL's account at Central National Bank
13	October 31, 2011	Wire transfer of \$396.90 from SOUNDARA's Wells Fargo bank account to AIL's account at Central National Bank
14	November 18, 2011	Wire transfer of \$109.42 from SOUNDARA's Wells Fargo bank account to AIL's account at Central National Bank
15	November 21, 2011	Wire transfer of \$395.30 from SOUNDARA's Wells Fargo bank account to AIL's account at Central National Bank

Each in violation of Title 18, United States Code, Section 1343.

1 policies, during and in relation to felony violations of Title 18, United States Code, Sections 1343 and  
2 1349:

COUNT	APPROXIMATE DATE	DEFENDANT	WIRE FRAUD VIOLATION
21	December 12, 2011	BEHNAM HALALI	A life insurance policy issued in the name of E.H.
22	November 15, 2011	ERNESTO MAGAT	A life insurance policy issued in the name of V.M.
23	October 11, 2011	KRAIG JILGE	A life insurance policy issued in the name of B.R.
24	November 3, 2011	KAREN GAGARIN	A life insurance policy issued in the name of M.G.
25	November 9, 2011	ALOMKONE SOUNDARA	SOUNDARA created a phony driver's license in connection with the application for a life insurance policy issued in the name of B.R.

Each in violation of Title 18, United States Code, Section 1028A(a)(1).

**FORFEITURE ALLEGATION:** (18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), and 28 U.S.C. § 2461(c))

19. The allegations contained in paragraphs 1 through 10 are realleged and fully incorporated herein for the purpose of alleging forfeiture.

20. Upon a conviction of any of the offenses alleged in Counts One through Twenty-Five above, the defendants,

BEHNAM HALALI,  
ERNESTO MAGAT,  
KRAIG JILGE,  
KAREN GAGARIN, and  
ALOMKONE SOUNDARA,

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1343, or conspiracy thereto.

1 21. Upon a conviction of any of the offenses alleged in Counts Sixteen through Twenty  
2 above, the defendants,

3 BEHNAM HALALI,  
4 ERNESTO MAGAT,  
5 KRAIG JILGE,  
6 KAREN GAGARIN, and  
7 ALOMKONE SOUNDARA,

8 shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal,  
9 involved in any violation of 18 U.S.C. § 1957.

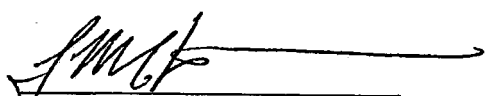
10 22. If any of said property, as a result of any act or omission of the defendants:

- 11 (a) cannot be located upon the exercise of due diligence;
- 12 (b) has been transferred to, sold to, or deposited with a third person;
- 13 (c) has been placed beyond the jurisdiction of the Court;
- 14 (d) has been substantially diminished in value; or
- 15 (e) has been commingled with other property which cannot be subdivided without  
16 difficulty;


17 any and all interest the defendants have in other property shall be vested in the United States and  
18 forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated  
19 by Title 18, United States Code, Section 982(b)(1), Title 28, United States Code, Section 2461(c) and  
20 Rule 32.2 of the Federal Rules of Criminal Procedure.


21 DATED: December 16, 2014

A TRUE BILL.

22   
FOREPERSON

23 MELINDA HAAG  
24 United States Attorney

25   
26 J. DOUGLAS WILSON  
Chief, Criminal Division

27 (Approved as to form:   
28 AUSA Berger