UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 14-20160 CR-MOORE
TORRES

18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 1343
18 U.S.C. § 2
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(2)(A)

FILED by D.C.
MAR 13 2014
STEVEN M. LARIMORE
CLERK U. S. DIST. CT
S. D. of FLA. – MIAMI

UNITED STATES OF AMERICA

v.

LUIS MENDEZ,
a/k/a "Luisito,"
STAVROULA PHILIPPOU MENDEZ
a/k/a "Stella,"
a/k/a "Estella,"
LUIS MICHAEL MENDEZ,
a/k/a "Michael Mendez,"
MARIE ELEANOR MENDEZ,
a/k/a "Marie Toro,"
LAZARO ENRIQUE MENDEZ,
WILKIE PEREZ,
and
ENRIQUE ANGULO,

Defendants.

_____/

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. Gateway Bank, FSB ("Gateway Bank") was a financial institution headquartered in San Francisco, California. The bank funded mortgages used to purchase residential properties in South Florida and elsewhere. Gateway Bank's deposits were insured by the Federal Deposit

Insurance Corporation ("FDIC").

2. JPMorgan Chase, N.A. ("JP Morgan Chase") was a financial institution headquartered in New York, New York. The bank funded mortgages used to purchase residential properties in South Florida and elsewhere. JP Morgan Chase's deposits were insured by the FDIC.

3. Fremont Investment and Loan ("Fremont") was a financial institution headquartered in Brea, California. The bank funded mortgages used to purchase residential properties in South Florida and elsewhere. Fremont's deposits were insured by the FDIC.

4. Washington Mutual Bank ("Washington Mutual") was a financial institution headquartered in Seattle, Washington. The bank funded mortgages used to purchase residential properties in South Florida and elsewhere. Washington Mutual's deposits were insured by the FDIC.

5. Long Beach Mortgage, Inc. ("Long Beach Mortgage") was a mortgage lending business based in Dublin, California, and at all relevant times was a wholly-owned subsidiary and then a division of Washington Mutual. Long Beach Mortgage funded mortgages used to purchase residential properties in South Florida and elsewhere.

6. The term "mortgage" was used in the real estate industry to refer to a loan to finance the purchase of real estate property, usually with specified payment periods and interest rates, in which the borrower/mortgagor gave the lender/mortgagee a lien on the property as collateral for the loan.

7. The term "lenders" referred collectively to mortgage lenders and financial institutions that extended and disbursed mortgage loans to fund the financing of residential properties in the State of Florida.

8. The term "closing" was used in the real estate industry to refer to the event at which the legal transfer of real estate from seller to buyer formally took place and the point at which funds were transferred between the various parties, such as from the lending institution to the seller on the buyer's behalf. The fund transfers at closing were often accomplished by temporarily passing the funds through an intermediary commonly referred to as an escrow agent, settlement agent, title company, or settlement company.

9. Parties to a real estate transaction typically used an escrow agent, title company, or settlement company, to close a loan. An escrow agent held in trust the proceeds of a loan and disbursed those proceeds only after specified conditions had been satisfied.

10. The term "cash-to-close" was used in the real estate industry to refer to the monetary obligations to be met by a party, usually the buyer, in order for a closing on a particular real estate transaction to be completed.

11. The terms "straw buyer" and/or "straw purchaser" referred to an individual who, generally in exchange for a fee, allowed his or her identity and credit to be used in the purchase and financing of residential property.

12. The term "short sale" was used in the real estate industry to refer to a transaction in which real property was sold for an amount less than the balance owed on a mortgage or other lien securing the property, such that the mortgage holder agreed to accept less than the full amount owed by the borrower.

13. A HUD-1 Settlement Statement ("HUD-1") was a standard form required to be executed for the closing of real estate transactions. The HUD-1 itemized for the lender all aspects of the closing, including an itemized list of payments to be made by the borrower, money due to the seller, and any fees paid to third parties in connection with the closing. Lenders relied

on the accuracy of estimated HUD-1s in determining whether to fund a requested loan.

14. The Federal Housing Administration ("FHA"), a component of the United States Department of Housing and Urban Development ("HUD"), provided mortgage insurance on loans made by FHA-approved lenders throughout the United States. The FHA insured certain mortgages on single family and multifamily homes, including condominium units.

15. The Federal National Mortgage Association ("Fannie Mae") and the Federal Home Loan Mortgage Corporation ("Freddie Mac") were government-sponsored enterprises that purchased mortgages from lenders, provided guarantees to lenders in the event of default by borrowers on particular loans, and thereby provided liquidity to the mortgage market.

16. The Miami-Dade Housing Agency ("MDHA") was a housing agency located in Miami-Dade County, Florida, that, among other things, administered federal funds provided by the United States Department of Housing and Urban Development ("HUD") under the federal "Section 8" program for the purpose of subsidizing the rent for dwellings occupied by low-income persons.

17. Defendant **LUIS MENDEZ**, an individual who resided in Miami-Dade County, Florida, was a real estate developer doing business in Miami-Dade County and elsewhere. Through his control of various companies (including Barmeco Enterprises, Inc. ("Barmeco")) and bank accounts, **LUIS MENDEZ** sold and facilitated the selling of condominiums at various locations in Miami-Dade County and elsewhere.

18. Defendant **STAVROULA PHILIPPOU MENDEZ ("STAVROULA MENDEZ")**, an individual and wife of **LUIS MENDEZ**, resided in Miami-Dade County, Florida, and also worked in the real estate industry. Through her control of various companies and bank accounts, **STAVROULA MENDEZ** sold and facilitated the selling of condominiums

at various locations in Miami-Dade County and elsewhere.

19. Defendant **LUIS MICHAEL MENDEZ** ("**MICHAEL MENDEZ**"), an individual and son of **LUIS MENDEZ** and **STAVROULA MENDEZ**, resided in Miami-Dade County, Florida, and also worked in the real estate development business. Through his control of various companies and bank accounts, **MICHAEL MENDEZ** sold and facilitated the selling of condominiums at various locations in Miami-Dade County and elsewhere.

20. Defendant **MARIE ELEANOR MENDEZ** ("**MARIE MENDEZ**"), an individual and wife of **MICHAEL MENDEZ**, resided in Miami-Dade County, Florida, and also worked in the real estate development business. Through her exercise of control of various companies and bank accounts, **MARIE MENDEZ** sold and facilitated the selling of condominiums at various locations in Miami-Dade County and elsewhere.

21. Defendant **LAZARO ENRIQUE MENDEZ** ("**LAZARO MENDEZ**"), an individual and son of **LUIS MENDEZ** and **STAVROULA MENDEZ**, resided in Miami-Dade County, Florida, and also worked in the real estate development business. **LAZARO MENDEZ**, through exercising control of various companies and bank accounts, sold and facilitated the selling of condominiums at various locations in Miami-Dade County and elsewhere.

22. For purposes of this Indictment, the "Mendez Family" consists of **LUIS MENDEZ**, **STAVROULA MENDEZ**, **MICHAEL MENDEZ**, **MARIE MENDEZ**, and **LAZARO MENDEZ**.

23. **WILKIE PEREZ** resided in Miami-Dade County, Florida, and controlled Kinetic Mortgage, Inc., a mortgage brokerage business, where he facilitated the financing of various residential real estate transactions, including certain properties sold by Barmeco to straw

buyers.

24. **ENRIQUE ANGULO** resided in Miami-Dade County, Florida, and was a recruiter of straw buyers for **LAZARO MENDEZ** and **LUIS MENDEZ**.

25. E.S., a co-conspirator known to the Grand Jury, resided in Miami-Dade County, Florida, and served as the nominee president of Barmeco.

26. J.A., a co-conspirator known to the Grand Jury, now deceased, resided in Miami-Dade County, Florida, and facilitated the financing of various residential real estate transactions, including certain properties sold by Barmeco and L M Rentals, Inc. to straw buyers.

27. A.C., a co-conspirator known to the Grand Jury, resided in Miami and Jacksonville, Florida. A.C. acted as a recruiter of straw buyers and a facilitator for the financing of various residential real estate transactions, including certain properties sold by Barmeco and other entities to straw buyers.

28. L.M., a licensed mortgage broker, and T.M., co-conspirators known to the Grand Jury, resided in Miami-Dade County, Florida, and managed and controlled EZY Mortgage, where they facilitated the financing of various residential real estate transactions, including certain properties sold by Barmeco and other entities to straw buyers.

29. D.P., a co-conspirator known to the Grand Jury, was a straw buyer and recruiter of straw buyers for **WILKIE PEREZ**, and facilitated the financing of various residential real estate transactions, including certain properties sold by Barmeco to other straw buyers.

30. Barmeco was a Florida corporation located at 315 86th Street, Suite 3, Miami Beach, Florida, with its president listed in Florida Secretary of State records as E.S. In fact, Barmeco was managed and controlled by **LUIS MENDEZ** and **STAVROULA MENDEZ**. Barmeco owned a multi-unit residential property known as the Yolanda Villas, located at 801

NW 47th Avenue, and 4550 NW 9th Street, Miami, Florida, and sold condominium units at that property.

31. Hope Investments of Miami Beach, Inc. ("Hope Investments of Miami Beach") was a Florida corporation located in Miami-Dade County, with its officers listed in Florida Secretary of State records as including **LAZARO MENDEZ** and **STAVROULA MENDEZ**. Hope Investments of Miami Beach owned and sold condominium units in a multi-unit residential property known as Parc Central Aventura, located at 3300 NE 192nd Street and 3300 NE 191st Street, Aventura, Florida.

32. Blue Waves of North Miami Beach, Inc. ("Blue Waves of North Miami Beach") was a Florida corporation located in Miami-Dade County, with its officers listed in Florida Secretary of State records, at various times, as E.H. and M.R., persons known to the Grand Jury. In fact, Blue Waves of North Miami Beach was controlled and managed by **LUIS MENDEZ** and **MICHAEL MENDEZ**. Blue Waves of North Miami Beach owned and sold condominium units in a multi-unit residential property known as Blue Waves, located at 940 NE 170th Street, 980 NE 170th Street, 941 NE 169th Street, and 981 NE 169th Street, North Miami Beach, Florida.

33. L M Rentals, Inc. ("L M Rentals") was a Florida corporation located at 8909 Irving Avenue, Surfside, Florida, with its officers listed in Florida Secretary of State records as including **MARIE MENDEZ** and **MICHAEL MENDEZ**. L M Rentals owned and sold condominium units at the Diane Condominium, a multi-unit residential property located at 16118 NE 21st Avenue, Miami, Florida.

34. EZY Mortgage, Inc. ("EZY Mortgage") was a Florida corporation that was engaged in the mortgage brokerage business, with offices in Miami-Dade County. EZY

Mortgage was controlled by L.M. and T.M. EZY Mortgage facilitated the financing for the sale of real estate at the Yolanda Villas and elsewhere.

35. Kinetic Mortgage Group, Inc. ("Kinetic Mortgage") was a Florida corporation that was engaged in the mortgage brokerage business, with offices in Miami-Dade County. Kinetic Mortgage was controlled by **WILKIE PEREZ** and J.G.M., a person known to the Grand Jury. Kinetic Mortgage facilitated financing for the sale of real estate at the Yolanda Villas and elsewhere.

36. State Lending Corporation ("State Lending") was a Florida corporation that was engaged in the real estate lending business, with offices in Miami-Dade County, Florida.

37. China Well, Inc. was a Florida corporation located in Miami-Dade County, with its officer listed in Florida Secretary of State records as **STAVROULA MENDEZ**.

38. ESLU Investments Company ("ESLU Investments") was a Florida corporation located in Miami-Dade County, with its officers listed in Florida Secretary of State records at various times as J.B., a person known to the Grand Jury, and Barbara Management Inc., a Florida corporation with its officer listed in Florida Secretary State records as **MARIE MENDEZ**. In fact, at the time that J.B. was the president of ESLU Investments, the company was controlled by **LUIS MENDEZ**.

COUNT 1
CONSPIRACY TO COMMIT BANK AND WIRE FRAUD
(18 U.S.C. § 1349)

1. Paragraphs 1 through 38 of the General Allegations Section of this Indictment are re-alleged and fully incorporated herein by reference.

2. From in or around mid-2006, and continuing through in or around December 2010, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere,

LUIS MENDEZ,
a/k/a "Luisito,"
STAVROULA PHILIPPOU MENDEZ
a/k/a "Stella,"
a/k/a "Estella,"
LUIS MICHAEL MENDEZ,
a/k/a "Michael Mendez,"
MARIE ELEANOR MENDEZ,
a/k/a "Marie Toro,"
LAZARO ENRIQUE MENDEZ,
WILKIE PEREZ,
and
ENRIQUE ANGULO,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate, and agree together and with others known and unknown to the Grand Jury, to:

a. knowingly, and with intent to defraud, execute and cause the execution of a scheme and artifice to defraud a financial institution, which scheme and artifice would employ a material falsehood, and to knowingly and with intent to defraud, execute, and cause the execution of a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of

Title 18, United States Code, Sections 1344(1) and (2);

b. knowingly, and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, which scheme and artifice affected a financial institution, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and transmitting and causing to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures, and sounds, for the purpose of executing the scheme and artifice, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy that the defendants and their co-conspirators would unlawfully enrich themselves by, among other things: (a) recruiting and using straw buyers to purchase and finance residential properties, namely condominium units, owned or controlled by certain of the defendants in Miami-Dade County, Florida; (b) making and causing to be made false and fraudulent representations on mortgage loan applications submitted to lenders, including submitting false information about the buyer's employment, earnings, assets, and intent to occupy as a primary residence, among other things, and submitting false closing documents, HUD-1s, deeds, wage and earnings statements, and other related loan documents; (c) causing, through the submission of such false and fraudulent information, the lenders to loan money that they otherwise would not have loaned; (d) concealing the fraudulent scheme by making mortgage payments until the properties were later sold or fell into foreclosure; (e) renting sold condominium units to tenants in order to support the mortgage payments, and continuing to receive federal Section 8 housing subsidy grant monies for certain of those tenants; and (f) concealing and diverting fraud proceeds for their personal use and benefit, and to further the

scheme to defraud and conspiracy.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among others, the following:

Overview of the Conspiracy

4. Starting in or about mid-2006, the exact date being unknown to the Grand Jury, the defendants and their co-conspirators agreed to identify certain residential real estate properties in and around Miami-Dade County, Florida that were owned or controlled by the Mendez Family, the sale of which could be used to defraud lenders and produce a profit for co-conspirators. The real estate properties included condominium units at Parc Central Aventura, the Yolanda Villas, Blue Waves, and Diane Condominium (collectively, the "Properties").

5. To carry out the conspiracy, **LUIS MENDEZ**, **STAVROULA MENDEZ**, **LAZARO MENDEZ**, **MICHAEL MENDEZ**, and **MARIE MENDEZ** enlisted various mortgage brokers and other individuals, including **WILKIE PEREZ** and **ENRIQUE ANGULO**, to recruit straw buyers to act as qualifying mortgage applicants in order to fraudulently purchase and finance the Properties.

6. Defendants and their co-conspirators prepared, and caused to be prepared, false and fraudulent mortgage loan applications, HUD-1 Statements, and other related documents on behalf of the straw buyers. The loan applications and related documents, which were submitted to lenders, contained numerous false statements and representations relating to the straw buyers' employment, income, assets, intent to make the property a primary residence, and other information necessary for lenders to assess the straw buyers' qualifications to borrow money. The false and fraudulent documents were used to induce the lenders to fund mortgage loans to

purchase and finance the Properties.

7. After the loans were funded, defendants and their co-conspirators caused fraudulent payments and disbursements to be made from the mortgage loan proceeds to pay kickbacks to the mortgage brokers, recruiters, and straw buyers, to pay the mortgages on behalf of the straw buyers, to fund the payment of the straw buyers' cash-to-close, and for the purpose of diverting loan proceeds for their own personal benefit and/or to further the fraud scheme.

The Parc Central Aventura Property

8. In or about mid-2006, the exact date being unknown to the Grand Jury, **LAZARO MENDEZ**, L.M., and T.M. agreed to defraud lenders in connection with the purchase of condominium units at Parc Central Aventura owned by Hope Investments of Miami Beach. **LAZARO MENDEZ** recruited straw buyers and provided false information for L.M. and T.M. to include on those buyers' loan applications, including false employers that were companies controlled by **LAZARO MENDEZ**'s parents, **LUIS MENDEZ** and **STAVROULA MENDEZ**. On occasion, **STAVROULA MENDEZ** verified false employment for straw buyers at Parc Central Aventura.

9. **LAZARO MENDEZ**, L.M. and T.M. knowingly made and caused to be made false and fraudulent representations on straw buyers' applications for loans to finance the purchase of condominium units at Parc Central Aventura, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted or caused to be submitted the applications and related documents to lenders.

The Yolanda Villas and Diane Condominiums Properties

10. In or about mid-2006, the exact date being unknown to the Grand Jury, **LAZARO MENDEZ** introduced L.M. and T.M. to his parents, **LUIS MENDEZ** and **STAVROULA**

MENDEZ, who, through their control of Barmeco, controlled the Yolanda Villas and were converting the rental apartment units therein to condominiums in order to sell them to individual buyers. L.M., T.M., and **LUIS MENDEZ** and **LAZARO MENDEZ**, agreed to defraud lenders in connection with the purchase of condominium units at the Yolanda Villas, and thereafter, together with their co-conspirators, recruited straw buyers and knowingly made and caused to be made false and fraudulent representations on those buyers' loan applications, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted or caused to be submitted the applications and related documents to lenders.

11. At the urging of **LUIS MENDEZ** and **STAVROULA MENDEZ**, L.M. and T.M. established various shell companies to receive kickback payments from Barmeco. Shortly after the closings, consistent with the conspiratorial agreement, **STAVROULA MENDEZ** signed checks from Barmeco transferring a portion of Barmeco's sales proceeds to these companies and to a shell company owned by **LAZARO MENDEZ**.

12. For certain transactions, **LUIS MENDEZ** and **STAVROULA MENDEZ** provided the buyer's cash-to-close, either directly to the buyer or by reimbursing the shell companies owned by L.M. and T.M. after L.M. and T.M. had advanced the funds through those companies, contrary to representations on the HUD-1s that the buyer would provide the cash-to-close.

13. At or about the same time in mid-2006, the exact date being unknown to the Grand Jury, **LUIS MENDEZ** agreed with **WILKIE PEREZ**, the owner of Kinetic Mortgage, to defraud lenders in connection with the purchase of condominium units at the Yolanda Villas, and thereafter, together with their co-conspirators, recruited straw buyers and knowingly made and

caused to be made false and fraudulent representations on those buyers' loan applications, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted and caused to be submitted the applications and related documents to lenders.

14. At **WILKIE PEREZ**'s direction, a Kinetic Mortgage employee, L.P., established shell companies to receive kickback payments from Barmeco disguised as "decorator credits" intended for the buyer. Shortly after the closings, consistent with the conspiratorial agreement, **STAVROULA MENDEZ** signed checks from Barmeco transferring a portion of Barmeco's sales proceeds to these companies.

15. In or about 2007, the exact date being unknown to the Grand Jury, **MICHAEL MENDEZ** and **LUIS MENDEZ** enlisted J.A., a loan officer at State Lending, and A.C. into the scheme, and agreed to defraud lenders in connection with the purchase of condominium units at both the Yolanda Villas and Diane Condominium, a property owned by L M Rentals and controlled by **MICHAEL MENDEZ** and **MARIE MENDEZ**. Thereafter, A.C. and his co-conspirators recruited straw buyers and knowingly made and caused to be made false and fraudulent representations on those buyers' loan applications, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted and caused to be submitted the applications and related documents to lenders.

16. Shortly after the closings, consistent with the conspiratorial agreement, **STAVROULA MENDEZ** and **MARIE MENDEZ**, through a series of corporations they controlled, paid kickbacks by transferring a portion of Barmeco's sales proceeds (for the Yolanda Villas units) and L M Rentals' sales proceeds (for the Diane Condominium units) to shell companies controlled by A.C. and J.A.

17. **MICHAEL MENDEZ** and **MARIE MENDEZ** provided the buyer's cash-to-close for certain of the transactions in which J.A. and A.C. were involved, contrary to representations on the HUD-1s that the buyer would provide the cash-to-close.

18. In or about 2007, the exact date being unknown to the Grand Jury, **LAZARO MENDEZ** enlisted **ENRIQUE ANGULO** into the scheme. **LAZARO MENDEZ** and **ENRIQUE ANGULO** agreed to defraud lenders in connection with the purchase of condominium units at the Yolanda Villas. Thereafter, **ENRIQUE ANGULO** recruited straw buyers and knowingly made and caused to be made false and fraudulent representations on those buyers' loan applications, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted and caused to be submitted the applications and related documents to lenders.

19. With respect to certain of the units purchased by a straw buyer recruited by **ENRIQUE ANGULO**, **LUIS MENDEZ** paid the cash-to-close through China Well, a company owned by **STAVROULA MENDEZ**. After the closings on those units, **STAVROULA MENDEZ** reimbursed China Well out of the loan proceeds paid to Barmeco, the seller of the units, and paid kickbacks to a shell company owned by **LAZARO MENDEZ**, and to **ENRIQUE ANGULO**.

20. In 2009, ESLU Investments, which was controlled by **LUIS MENDEZ**, purchased at least 20 Yolanda Villas Properties from straw buyers in short sales at a fraction of the price for which Barmeco previously had sold the units to straw buyers.

21. **LUIS MENDEZ** and **STAVROULA MENDEZ** transferred more than $3 million from Barmeco, China Well, and other companies they owned to ESJ Group, LLC, a company managed by, among others, **STAVROULA MENDEZ**. ESJ Group, LLC then

transferred certain of those funds to a bank account in Switzerland.

The Blue Waves Property

22. In or about mid-2006, the exact date being unknown to the Grand Jury, L.M. and T.M. met **MICHAEL MENDEZ**, who, with his **LUIS MENDEZ**, controlled Blue Waves. **MICHAEL MENDEZ**, L.M., and T.M. agreed to defraud lenders in connection with the purchase of condominium units at Blue Waves, and thereafter, together with their co-conspirators, recruited straw buyers and knowingly made and caused to be made false and fraudulent representations on those buyers' loan applications, including false information about the buyers' employment, income, assets, and intent to occupy the units as a primary residence, and then submitted and caused to be submitted the applications and related documents to lenders.

23. **MARIE MENDEZ** and **MICHAEL MENDEZ** knowingly made and caused to be made false representations on applications for loans to finance their own purchases of condominium units at Blue Waves, more particularly the units located at 940 NE 170 Street, Unit 206, Miami, Florida, and 941 NE 169 Street, Unit 208, Miami, Florida, respectively, including information about their employment, income, assets, and intent to occupy the units as a primary residence, and then submitted and caused to be submitted the applications and related documents to Washington Mutual and Long Beach Mortgage.

24. On at least one occasion, Blue Waves of North Miami Beach, the owner of Blue Waves, wired funds to straw buyers to supply the cash to close for the purchase of condominium units at Yolanda Villas.

Payment of the Mortgages

25. **LUIS MENDEZ, STAVROULA MENDEZ, MICHAEL MENDEZ, MARIE ELEANOR MENDEZ, LAZARO MENDEZ, WILKIE PEREZ**, and **ENRIQUE ANGULO**

made, and caused to be made, mortgage payments on certain of the Properties in order to conceal the fraudulent nature of the sales to straw buyers until the straw buyers could resell the Properties or until the Properties fell into foreclosure. Ultimately, the co-conspirators stopped making mortgage payments, causing many of the Properties to go into foreclosure and resulting in substantial losses to the lenders, as well as to FHA, Fannie Mae, and Freddie Mac.

26. In order to ensure that there was sufficient income to pay the mortgages after the fraudulent sales at the Yolanda Villas described above, **LUIS MENDEZ**, through his control of Barmeco, continued to rent the condominium units to tenants. Some of the tenants were low-income residents whose rents were subsidized with federal grant monies under the "Section 8" program, which monies were paid directly by the MDHA to Barmeco.

27. With respect to certain of the condominium units sold to straw buyers, **MARIE MENDEZ**, acting on behalf of Barmeco, continued to falsely represent that Barmeco was the owner. As a result, the MDHA continued to pay federal housing subsidies for certain units to Barmeco, even though the federal Section 8 program permitted only the owner of the unit to receive a subsidy. Furthermore, **MARIE MENDEZ** requested from the MDHA a "rent increase" – that would continue to be paid to Barmeco and her as its representative – for at least one unit that Barmeco had previously sold to a straw buyer and for which it was no longer legally entitled to receive Section 8 subsidies.

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

COUNTS 2-16
BANK FRAUD
(18 U.S.C. §§ 1344 (1), (2), & 2)

1. Paragraphs 1 through 38 of the General Allegations Section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around mid-2006, and continuing through in or about December 2010, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere,

LUIS MENDEZ,
a/k/a "Luisito,"
STAVROULA PHILIPPOU MENDEZ
a/k/a "Estella,"
a/k/a "Stella,"
LUIS MICHAEL MENDEZ,
a/k/a "Michael Mendez,"
MARIE ELEANOR MENDEZ,
a/k/a "Marie Toro,"
LAZARO ENRIQUE MENDEZ,
WILKIE PEREZ,
and
ENRIQUE ANGULO,

did knowingly, and with intent to defraud, execute and attempt to execute a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of a financial institution by means of false and fraudulent pretenses, representations, and promises, relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2), and 2.

PURPOSE OF THE SCHEME AND ARTIFICE

3. Paragraph 3 of Count 1 of the Indictment, describing the purpose of the

conspiracy, is re-alleged and incorporated by reference as though fully set forth herein as a description of the purpose of the scheme and artifice.

THE SCHEME AND ARTIFICE

4. Paragraphs 4 through 23 of Count 1 of the Indictment, describing the manner and means of the conspiracy, are re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

5. On or about the dates specified as to each count below, in Miami-Dade County, Florida, in the Southern District of Florida, and elsewhere, the defendants specified as to each count below did execute and attempt to execute the aforesaid scheme and artifice to defraud financial institutions and to obtain moneys, funds, credit, assets, and other property owned by, and under the custody and control of, said financial institutions, as more particularly described below:

COUNT	APPROX. DATE	DEFENDANT(S)	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
2	6/2/2006	**LAZARO MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of E.S. to Long Beach Mortgage for the purpose of obtaining a mortgage loan in the amount of approximately $500,000 to finance the purchase of property located at 3300 NE 192nd Street, Unit 1913, Aventura, Florida (Parc Central Aventura).

COUNT	APPROX. DATE	DEFENDANT(S)	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
3	7/26/2006	**LAZARO MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of M.R. to Long Beach Mortgage for the purpose of obtaining a mortgage loan in the amount of approximately $488,000 to finance the purchase of property located at 3300 NE 192nd Street, Unit 1413, Aventura, Florida (Parc Central Aventura).
4	8/17/2006	**MICHAEL MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of **MICHAEL MENDEZ** to Long Beach Mortgage for the purpose of obtaining a mortgage loan in the amount of approximately $162,159 to finance the purchase of property located at 941 NE 169 Street, Unit 208, Miami, Florida (Blue Waves).
5	10/31/2006	**MARIE ELEANOR MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of **MARIE ELEANOR MENDEZ** to Washington Mutual Bank for the purpose of obtaining a mortgage loan in the amount of approximately $144,000 to finance the purchase of property located at 940 NE 170th Street, Unit 206, Miami, Florida (Blue Waves).
6	12/4/2006	**WILKIE PEREZ, LUIS MENDEZ, and STAVROULA MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of D.P. to Fremont Investment and Loan for the purpose of obtaining a mortgage loan in the amount of approximately $200,000 to finance the purchase of property located at 801 NW 47th Avenue, Unit 802, Miami, Florida (Yolanda Villas).

COUNT	APPROX. DATE	DEFENDANT(S)	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
7	1/22/2007	**LUIS MENDEZ, STAVROULA MENDEZ, and LAZARO MENDEZ**	Submission of false and fraudulent loan application, closing and related documents in the name of R.M. to Washington Mutual Bank for the purpose of obtaining a mortgage loan in the amount of approximately $176,000 to finance the purchase of property located at 801 NW 47th Avenue, Unit 818, Miami, Florida (Yolanda Villas).
8	9/12/2007	**MICHAEL MENDEZ and MARIE ELEANOR MENDEZ**	Submission of false and fraudulent loan application, closing, and related documents in the name of D.A.M. to Gateway Bank, for the purpose of obtaining a mortgage loan in the amount of approximately $198,000 to finance the purchase of property located at 16118 NE 21st Avenue, Unit 10, Miami, Florida (Diane Condominium).
9	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 106, in Miami, Florida (Yolanda Villas).
10	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 116, in Miami, Florida (Yolanda Villas).

COUNT	APPROX. DATE	DEFENDANT(S)	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
11	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 118, in Miami, Florida (Yolanda Villas).
12	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 204, in Miami, Florida (Yolanda Villas).
13	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 205, in Miami, Florida (Yolanda Villas).
14	11/30/2007	**LUIS MENDEZ, LAZARO MENDEZ, STAVROULA MENDEZ, and ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 206, in Miami, Florida (Yolanda Villas).

COUNT	APPROX. DATE	DEFENDANT(S)	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
15	11/30/2007	**LUIS MENDEZ,** **LAZARO MENDEZ,** **STAVROULA MENDEZ,** **and** **ENRIQUE ANGULO**	Submission of fraudulent loan applications, closing, and related documents in the name of E.D.C. to JP Morgan Chase Bank, N.A. for the purpose of obtaining a mortgage loan in the amount of approximately $176,250 to finance the purchase of property located at 801 NW 47th Avenue, Unit 207, in Miami, Florida (Yolanda Villas).
16	3/21/2008	**LUIS MENDEZ,** **MICHAEL MENDEZ,** **STAVROULA MENDEZ,** **and** **MARIE ELEANOR MENDEZ**	Submission of false and fraudulent loan application, closing, and related documents in the name of D.A. and D.A.M. to Gateway Bank, for the purpose of obtaining a mortgage loan in the amount of approximately $231,369 to finance the purchase of property located at 801 NW 47th Avenue, Unit 815, Miami, Florida (Yolanda Villas).

In violation of Title 18, United States Code, Sections 1344(1) and (2), and 2.

COUNTS 17-19
WIRE FRAUD
(18 U.S.C. §§ 1343 & 2)

1. Paragraphs 1 through 38 of the General Allegations Section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around mid-2006, and continuing through in or about December 2010, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere,

LUIS MENDEZ,
a/k/a "Luisito,"
STAVROULA PHILIPPOU MENDEZ
a/k/a "Estella,"
a/k/a "Stella,"
LUIS MICHAEL MENDEZ,
a/k/a "Michael Mendez,"
MARIE ELEANOR MENDEZ,
a/k/a "Marie Toro,"
and
LAZARO ENRIQUE MENDEZ,

did knowingly, and with intent to defraud, devise and attempt to devise a scheme and artifice to defraud, which scheme and artifice affected a financial institution, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and transmitting and causing to be transmitted in interstate and foreign commerce, by means of wire communication, certain writings, signs, signals, pictures and sounds, within the Southern District of Florida, for the purpose of executing the scheme and artifice, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE SCHEME AND ARTIFICE

3. Paragraph 3 of Count 1 of the Indictment, describing the purpose of the

conspiracy, is re-alleged and incorporated by reference as though fully set forth herein as a description of the purpose of the scheme and artifice.

THE SCHEME AND ARTIFICE

4. Paragraphs 4 through 23 of Count 1 of the Indictment, describing the manner and means of the conspiracy, are re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

5. On or about the dates set forth as to each count below, the listed defendants, for the purpose of executing and in furtherance of the scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce the following:

COUNT	APPROX. DATE	DEFENDANTS	WIRE COMMUNICATION
17	4/12/2007	**LUIS MENDEZ, STAVROULA MENDEZ, and LAZARO MENDEZ**	Wire transfer of approximately $189,654.19 from Washington Mutual Bank in Stockton, CA, to Direct Home Title in Miami, FL, to fund a loan for B.F. to purchase property located at 4550 NW 9th Avenue, Unit 114, Miami, Florida (Yolanda Villas).
18	6/29/2007	**WILKIE PEREZ, LUIS MENDEZ, and STAVROULA MENDEZ**	Wire transfer of approximately $209,397.65 from Chase Manhattan Bank in New York, NY to Kinetic Title Group, Inc. in Miami, FL to fund a loan for P.L. to purchase property located at 801 NW 47th Street, Unit 920, Miami, Florida (Yolanda Villas).

COUNT	APPROX. DATE	DEFENDANTS	ACT IN EXECUTION OF THE SCHEME AND ARTIFICE
19	3/7/2008	**LUIS MENDEZ,** **STAVROULA MENDEZ,** **MICHAEL MENDEZ,** **and** **MARIE ELEANOR MENDEZ**	Wire transfer of approximately $231,369 from Gateway Bank in San Leandro, CA, to Alfredo Garcia-Menocal, PA in Miami, FL, to fund a loan for D.W.M. to purchase property located at 801 NW 47th Avenue, Unit 814, Miami, Florida (Yolanda Villas).

In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE ALLEGATIONS
(18 U.S.C. §§ 982(a)(2)(A) and 981(a)(1)(C))

1. The allegations contained in the General Allegations Section and in Counts 1 through 19 of this Indictment are realleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which one or more of **LUIS MENDEZ, STAVROULA MENDEZ, MICHAEL MENDEZ, MARIE MENDEZ, LAZARO MENDEZ, WILKIE PEREZ,** and **ENRIQUE ANGULO** has an interest.

2. Upon conviction of any of the violations alleged in Counts 1 through 19 of this Indictment, **LUIS MENDEZ, STAVROULA MENDEZ, MICHAEL MENDEZ, MARIE MENDEZ, LAZARO MENDEZ, WILKIE PEREZ,** and **ENRIQUE ANGULO** shall forfeit all of their right, title and interest to the United States of any property, constituting or derived from proceeds obtained directly or indirectly as a result of the violation, pursuant to Title 18, United States Code, Section 982(a)(2)(A).

3. Upon conviction of any of the violations alleged in Counts 1 through 19 of this Indictment, **LUIS MENDEZ, STAVROULA MENDEZ, MICHAEL MENDEZ, MARIE MENDEZ, LAZARO MENDEZ, WILKIE PEREZ,** and **ENRIQUE ANGULO** shall forfeit all of their right, title and interest to the United States of any property, constituting or derived from proceeds obtained directly or indirectly as a result of the violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

4. The property subject to forfeiture, pursuant to Forfeiture Allegations paragraphs 2 and 3 above, includes but is not limited to:

- the sum of all proceeds the defendants derived from the offenses alleged in this Indictment; and
- The contents of accounts of Millstream Capital-Switzerland and Millstream Capital-Liechtenstein, or their successors.

(All pursuant to Title 18, United States Code, Section 982(a)(2)(A); Title 18, United States Code, Section 981(a)(1)(C) and the procedures set forth at Title 21, United States Code, Section 853, made applicable by Title 28, United States Code, Section 2461.)

5. If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants,

(1) cannot be located upon the exercise of due diligence,

(2) has been transferred or sold to, or deposited with a third person,

(3) has been placed beyond the jurisdiction of the Court,

(4) has been substantially diminished in value, or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), made applicable through Title 18, United States Code, Section 982(b) and the provisions of Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to the following:

a. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 4550 NW 9th Street, Miami, Florida,

Units 102E (Folio # 01-3132-044-1860), 103E (Folio # 01-3132-044-1950), 106E (Folio # 01-3132-044-2220), 107E (Folio # 01-3132-044-2310), 109E (Folio # 01-3132-044-2490), 114E (Folio # 01-3132-044-2820), 117E (Folio # 01-3132-044-3080), 120E (Folio # 01-3132-044-3350), 121E (Folio # 01-3132-044-3440), 202E (Folio # 01-3132-044-1870), 203E (Folio # 01-3132-044-1960), 216E (Folio # 01-3132-044-3000), 219E (Folio # 01-3132-044-3270), 221E (Folio # 01-3132-044-3450), 304E (Folio # 01-3132-044-2060), 311E (Folio # 01-3132-044-2670), 314E (Folio # 01-3132-044-2840), 316E (Folio # 01-3132-044-3010), 403E (Folio # 01-3132-044-1980), 418E (Folio # 01-3132-044-3200), 503E (Folio # 01-3132-044-1990), 504E (Folio # 01-3132-044-2080), 507E (Folio # 01-3132-044-2350), 508E (Folio # 011-3132-044-2440), 510E (Folio # 01-3132-044-2610), 515E (Folio # 01-3132-044-2940), 517E (Folio # 01-3132-044-3120), 518E (Folio # 01-3132-044-3210), 521E (Folio # 01-3132-044-3480), 605E (Folio # 01-3132-044-2180), 606E (Folio # 01-3132-044-2270), 608E (Folio # 01-3132-044-2450), 610E (Folio # 01-3132-044-2620), 611E (Folio # 01-3132-044-2700), 612E (Folio # 01-3132-044-2780), 616E (Folio # 01-3132-044-3040), 702E (Folio # 01-3132-044-1920), 709E (Folio # 01-3132-044-2550), 710E (Folio # 01-3132-044-2630), 718E (Folio # 01-3132-044-3230), 719E (Folio # 01-3132-044-3320), 720E (Folio # 01-3132-044-3410), 804E (Folio # 01-3132-044-2110), 806E (Folio # 01-3132-044-2290), 808E (Folio # 01-3132-044-2470), 810E (Folio # 01-3132-044-2640), 811E (Folio # 01-3132-044-2720), 819E (Folio # 01-3132-044-3330), 820E (Folio # 01-3132-044-3420), 902E (Folio # 01-3132-044-1940), 903E (Folio # 01-3132-044-2030), 904E (Folio # 01-3132-044-2120), 905E (Folio # 01-3132-044-2210), 906E (Folio # 01-3132-044-2300), 907E (Folio # 01-3132-044-2390), 909E (Folio # 01-3132-044-2570), 910E (Folio # 01-3132-044-2650), 912E (Folio

01-3132-044-2810), 915E (Folio # 01-3132-044-2980), 916E (Folio # 01-3132-044-3070), 917E (Folio # 01-3132-044-3160), 919E (Folio # 01-3132-044-3340).

b. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 801 NW 47th Avenue, Miami, Florida, Units 105W (Folio # 01-3132-044-0370), 108W (Folio # 01-3132-044-0640), 120W (Folio # 01-3132-044-1590), 209W (Folio # 01-3132-044-0740), 210W (Folio # 01-3132-044-0820), 211W (Folio # 01-3132-044-0900), 214W (Folio # 01-3132-044-1070), 215W (Folio # 01-3132-044-1150), 216W (Folio # 01-3132-044-1240), 218W (Folio # 01-3132-044-1420), 219W (Folio # 01-3132-044-1510), 305W (Folio # 01-3132-044-0390), 311W (Folio # 01-3132-044-0910), 316W (Folio # 01-3132-0440-1250), 401W (Folio # 01-3132-044-0040), 402W (Folio # 01-3132-044-0130), 405W (Folio # 01-3132-044-0400), 416W (Folio # 01-3132-044-1260), 502W (Folio # 01-3132-044-0140), 503W (Folio # 01-3132-044-0230), 504W (Folio # 01-3132-044-0320), 506W (Folio # 01-3132-044-0500), 512W (Folio # 01-3132-044-1010), 514W (Folio # 01-3132-044-1100), 517W (Folio # 01-3132-044-1360), 519W (Folio # 01-3132-044-1540), 602W (Folio # 01-3132-044-0150), 604W (Folio # 01-3132-044-0330), 614W (Folio # 01-3132-044-1110), 615W (Folio # 011-3132-044-1190), 618W (Folio # 01-3132-044-1460), 621W (Folio # 01-3132-044-1730), 706W (Folio # 01-3132-044-0520), 707W (Folio # 01-3132-044-0610), 708W (Folio # 01-3132-044-0700), 709W (Folio # 01-3132-044-0790), 712W (Folio # 01-3132-044-1030), 716W (Folio # 01-3132-044-1290), 803W (Folio # 01-3132-044-0260), 804W (Folio # 01-3132-044-0350), 806W (Folio # 01-3132-044-0530), 807W (Folio # 01-3132-044-0620), 808W (Folio # 01-3132-044-

0710), 817W (Folio # 01-3132-044-1390), 819W (Folio # 01-3132-044-1570), 820W (Folio # 01-3132-044-1660), 903W (Folio # 01-3132-044-0270), 907W (Folio # 01-3132-044-0630), 909W (Folio # 01-3132-044-0810), 916W (Folio # 01-3132-044-1310), 917W (Folio # 01-3132-044-1400), 918W (Folio # 01-3132-044-1490), 921W (Folio # 01-3132-044-1760).

c. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 941 NE 169th Street, Miami, Florida, Units 106 (Folio # 07-2207-082-0050), 108 (Folio # 07-2207-082-0070), 114 (Folio # 07-2207-082-0130), 118 (Folio # 07-2207-082-0170), 124 (Folio # 07-2207-082-0230), 202 (Folio # 07-2207-082-0020), 204 (Folio # 07-2207-082-0040), 206 (Folio # 07-2207-082-0060), 210 (Folio # 07-2207-082-0100), 212 (Folio # 07-2207-082-0120), 214 (Folio # 07-2207-082-0140), 216 (Folio # 07-2207-082-0160), 218 (Folio # 07-2207-082-0180), 220 (Folio # 07-2207-082-0200), 226 (Folio # 07-2207-082-0260).

d. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 981 NE 169th Street, Units 110 (Folio # 07-2207-082-0350), 210 (Folio # 07-2207-082-0360), 214 (Folio # 07-2207-082-0400), 216 (Folio # 07-2207-082-0420), 220 (Folio # 07-2207-082-0460), 226 (Folio # 07-2207-082-0520).

e. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 940 NE 170th Street, Units 106 (Folio #

07-2207-082-0570), 112 (Folio # 07-2207-082-0630), 114 (Folio # 07-2207-082-0650), 122 (Folio # 07-2207-082-0730), 204 (Folio # 07-2207-082-0560), 208 (Folio # 07-2207-082-0600).

f. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 1655 W. 44th Place, Miami, Florida, Units 254 (Folio # 04-3002-203-2090), 431 (Folio # 04-3002-203-1190), 441 (Folio # 04-3002-203-1590), 526 (Folio # 04-3002-203-1000), 531 (Folio # 04-3002-203-1200), 532 (Folio # 04-3002-203-1240).

g. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 10350 W. Bay Harbor Drive, Units 3B (Folio # 13-2227-095-0250), 5F (Folio # 13-2227-095-0620).

h. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants' right, title and interest in the property located at 8909 Irving Avenue, Miami, Florida (Folio # 14-2235-005-3710).

i. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, easements, any parking spaces, and the defendants'

right, title and interest in the property located at 3600 Mystic Pointe Drive, Unit 1513, Miami, Florida (Folio # 28-2202-023-2180).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

WIFREDO A. FERRER
UNITED STATES ATTORNEY
Southern District of Florida

JEFFREY H. KNOX
CHIEF
Fraud Section, Criminal Division
U.S. Department of Justice

By:
Gary A. Winters
Brian Young
Trial Attorneys
Fraud Section, Criminal Division

Attorneys for the Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

vs.

LUIS MENDEZ, et al.,

Defendants.
_____/

CASE NO. _____

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

New Defendant(s) Yes ____ No ____
Number of New Defendants ____
Total number of counts ____

Court Division: (Select One)

__X__ Miami ____ Key West
____ FTL ____ WPB ____ FTP

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes
List language and/or dialect Spanish

4. This case will take 21 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

	(Check only one)		(Check only one)	
I	0 to 5 days	____	Petty	____
II	6 to 10 days	____	Minor	____
III	11 to 20 days	____	Misdem.	____
IV	21 to 60 days	X	Felony	X
V	61 days and over	____		

6. Has this case been previously filed in this District Court? (Yes or No) No
If yes:
Judge: _____ Case No. _____
(Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) No
If yes:
Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of _____
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? ____ Yes __X__ No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? ____ Yes __X__ No

GARY A. WINTERS
DOJ TRIAL ATTORNEY
Court No. A5501852

*Penalty Sheet(s) attached

REV.4/8/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **LUIS MENDEZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

*Max. Penalty: 30 years' imprisonment

Counts #: 6, 7, and 9-16

Bank Fraud

Title 18, United States Code, Section 1344

*Max. Penalty: 30 years' imprisonment as to each count

Counts #: 17-19

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalty: 30 years' imprisonment as to each count

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **STAVROULA PHILIPPOU MENDEZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

*Max. Penalty: 30 years' imprisonment

Counts #: 6, 7 and 9-16

Bank Fraud

Title 18, United States Code, Section 1344

*Max. Penalty: 30 years' imprisonment as to each count

Counts #: 17-19

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalty: 30 years' imprisonment as to each count

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **LUIS MICHAEL MENDEZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

*Max. Penalty: 30 years' imprisonment

Counts #: 4, 8 and 16

Bank Fraud

Title 18, United States Code, Section 1344

*Max. Penalty: 30 years' imprisonment as to each count

Count #: 19

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalty: 30 years' imprisonment as to each count

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **MARIE ELEANOR MENDEZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** 30 years' imprisonment

Counts #: 5, 8 and 16

Bank Fraud

Title 18, United States Code, Section 1344

***Max. Penalty:** 30 years' imprisonment as to each count

Count #: 19

Wire Fraud

Title 18, United States Code, Section 1343

***Max. Penalty:** 20 years' imprisonment as to each count

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **LAZARO ENRIQUE MENDEZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

*Max. Penalty: 30 years' imprisonment

Counts #: 2, 3, 7, and 9-15

Bank Fraud

Title 18, United States Code, Section 1344

*Max. Penalty: 30 years' imprisonment as to each count

Counts #: 17

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalty: 30 years' imprisonment as to each count

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **WILKIE PEREZ**

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

*Max. Penalty: 30 years' imprisonment

Count #: 6

Bank Fraud

Title 18, United States Code, Section 1344

*Max. Penalty: 30 years' imprisonment

Count #: 18

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalty: 30 years' imprisonment

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ENRIQUE ANGULO

Case No: _____

Count #: 1

Conspiracy to Commit Bank and Wire Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** 30 years' imprisonment

Counts #: 9-15

Bank Fraud

Title 18, United States Code, Section 1344

***Max. Penalty:** 30 years' imprisonment as to each count

Count #:

_____

_____

***Max. Penalty:** _____

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**